

ISLE OF PALMS LAWS & ORDINANCES REGARDING PETS

CHAPTER 2. - ANIMALS

FOOTNOTE(S):

--- (2) ---

State Law reference— Animals, S.C. Code 1976, § 47-1-10 et seq.; municipal authority to enact ordinances for care and control of dogs, cats, and other animals, S.C. Code 1976, § 47-3-20; municipal powers not limited by state laws, S.C. Code 1976, § 47-3-70; required annual inoculation of pets against rabies, S.C. Code 1976, § 47-5-60; notice to health department of animal suspected of rabies, S.C. Code 1976, § 47-5-80; metal inoculation tag required, S.C. Code 1976, § 47-5-60; impoundment of strays, S.C. Code 1976, § 47-3-40; disposition of strays, S.C. Code 1976, § 47-3-60; duty to contact owners, S.C. Code 1976, § 47-3-55; state falconry permit regulations, S.C. Code Reg. 123-170.

ARTICLE A. - GENERAL PROVISIONS

Sec. 6-2-1. - City designated bird sanctuary.

The entire area embraced within the City is hereby designated as a bird sanctuary.

Sec. 6-2-2. - Trapping, hunting, etc., of birds prohibited.

It shall be unlawful to trap, hunt, shoot, or attempt to shoot or molest in any manner any wild fowl or bird or to rob bird nests or wild fowl nests.

Sec. 6-2-3. - Horses.

(a) It is unlawful to house, stable, board, corral, keep or maintain any horse, pony, mule, donkey or other similar animal within the City limits, except as provided in subsection (b) of this section.

(b) Upon application to and prior approval by the City's Police Chief, an owner may show, exhibit, or provide rides on for entertainment, a horse, pony, mule, donkey or other similar animal at such locations and for such duration as the Police Chief, in his discretion, deems reasonable under the circumstances then and there prevailing provided, however, that no such animal shall be kept, stabled, sheltered or corralled overnight within the City limits nor shall any person ride or cause to be ridden any such animal on the streets of the City or on the beaches. While in the City limits with the appropriate permit from the Police Chief, all such animals shall be maintained by their keeper in a clean and sanitary condition so that the animals do not give offense to other persons in the vicinity, constitute a risk to public health or constitute a public nuisance.

Sec. 6-2-4. - Keeping of certain animals prohibited.

(a) It shall be unlawful for any person to keep within the City limits any horse, mule, cow, swine, goat, sheep, or exotic animal.

(b) The term "exotic animal" means any animal not normally domesticated in the United States, or any animal which is wild by nature.

Sec. 6-2-5. - Keeping of certain birds and fowl.

It shall be unlawful for any person to keep within the City limits any domesticated fowl, including, but not limited to, chickens, ducks, geese or pigeons.

Sec. 6-2-6. - Removal of animal excrement.

(a) The owner or custodian of an animal shall immediately collect, remove and dispose of all excrement deposited by such animal on any beach, public property, street, right-of-way, sidewalk, public way, playground, or upon private property owned by others. The owner or custodian shall place the excrement in a plastic bag or other suitable container and deposit the collection in an approved waste receptacle.

(b) Violation of this section is a misdemeanor punishable pursuant to section 1-3-66

Sec. 6-2-7. - Ill treatment of animals.

(a) No person shall knowingly or intentionally overload, overdrive, overwork, or ill treat any animal, deprive any animal of necessary sustenance or shelter, inflict unnecessary pain or suffering upon any animal, or by any act or omission knowingly or intentionally cause such ill treatment to occur.

(b) No person shall cause or allow an animal to be placed or confined in a vehicle without adequate ventilation when the atmospheric temperature, humidity or sun rays can reasonably be expected to cause suffering, disability or death to the animal. Evidence that the animal is suffering from heat stress is prima facie evidence of a violation of this section. This section does not prohibit the transportation of horses, cattle, sheep, poultry or other agricultural livestock in trailers or other vehicles designed and constructed for such purpose.

Authorized City personnel who find any animal in a vehicle in violation of this section may break and enter into the vehicle if reasonably necessary to seize and remove the animal. Neither the personnel or the City shall be liable for any resulting damage to the vehicle or its contents.

(c) An animal removed or taken into custody pursuant to this section shall be immediately taken to an animal impounding facility by an authorized City employee. The owner or custodian is responsible for all medical and boarding expenses incurred, which shall be paid at the time of retrieval of the animal.

(d) If the animal is seized and removed from a vehicle pursuant to subsection (b) of this section and the owner or custodian of the animal is not present when the animal is seized and removed, the personnel shall leave within the vehicle a written notice giving their name and position and the address where the animal is to be taken. For all other seizures pursuant to this section, the personnel seizing or taking custody of the animal shall take reasonable steps to notify the owner or custodian of the location to which the animal is taken.

(e) Any person found guilty of a violation of this section shall be punished pursuant to section 1-3-66

ARTICLE B. - DOGS

FOOTNOTE(S):

--- (3) ---

State Law reference— Powers of municipalities in regard to dogs and rabies control, S.C. Code 1976, § 47-3-70.

Sec. 6-2-11. - Permit required.

It shall be unlawful for any person to own, keep or harbor a dog within the City without a written permit from the City.

Sec. 6-2-12. - Certificate of vaccination required prior to permit issuance; term.

Before issuing the permit required by this article, the City shall require the applicant to show proof of a current, valid rabies inoculation signed by a licensed veterinarian. Each permit shall be good for one (1) year from the date of its issue, and no longer.

Sec. 6-2-13. - Badges; records.

The City shall annually provide a sufficient number of metal badges suitable for dogs to be fastened to the animal's collar, numbered from one upwards, stamped "dog permit" and the year of issue. This badge and the written permit shall be delivered to the person owning, keeping or harboring the dog. The name and address of each party to whom such permit and badge has been issued shall be kept on file by the City, for the purpose of identification in case such badges should at any time be lost, stolen or otherwise misappropriated.

Sec. 6-2-14. - Removal of badge from dog prohibited.

No person shall wrongfully remove a badge from a dog registered as required by this article.

Sec. 6-2-15. - Running at large prohibited; exceptions.

(a) No person owning, having an interest in, harboring or having charge, care, control, custody or possession of any dog shall cause or permit the dog to be off the premises of its owner or custodian, unless such dog is securely confined by a strong leash, securely and continuously held by a competent person owning, having an interest in, harboring, or having charge, care, control, custody or possession of the dog, or unless the dog is confined within a vehicle, within an enclosure surrounded by an adequate fence or within a house. Provided, however, that a dog owner or other person charged with the custody and control of a dog may allow the dog to roam at large on the beach between the hours of 4:00 p.m. to 10:00 a.m. from September 15 through March 31, and between the hours of 5:00 a.m. to 9:00 a.m. from April 1 through September 14. Such owner or custodian shall at all times be in close proximity to the dog, have a leash in hand, and have the dog under control. Nothing contained herein shall affect a dog owner or custodian's duty to comply with all state laws regarding vicious or dangerous dogs, or the duty to comply with section 62-26 requiring the removal of animal excrement.

(b) It shall be unlawful for any person to cause, permit, accompany or be responsible for the presence of any diseased dog on the streets or public places of the City or allow the dog to run on the premises of another, at any time; unless and in addition to the other requirements of this chapter the dog shall be securely muzzled to effectively prevent it from biting any person or other animal.

Sec. 6-2-22. - Violation, impoundment, penalties.

(a) It shall be unlawful for any person to fail to comply with the requirements of this article or to suffer or permit a dog to be a danger to the health, safety, or welfare of the public in violation of this article.

(b) Any dog running at large in violation of this article shall be impounded. The owner of a licensed dog shall be given notice that the dog may be claimed from the City kennel within three (3) days. A dog with no license or identification will be held in the City kennel for two (2) days. An owner claiming a dog must comply with all requirements of this article and pay to the City an impoundment fee as established by City Council. Dogs not claimed within the applicable holding periods will be transferred to the County SPCA for disposal.

(c) Violation of this article is a misdemeanor punishable pursuant to section 1-3-66

Sec. 6-2-23. - Dogs not to disturb protected species and habitats.

In addition to the requirements of section 6-2-15(a), no person shall allow a dog to disturb protected species and habitats, as follows:

(a) It shall be unlawful for any person to allow a dog to disturb nesting sea turtles, turtle nests or turtle hatchlings.

(b) It shall be unlawful for any person to allow a dog to enter into critical habitat areas which have been posted to prohibit such entry by the City or the State Wildlife and Marine Resources Department.

ARTICLE C. - MISCELLANEOUS ANIMAL PROVISIONS

Sec. 6-2-31. - Purpose.

The purpose of this article is to prohibit the open public display of certain animals in certain public places.

Sec. 6-2-32. - Prohibition of display of certain animals.

(a) No person shall cause any of the following animals to be displayed to the public in an open visible manner on the City's Recreation Department property, beach or on any road, thoroughfare, public parking area or other similar such area.

(1) Reptiles or amphibians having a weight greater than one (1) pound.

(2) Arachnids larger than two inches (2") in size in a fully extended condition.

(b) Section 1-3-66 shall provide the penalty for any infraction of this section.

(c) Any actions in technical violation of this section which occur as a necessary consequence of attempts to capture and remove such animals from public areas shall not be deemed a punishable offense.