

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

ORDINANCE NO. 24-19

AN ORDINANCE TO AMEND DARLINGTON COUNTY CODE OF ORDINANCES, CHAPTER 6 (ANIMALS), ARTICLE II. (ANIMAL CONTROL) TO ADD A SECTION GOVERNING THE TETHERING OF PETS, AND TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE

PURPOSE

The purpose of this ordinance is to update Chapter 6 (Animals), Article II. (Animal Control) to add a section governing tethering of pets.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of Darlington County, South Carolina, the Darlington County Council that:

SECTION 1

Darlington County Code of Ordinances, Chapter 6 (Animals), Article II. (Animal Control), **is amended by adding a section to be numbered 6-19 to read as follows:**

Sec. 6-19. Tethering of Pets

(a) As used in this section "tether" means a chain, cable, rope, running line, harness, or similar device used to attach a pet to a stationary object. Tethering shall not include the use of an appropriate leash to walk a pet.

(b) It shall be unlawful for any person to tether, fasten, chain, tie, restrain or otherwise cause a pet to be fastened, chained, tied or restrained, without limitation to houses, trees, garages, or other stationary or immobile objects by means of a chain, cable, rope, running line, harness or other physical restraint for the purpose of confinement, except in circumstances where all of the following requirements are met:

(1) The tether must be attached to a properly fitting harness or collar of adequate size and proportion so as not to cause harm or injury to the pet. Pinch or choke collars are prohibited for continuous tethering. The tether must be at least ten feet in length; positioned so that at its greatest length it prevents injury, strangulation, or entanglement with any obstruction, man-made or natural or another pet; and employ a swivel on at least one end of the tether to minimize tangling.

(2) The tether, including its assembly or attachments, shall not exceed a weight that may cause injury, harm to the pet, or inhibit the free movement of a pet within the area tethered.

- (3) A pet continuously tethered must not exhibit signs of maltreatment, abuse, neglect, or malnutrition.
 - (4) A pet is not to be tethered outside during extreme weather including, but not limited to, extreme heat or near-freezing temperatures, thunderstorms, or floods without shelter.
 - (5) A tethered pet must have access to adequate shade, shelter, food, and water.
 - (6) The pet must be at least ten feet from the edge of any public road or sidewalk and not subject to teasing or attacks, or where the ground is continuously wet or muddy. The pet must be tethered in a manner that will prevent the pet from leaving the owner's property.
 - (7) The pet must be three months of age or older.
 - (8) If there are multiple pets, each pet must be tethered separately with sufficient space placed between the pets to ensure that there is no contact with another tethered pet.
 - (9) The pet must not be tethered to a condemned building or on abandoned property.
- (c) This section incorporates all exceptions set forth in S.C. Code Ann. § 47-1-40(C). Therefore, "this section does not apply to fowl, accepted animal husbandry practices of farm operations and the training of animals, the practice of veterinary medicine, agricultural practices, forestry and silvicultural practices, wildlife management practices, or activity authorized by Title 50 [of the South Carolina Code of Laws], including any activity authorized by the South Carolina Department of Natural Resources or an exercise designed for training dogs for hunting, if repeated contact with a dog or dogs and another animal does not occur during this training exercise."
- (d) It shall be unlawful for any person to interfere with and/or disrupt any practice excepted by Sec. 6-19(c) under the guise of enforcing this section.
- (e) Any person found violating any provision of this section shall be deemed guilty of a misdemeanor and:
- (1) upon conviction of a first offense shall be punished by a fine not less than \$75.00 nor more than \$500.00 or imprisonment not exceeding 30 days or by both fine and imprisonment;
 - (2) upon conviction of a second offense shall be punished by a fine not less than \$100.00 nor more than \$500.00 plus court costs or imprisonment not exceeding 30 days or by both fine and imprisonment; and

(3) upon conviction of a third or subsequent offense shall be punished by a fine not less than \$150.00 nor more than \$500.00 plus court costs or imprisonment not exceeding 30 days or by both fine and imprisonment.

SECTION 2

The provision of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Darlington, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.


SECTION 3

This ordinance shall become effective upon third reading.

ATTEST:


J. Janet Bishop
Clerk to Council

DARLINGTON COUNTY COUNCIL


Bobby Hudson, Chairman

FIRST READING: September 9, 2024
SECOND READING: October 7, 2024
PUBLIC HEARING: October 7, 2024
THIRD READING: November 4, 2024