

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2021-01

ADOPTED APRIL 27, 2021

AN ORDINANCE AMENDING THE TOWN CODE FOR THE TOWN OF SEABROOK ISLAND, SOUTH CAROLINA; CHAPTER 18, OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE II, OFFENSES AGAINST PUBLIC SAFETY; SO AS TO ADD A NEW SECTION REQUIRING THE RESTRAINT OF DOMESTIC HOUSEHOLD ANIMALS/PETS UPON PUBLIC PROPERTY OR UPON THE PROPERTY OF ANOTHER

WHEREAS, the Town Code for the Town of Seabrook Island ("Town Code") regulates the dates, times and locations upon which domestic household animals/pets must be leashed on the beach; and

WHEREAS, the Town Code does not currently require the leashing of domestic household animals/pets on other property within the town, including real property, streets, sidewalks, parking lots and public rights-of-way; and

WHEREAS, the Mayor and Council for the Town of Seabrook Island desire to amend the Town Code so as to require the restraint of domestic household animals/pets on property other than the beach; and

WHEREAS, the Seabrook Island Public Safety Committee reviewed the proposed amendments during a duly called meeting on March 8, 2021, at which time the Public Safety Committee made a recommendation to the Mayor and Council in favor of approving the proposed amendments; and

WHEREAS, the Mayor and Council advertised and held a public hearing on the proposed amendments during a duly called meeting on April 27, 2021; and

WHEREAS, the Mayor and Council believe it is fitting and proper to amend the Town Code to achieve the objectives referenced herein;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND:**

SECTION 1. Amending Chapter 18, Article II, of the Town Code. The Town Code for the Town of Seabrook Island, South Carolina; Chapter 18, Offenses and Miscellaneous Provisions; Article II, Offenses Against Public Safety; is hereby amended to add a new section, to be called Section 18-26, Restraint of Domestic Household Animals/Pets; which section shall read as follows:

Sec. 18-26. - Restraint of domestic household animals/pets.

- (a) No person owning or having possession, charge, custody or control of any domestic household animal/pet shall cause, permit or allow the animal to stray or in any manner to run at large upon public property or upon the property of another unless the animal is effectively restrained on a leash.

- (b) For purposes of this section, the term "on a leash" shall have the same meaning as contained in Section 32-44(a)(4)(d).
- (c) For purposes of this section the term "effectively restrained" shall mean that the person owning or having possession, charge, custody or control of the animal restrains the animal from destroying or damaging any property; attacking, threatening to attack, or interfering with any person in any manner; becoming a nuisance; or straying onto public property or the private property of another.
- (d) The provisions of this section shall not apply on any public property which is subject to the provisions of Section 32-44.

SECTION 2. Severability.

If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 3. Conflicting Ordinances Repealed.

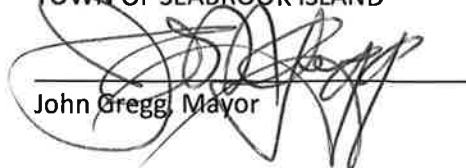
All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Effective Date.

This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this 28TH day of April, 2021, having been duly adopted by the Town Council for the Town of Seabrook Island on the 27th day of April, 2021.

First Reading: March 23, 2021
Public Hearing: April 27, 2021
Second Reading: April 27, 2021

TOWN OF SEABROOK ISLAND


John Gregg, Mayor

ATTEST



Faye Allbritton, Town Clerk