

AN ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 4 OF THE GREENVILLE COUNTY CODE OF ORDINANCES REGULATING ANIMAL CARE IN GREENVILLE COUNTY.

BE IT ORDAINED BY GREENVILLE COUNTY COUNCIL:

Section 1. Add to § 4-11 DEFINITIONS:

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Animal Rescue Organization. An animal rescue organization means any person, partnership, corporation, or other entity that takes in, fosters, rehabilitates, or rehomes animals, including dogs, cats, and other companion animals, whether operating from a physical facility or a foster-based network.

Food (adequate). Animals must be provided with clean, nutritionally appropriate food in a quantity sufficient for their age, size, species, and breed to maintain health and prevent starvation or malnutrition. Food must be fresh, uncontaminated, and free from spoilage, rancidity, or pests. Fresh food shall be given at least twice every 24 hours, unless otherwise directed by a veterinarian. Soft food must be available for animals unable to chew dry food. ~~Adequate quantity of non-contaminated and nutritionally adequate food, fed according to age, size, species and breed requirements, which is sufficient to prevent starvation, malnutrition or risk to the animal's health. Garbage or spoiled/rancid food is not considered adequate food.~~

Shade (sufficient). "Sufficient" shade must be ample enough to protect the animal from direct sunlight at all times, preventing overheating and heat-related stress.

Space (adequate). Adequate space means an enclosure or confinement area that allows an animal to move freely, maintain natural postures, and reposition comfortably. The space must be clean, free from waste accumulation, and appropriately sized for the animal's breed and weight, meeting or exceeding the following requirements:

(a) Minimum Space Requirements

1. Dogs under 25 pounds – 24 square feet per dog
2. Dogs 25-50 pounds – 64 square feet per dog
3. Dogs over 50 pounds – 100 square feet per dog

(b) Width & Height Requirements

1. Width: Minimum 4 feet for dogs up to 50 pounds; 6 feet for dogs over 50 pounds.
2. Height: At least 12 inches taller than the tallest dog when standing.

(c) *Crates & Temporary Confinement.* Crates, carriers, or small enclosures are not considered adequate space for long-term housing. Crates must allow the dog to stand, turn around, and lie down fully extended without touching the sides or ceiling. Dogs may not be crated for more than **12 hours in a 24-hour period**, except when extended confinement is recommended by a licensed veterinarian for medical reasons.

(d) *Exception for Animal Sheltering Facilities.* These space requirements do not apply to animals housed in county- or city-operated animal shelters, state registered humane societies, and/or to animals housed by county registered animal rescue charitable organizations providing short-term care for stray, abandoned, or surrendered animals. Furthermore, these space requirements do not apply to animals housed by law enforcement agencies.

~~Includes, but is not limited to, the following:~~

~~(a) Space for an animal to adequately exercise suitable to its age, size and breed;~~

~~(b) Space during periods of confinement, suitable to the animal's age, size, species and breed;~~

~~permitting it to turn about freely, stand, sit, lie and move, in comfortable and normal position; and~~

~~(c) For sick or injured animals, confinement as directed by veterinarian.~~

Temperatures (extreme). "Extreme" refers to temperatures that pose a risk to an animal's health, safety, or well-being, including:

(a) Hot temperatures: Exposure to 90°F (32°C) or higher, or conditions causing heat stress, dehydration, or heatstroke.

(b) Cold temperatures: Exposure to below 32°F (0°C), or conditions leading to hypothermia, frostbite, or prolonged discomfort.

Ventilation (adequate). Fresh air sufficient to provide for animal health and well-being, and to minimize odors, drafts, ammonia levels and moisture condensation ~~the health of an animal.~~

Section 2. Amend § 4-14 REQUIRED TO HAVE A RABIES TAG. RABIES VACCINATION AND PET IDENTIFICATION REQUIREMENTS FOR DOGS AND CATS.

(a) *Rabies Vaccination.* Every dog and cat shall be inoculated against rabies at a frequency that provides continuous protection from the rabies virus. The rabies vaccination shall be administered in accordance with state law, and the owner shall receive a rabies vaccination certificate and a serially numbered rabies tag.

- (b) Rabies Tag Requirements for Dogs. The rabies tag shall be securely attached to a collar or harness worn by the dog at all times. It shall be unlawful for any person owning, keeping, or harboring a vaccinated dog to allow the dog to be outdoors without the issued rabies tag.
- (c) Rabies Tag Exception for Cats. Cats are not required to wear a rabies tag. However, the owner must retain proof of a current rabies vaccination and provide it upon request.
- (d) Pet Identification Requirements for Dogs. All dogs over the age of three (3) months must be identifiable by one of the following methods:

1. A collar and identification tag displaying the owner's current contact information;
2. A registered microchip with up-to-date owner contact information.

A rabies tag is not considered a valid form of identification for the purposes of this section and shall not satisfy the identification requirements outlined herein. The required identification shall be worn by the dog at all times when outdoors. Owners are responsible for ensuring that all identification remains accurate and up to date.

- (e) Release Requirements for Impounded Animals. If a dog or cat is impounded for running at large without a current rabies vaccination or, in the case of a dog, without a rabies tag or proper identification as required by this section, the owner must provide proof of vaccination and identification or have the animal vaccinated at the owner's expense and properly identified before release. If the animal is not wearing identification at the time of impoundment, the owner may establish ownership through one or more of the following:

1. Microchip – Registered microchip linked to the owner.
2. Vet Records – Proof of ownership from a licensed veterinarian.
3. Photos – Recent, dated images of the pet with the owner.
4. License – Municipal pet registration, if applicable.

The shelter or impounding agency may require additional verification as needed to ensure the rightful owner is reclaiming the pet.

- ~~—(a)— The owner or custodian of any dog or cat shall obtain a certificate and tag in accordance with state law. A current rabies license tag shall at all times be attached to a collar or harness worn by the dog or cat for which the rabies certificate and tag have been issued.~~
- ~~—(b)— Any person who fails to have a current rabies license for their dog or cat shall be subjected to the penalties provided herein.~~
- ~~—(c)— It shall be unlawful for any person owning, keeping or harboring a licensed dog or cat to cause or allow the licensed animal not to wear the issued rabies license tag.~~

~~—(d) Any person whose dog or cat is impounded for running at large, and who has failed to obtain a rabies license for the animal as provided for in this article, shall pay a \$50 fee, in addition to all other fees and charges to release the animal from impoundment.~~

~~—(e) Any violation shall be deemed a violation of this section and the owner shall be subject to a fine of \$50.~~

Add § 4-18 (13) – PROHIBITED OUTDOOR SALES OF DOGS AND CATS.

(a) **Unlawful Sales Locations.** It is unlawful for any person to sell, offer for sale, barter, trade, or otherwise transfer ownership of any dog or cat in the following locations:

1. Public areas, including streets, sidewalks, rights-of-way, medians, parks, recreation areas, and parking lots.
2. Outdoor markets, flea markets, roadside stands, or any other temporary sales locations.
3. Any location where the seller does not have legal ownership or control of the property, regardless of the property owner's authorization.

(b) **Exceptions.** This section does not apply to:

1. Animal shelters or registered rescue organizations lawfully offering animals for adoption.
2. State or county fair exhibitions or 4-H programs involving the display or sale of animals in compliance with all applicable laws.

Add § 4-1 PET BREEDER BUSINESS REGISTRATION.

(a) **Business Registration Requirement.** Any person or entity engaged in the breeding and sale of dogs for profit in unincorporated areas of Greenville County must file a Business Registration Application with Greenville County in accordance with the County's Business Registration Program.

(b) **No Registration Fees.** There is no fee associated with business registration in Greenville County; however, proper registration is required by law.

(c) **Annual Renewal.** Business registration must be renewed annually, and breeders must ensure their information remains accurate and up to date.

Add § 4-2 PET BREEDER MINIMUM STANDARDS OF CARE.

(a) **Minimum Care Standards.** All individuals or businesses engaged in dog breeding must adhere to the following minimum care standards:

1. **Housing and Containment.** All cages or enclosures must be constructed from suitable materials to ensure adequate shelter, as defined in §4-11, and shall also be maintained as follows:
 - i. Contains the dog(s) securely and keep other animals from entering the enclosure.
 - ii. Shall not be stacked on top of another nor suspended from the ceiling.

- iii. Shall have floors that are constructed in a manner that protects dog(s) feet and legs from injury.
 - iv. All surfaces in contact with dogs shall be cleaned and sanitized daily.
 - v. Must be well-lit during daytime hours to permit inspection and cleaning of the facility and observation of dogs.
 - vi. Kennels must be sufficiently ventilated at all times when dogs are present, as defined in §4-11.
2. Nourishment and Water. All dog breeders shall provide adequate food and water for each animal as defined in §4-11. Food and water containers shall be washed and disinfected daily.
3. Space, Exercise, and Socialization. All breeding dogs must be provided with adequate space as defined in §4-11 and must also receive the following:
- i. Exercise Area: Dogs must have access to an exercise space at least twice the size of their primary enclosure. Proof of access may be required.
 - ii. Socialization Plan: Breeders must maintain a veterinarian-approved socialization and enrichment plan for all dogs.
4. Veterinary Care Requirements. All dog breeding kennels must have a written veterinary care plan approved by a licensed veterinarian and provide the following:
- i. Annual Exam. Dogs must receive a hands-on exam by a licensed veterinarian at least once per year.
 - ii. Vaccinations. Dogs must receive core vaccinations as recommended by the American Veterinary Medical Association (AVMA).
 - iii. Parasite Prevention. Preventative treatment for intestinal parasites is required.
 - iv. Medical Care. Serious illness or injury must be promptly treated by a licensed veterinarian.
 - v. Surgical Procedures. Only licensed veterinarians may perform surgeries, including surgical births.
 - vi. Euthanasia. Must be performed by a licensed veterinarian.
 - vii. Records. Breeders must maintain detailed veterinary records, available to animal control upon request.
- (b) Penalties for Violation. Any person found in violation of this section shall be subject to penalties as prescribed by law. Each instance of violation of this ordinance shall constitute a separate offense with fines and/or other penalties determined in accordance with magistrate court guidelines.

Add § 4-3 ANIMAL RESCUE ORGANIZATION REGISTRATION

- (a) **Registration Requirement.** Any animal rescue organization operating within the county must register annually with Greenville County. The registration application must include relevant organizational details as required.
- (b) **No Registration Fee.** There is no fee for animal rescue organization registration; however, compliance with this ordinance is mandatory.
- (c) **Program Participation Requirement.** Only registered animal rescue organizations may transfer animals from Greenville County Animal Care and Control (GCAC) or participate in county-supported animal rescue programs and services.
- (d) **Standards of Operation.** Registered animal rescue organizations must provide adequate food, water, shelter, veterinary care, and humane treatment for all animals in their care, as required by the Greenville County Code of Ordinances Article II: Dogs, Cats, Wildlife, and Exotic Animals.
- (e) **Record-Keeping Requirement.** Organizations must maintain accurate records of all animals taken in, adopted, transferred, or euthanized and provide these records to GCAC upon request.
- (f) **Veterinary Care Standards.** All registered animal rescue organizations must have a written veterinary care plan approved by a licensed veterinarian and ensure the following:
 - (1) **Annual Examination.** Each animal in the rescue's care must receive a hands-on examination by a licensed veterinarian at least once per year.
 - (2) **Vaccinations.** Animals must receive core vaccinations as recommended by the American Veterinary Medical Association (AVMA) or as advised by the overseeing veterinarian based on the animal's health status.
 - (3) **Parasite Prevention.** Regular preventative treatment for internal and external parasites must be provided as appropriate for the species and individual needs.
 - (4) **Medical Care.** Any serious illness or injury must be promptly assessed and treated by a licensed veterinarian.
 - (5) **Surgical Procedures.** Surgical procedures, including sterilization, must only be performed by a licensed veterinarian.
 - (6) **Euthanasia.** If deemed necessary, euthanasia must be performed humanely by a licensed veterinarian in accordance with AVMA guidelines.
 - (7) **Medical Records.** The organization must maintain detailed veterinary records for all animals in its care and make them available to animal control or regulatory authorities upon request.
- (g) **Facility & Foster Home Compliance.** All facilities and foster homes used for housing animals must comply with local zoning, sanitation, and space requirements.
- (h) **Penalties for Non-Compliance.** Any animal rescue organization operating without a valid registration is subject to penalties as prescribed by law. Each violation of this ordinance is

considered a separate offense, with fines and/or penalties determined per magistrate court guidelines.

(i) Exemptions. Government-operated animal shelters and humane societies under contract with the county are exempt from the registration requirement. Individuals fostering animals for a registered rescue organization are not required to register separately but must comply with all applicable standards of operation.

Add §4-4 COST OF ANIMAL CARE PROVISIONS IN GREENVILLE COUNTY

(a) Custody and Care After Seizure.

(1) If an animal is legally seized by an animal control or law enforcement officer as a result of a violation of the provisions of §4-19 Cruelty to Animals or §4-18 (2), (7), or (8) Unlawful Acts of this Ordinance, the responsible agency may petition the court to require the owner of the animal(s) to deposit funds at specified intervals to cover reasonable anticipated costs of care during the seizure pending the disposition of the litigation.

(2) If the owner is found guilty, the agency may place the animal for adoption or rescue. The owner and household members may not adopt the animal. If adoption or rescue is not possible, humane euthanasia may be performed.

(3) At any time prior to final adjudication, the owner has the right to forfeit ownership of the animal and avoid all future custodial costs related to the animal's care but not costs already accrued, beginning with the date of the seizure.

(4) In the event that an owner is adjudicated not guilty of all charges related to the animal seizure or all charges are dismissed not pursuant to plea negotiations or an intervention program, the owner shall receive from the filing agency a refund of all costs paid by the owner pursuant to the petition.

(b) Petition and Court Hearing.

(1) Every petition filed pursuant to §4-4 (a)(1) shall contain a description of the time, place, and circumstances of the seizure, the legal authority for the seizure, and the name and address of the owner of the animal seized.

(2) The animal control and/or law enforcement officer(s) shall personally serve written process of the petition on the owner of the animal at the time of seizure whenever possible. If the owner is unknown or personal service is not feasible, a notice shall be posted in a conspicuous place at the location where the animal or animals were seized.

(3) Upon the court's receipt of return of process of the petition on the owner, the court shall set a hearing on the petition to determine the need to care for and provide for the animal pending the final disposition of the animal. Any animal control officer or law enforcement officer is authorized to serve written notice on the owner of the date, time, and location of the hearing. If no name and address for the owner are set forth in the petition, then such notice shall be posted in a conspicuous place at the location where the animal or animals were seized.

(4) The hearing is limited to determining probable cause for the seizure. If found, the court shall require payment to Animal Care Services for reasonable seizure and care costs from the seizure date through 30 days after the order. The hearing outcome and any owner statements are inadmissible in related criminal proceedings.

(5) The owner must deposit funds with Animal Care Services equal to the first 30 days of care and continue every 30 days until relinquishing the animal or final disposition. Failure to pay within five days of the order or any subsequent due date results in automatic forfeiture to the petitioning agency for transfer or humane disposition. The court may reduce the amount the owner is required to pay under this section if the owner is indigent.

(c) Use of Funds.

(1) Upon deposit, the funds are to be used to cover care costs from seizure until final disposition. Any remaining funds shall be refunded to the owner. This remedy is in addition to any other legal remedy. A person convicted of animal cruelty forfeits custody of the animal, and may be ordered, if not previously ordered, to pay costs incurred to care for the animal or animals and related expenses.

Section 3. Amend § 4-17 ~~CONTINUOUS BARKING, CRYING, AND THE LIKE NUISANCE BARKING.~~

(a) Definition of Nuisance Barking.

A dog shall be deemed a nuisance if it barks continuously for a period exceeding fifteen (15) minutes in a manner that is persistent and excessive.

(b) Complaint Process.

A nuisance barking complaint may be initiated by any individual whose property is located within two hundred (200) feet of the source of the alleged barking. Complaints shall be addressed as follows:

(1) First Complaint: Upon receipt of a complaint, a written notice shall be posted on the property where the dog is located, informing the owner of the complaint and applicable ordinance provisions. No additional evidence shall be required at this stage.

(2) Second Complaint: If a subsequent complaint is received, a final written notice shall be posted on the property, advising the owner that continued violations may result in enforcement action.

(3) Third Complaint: Upon verification of the complaint by an Animal Control Officer, a third complaint shall constitute a violation of this ordinance. The complainant shall be required to provide:

(a) A timestamped, uninterrupted video recording that clearly demonstrates:

(1) The barking dog(s);

(2) The location from which the noise originates; and

(3) The barking exceeding the established noise threshold.

(b) A second written statement from another complainant verifying the specific address from which the nuisance barking is occurring.

After verification of the complaint by an Animal Control Officer, a summons shall be issued to the owner of the dog.

(c) Officer Discretion and Provocation Clause.

Animal Control Officers and law enforcement personnel shall review all submitted evidence and retain discretion in determining whether the barking was:

(1) Provoked: Barking determined to be a response to teasing, harassment, trespassing, emergencies, or other justifiable stimuli, including but not limited to wildlife or sirens, shall not be considered a violation of this ordinance. Complaints deemed to involve provoked barking may be dismissed at the discretion of the investigating officer.

(2) Unprovoked: Barking that is persistent, excessive, and without clear external provocation shall be subject to enforcement under this ordinance.

(d) Enforcement and Penalties.

(1) First Complaint: A written notice shall be posted on the property of the dog owner.

(2) Second Complaint: A final written notice shall be posted on the property of the dog owner.

(3) Third Complaint: The complaint shall be classified as a violation of this ordinance, and after the complaint has been verified by an Animal Control Officer, a summons shall be issued.

(e) Exemptions.

The provisions of this ordinance shall not apply to:

(1) Barking that occurs due to trespassers, emergencies, or the actions of working dogs, including but not limited to police, service, and herding dogs.

(2) Commercial boarding facilities that were in operation prior to March 20, 2001.

~~(a) Generally: nuisances within 200 feet of a residence are prohibited. It shall be unlawful and is hereby declared to be a public nuisance to keep, harbor or maintain any domestic pet which howls, barks, whines or cries to such extent as to materially interfere with or affect the health, comfort, peace and quiet of the public, or the reasonable use and enjoyment of the neighboring properties within 200 feet of a residence in Greenville County.~~

~~(b) Complaints.~~

~~— (1) — Upon the receipt of 2 detailed, written and signed complaints from separate households in close proximity to the offender, that a person within 200 feet of a residence in Greenville County is violating the provisions of this section, the animal control officer or other appropriate law enforcement officer shall notify the owner or keeper of the domestic pet in question that complaints have been received and shall investigate the complaints. If the investigation determines that the complaints are justified, the animal control officer or other appropriate law enforcement officer shall notify in writing the owner or keeper of the domestic pet to correct the violation within 7 days of receiving the notice. At least 1 of the complainants shall be required to appear and testify in court at the time the case is scheduled for trial. In the event that none of the complainants appear in court at the time the case is scheduled for trial, the county attorney's office shall dismiss the charges against the owner or keeper of the domestic pet.~~

~~— (2) — In the event that a property is so situated that only 1 complaint is possible within the 200-foot limit, then upon the receipt of 1 detailed, written and signed complaint, a law enforcement officer or animal control officer may witness and validate the complaint. If the complaint is validated by the officer, the animal control department may proceed with the investigation and enforcement of this article as set forth in subsection (1), and the 1 complainant must appear and testify in court at the time the case is scheduled for trial.~~

~~— (c) — Failure to correct. Should the owner or keeper of any domestic pet found to be in violation of this section fail to correct said violation after 7 days, the owner of said domestic pet shall be subject to the penalties for violations provided herein, with each day in violation constituting a separate offense.~~

~~— (d) — Exception. This section is not applicable to commercial animal boarding facilities in existence prior to March 20, 2001. The exception shall not apply to facilities where the use has been discontinued for a continuous period exceeding 6 months.~~

Section 4. Penalty Provisions.

§ 4-23 PENALTY.

Any person, firm, corporation or agent, who shall violate the provisions of this article shall be guilty of a misdemeanor, and shall be punished within the jurisdictional limits of magistrate's court. Each such person, firm, corporation or agent shall be deemed guilty of a separate offense for each and every day, or portion thereof, during which any violation of any of the provisions of this article is committed or continued.

Section 5. Severability. Should any section, paragraph, clause, phrase, or provision of this Ordinance be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall take effect upon the date of its adoption.

DONE IN REGULAR MEETING THIS ____ DAY OF _____, 2025.

Benton Blount
County Council Chairman

ATTEST:

Regina McCaskill
Clerk to Council

Joseph M. Kernell
County Administrator