



## **Public Safety Committee**

3:00 p.m., Thursday, October 7, 2021  
1207 Palm Boulevard, Isle of Palms, SC

### **Public Comment:**

All citizens who wish to speak during the meeting must email their first and last name, address, and topic to City Clerk, Nicole DeNeane at [nicoled@iop.net](mailto:nicoled@iop.net) no later than **3:00 p.m. the business day before the meeting**. Citizens may also provide written public comment here:

<https://www.iop.net/public-comment-form>

## **AGENDA**

1. **Call to order** and acknowledgment that the press and the public have been duly notified of the meeting in accordance with the Freedom of Information Act.
2. **Approval of previous meeting's minutes** – September 1, 2021
3. **Citizens' Comments**
4. **Highlights of Departmental Reports**
  - a. Fire Department – Interim Chief Briscoe
  - b. Police Department – Captain Swain
5. **Old Business**
  - a. Discussion and consideration of proposed amendments to dog ordinance to include restriction of vicious or dangerous dogs
  - b. Discussion of speeding issues on the Avenues and consideration of reducing the speed limit on the interior streets
  - c. Update on study of the modifications to the IOP Connector
  - d. Discussion of enforcement of golf cart regulations
  - e. Update on coyote management efforts
6. **New Business**
  - a. Discussion and consideration of submitting request to SCDNR to reinstate the no wake zone on the Intracoastal Waterway
  - b. Discussion of beautification plan for Palm Boulevard
7. **Miscellaneous Business** - Next meeting date: 3:00 p.m., Thursday, November 4, 2021
8. **Executive Session – If needed.**
9. **Adjournment**



**Public Safety Committee**  
**3:00pm, Wednesday, September 1, 2021**  
**1207 Palm Boulevard, Isle of Palms, SC**  
**and broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

1. **Call to order**

Present: Council members Bell, Pounds, and Ward

Staff Present: Administrator Fragoso, Chief Cornett, Deputy Chief Hathaway

2. **Approval of previous meeting's minutes**

**MOTION: Council Member Pounds made a motion to approve the minutes of the July 1, 2021 meeting, and Council Member Ward seconded the motion. The minutes passed unanimously.**

3. **Citizens' Comments** -- none

4. **Highlights of Departmental Reports**

A. **Fire Department – Deputy Chief Hathaway**

Deputy Chief Hathaway stated that there was an expected rise in calls in July and August from this time last year due to less Covid restrictions. In July, there were 156 calls for service of which were 2 fire calls, 73 EMS calls, 20 rescues, 3 HAZMAT calls, 3 service calls, and 55 designated as other. He reviewed the notable events for July and August including locating a missing child, motor vehicle accidents on Palm Boulevard, Waterway & 32<sup>nd</sup> Avenue, and the IOP Connector, assisting a watercraft in distress, a structure fire, and numerous public events such as the July 4<sup>th</sup> Golf Cart Parade, show & tell at the Recreation Center Summer Camp, and an award presentation to Firefighter Puckhauber at the Chamber of Commerce Luncheon on August 19<sup>th</sup> recognizing his life-saving efforts in response to the July 4<sup>th</sup> accident regarding a passenger in a golf cart on Palm Boulevard.

In August, there were 114 calls for service, which was up 12% from 2020. Members of the Fire Department conducted a hurricane and fire safety event at Wild Dunes.

Deputy Chief Hathaway pointed out two letters of commendation in the meeting packet.

In response to a question from Council Member Bell, Deputy Chief Hathaway stated that they have not noticed any remarkable impact on their response times due to the change in configuration on the IOP Connector.

**B. Police Department – Chief Cornett**

Chief Cornett reviewed the stats for incidents in July which included 1363 calls for service, 1486 parking tickets, and 22 coyote sightings. He reported that he and Administrator Fragoso are working on a collaborative plan between the City and the residents on coyote trappings. He said that some increase in the sightings could be due to an increase in the number of people noticing them. He expressed confidence in the plan they have developed and hopes the coyotes have been caught and cleared by the next meeting.

There are currently 6 open certified positions in the Police Department with 2 in the pre-academy. Most notable were the 8 DUI arrests in July and more in August. The Animal Control officer had 63 calls for service.

From July 19-24, the Police Department participated in Operation Southern Shield, which is an operation targeting traffic violators throughout the southeast. They are also participating in the Sober or Slammer campaign which began in August and runs through September.

The Police Department also participated in the hurricane preparedness meetings in Wild Dunes, and four officers including Chief Cornett ran in the IOP Beach Run.

In August, there were 1,013 calls for service with 55 arrests, 248 parking tickets written, and 12 coyote sightings. There were 10 DUIs, 3 weapons violations, 7 marijuana charges and 3 charges for controlled substances.

Of note in August were the 75 service calls for the Animal Control Officer, adding that numerous calls were in relation to oddly behaving racoons. They are working with DHEC to see if testing can be done on the animals to see if there is a need for further concern.

**5. Old Business**

**A. Discussion of dog leash rules and enforcement**

Administrator Fragoso pointed out to Committee members that the \$500 fine amount for dog-related offenses passed by City Council recently brings the total ticket amount to \$1,087.50 with court assessments. Chief Cornett stated that surrounding communities have similar fines, but what the City does not have is an ordinance directed at vicious animals, which is the problem they are trying to address. Committee members instructed staff to bring a draft ordinance addressing vicious animals to the October committee meeting.

**B. Discussion of speeding issues on the avenues and consideration of reducing the speed limit on the interior streets**

Administrator Fragoso shared that Council Member Buckhannon asked Secretary Hall what the City could do to consider the lowering of speed limits on the island. She said, “The response received from SCDOT was this: the streets that were being used as an example were locally owned, so the standards for locally owned roads are different from the State standards. They did say they were going to look and see were there any differences and whether there was anything

in the State statute or State standards that could accommodate moving in that direction to lower the speed limit in the interior streets.”

In addition, Administrator Fragoso provided statistical data on the speeds on 41<sup>st</sup> Avenue following the installation of the temporary stop sign on August 12. She said, “The stats for the Wildwood side for the month of August show that vehicles traveling less than 25mph was 83% on the Wildwood side, and on the Marginal side, 90% of vehicles were 25mph. If you look at the numbers of less than 30mph, so 5 miles more than the speed limit, 98% and 96%, so significantly higher. Pretty consistent in the past, but higher numbers at least of those in August of those that are not speeding.”

Council Member Bell shared that parents in the area expressed gratitude for the sign’s presence since it forces a stop at a place where their children cross the road to go to the Marina.

**C. Update and discussion of study of the modifications to the IOP Connector**

Administrator Fragoso said that a reputable engineering firm in Maryland has been identified by SCDOT as a potential candidate to conduct a traffic study of the IOP Connector. She has spoken to local traffic engineers who spoke highly of them. She hopes this will create some collaborative solutions with SCDOT.

She also shared that she is working with an engineering firm out of Columbia to “be the eyes and ears of the whole process.” She indicated that a scope of work is being created now, and that while City Council did budget \$15,000 to hire a traffic engineer to address the IOP Connector, she may need to come before Council with some adjustments to that number.

**D. Discussion of enforcement of golf cart regulations**

Chief Cornett said that internal adjustments have been made that will allow them to more easily track golf cart violations. Administrator Fragoso said that golf-cart-related events through the Recreation Center have allowed the City to convey the rules and regulations around golf carts to those participants.

Committee members would like more information about how the City can enhance the golf cart regulations to better protect young children in and around golf carts.

**6. New Business**

**MOTION: Council Member Ward made a motion to allow the agenda to be amended to include a discussion and consideration of allowing beer and wine at the conclusion of the IOP Connector Run. Council Member Bell seconded the motion. The motion passed unanimously.**

**A. Discussion of and consideration of allowing beer and wine to be served at the conclusion of the IOP Connector Run on October 2, 2021.**

Administrator Fragoso said this needed consideration prior to the City Council meeting so that the proper permit could be issued from the Department of Revenue. The resolution to be passed by City Council is not yet ready, but she is requesting a recommendation of approval from the

Public Safety Committee for a resolution to be presented to City Council at the September 28 meeting.

**MOTION: Council Member Ward made a motion recommend to City Council to allow for the consumption of beer and wine at the municipal parking lot following the IOP Connector Run on Saturday, October 2, 2021. Council Member Bell seconded the motion. The motion passed unanimously.**

**B. Discussion and consideration of marine unit agreement with Charleston County Sheriff's Office**

Administrator Fragoso reminded Committee members of the potential agreement previously discussed between the Charleston County Sheriff's Office and the City of Isle of Palms about housing and allowing the use of a marine unit from the City's Marina.

Chief Cornett further explained the details of the two agreements in the meeting packet. "One would be the agreement allowing us to use the vessel that Charleston County has allowed us to use, and the second one will be the agreement for the Metro Marine Unit participation, and they both have to happen for either one to happen. And with it, we have four officers now that are certified through Boat Crew Member that were trained through NASBLA, the National Association of Boating Law Enforcement, and that was all paid for by Charleston County Sheriff's Department. The boat was paid for by Charleston County Sheriff's Department. They will maintain insurance on the boat because it is a grant boat for them. They will still have access to it. That is why it is housed where it is so that they can pull up and get it if they need it. And only people that are certified through our department would be able to use that. We would be able to use it for rescue missions in and around the area, for the No Wake Zone on the intercoastal that have been out there. We rely on DNR to do those things, but they are limited on personnel, and so they cannot be everywhere. It also gives the benefit for the Sheriff's Department as it gives a vessel in the water in this area right now. When a call comes on Dewees Island or Goat Island or in this general area, they are deploying an asset from either Charleston City, from maybe Mt. Pleasant may come if they are in the water. North Charleston may be able to come if they are in the water. We are just closer right now, and it is a safety benefit for all parties involved."

He added that policy statements have been written by both departments and are being compared so the mimic each other. The agreement will spell out the responsibility of expenses for each department. The City of Isle of Palms will be responsible for fuel and maintenance costs, noting that maintenance for this year has already been completed.

**MOTION: Council Member Pounds made a motion to approve the Marine Unit Agreement with Charleston County Sheriff's Office. Council Member Ward seconded the motion. The motion passed unanimously.**

**C. Consideration of purchase of two patrol SUVs for the Police Department [FY22 Budget, Police Department, Capital Projects and State ATAX - \$123,000]**

Administrator Fragoso said this is a budgeted expense for two of three vehicles to be replaced. She said the third one will be replaced at a later time with a pickup truck. The City will be using State contract pricing for the purchase. The cost of the two vehicles with upfitting will be approximately \$61,000.

**MOTION: Council Member Pounds made a motion to approve, and Council Member Bell seconded the motion. The motion passed unanimously.**

**D. Consideration of transition from .40 caliber pistols to 9mm caliber pistols [FY22 Budget, Police Department, General Fund, Non-capital tools & equipment - \$6,000 after trade-in]**

Chief Cornett said this change is being made following an FBI study showing that 9mm caliber pistols are more accurate. Neighboring agencies are also making or have made this change. He clarified, "After the trade-in, it will be a little less than \$6,000. For us to get those, it is initially going to be \$14,000 and some change but then we will train the .40 calibers that we currently ae and they will reimburse us for that. We will actually get one invoice after everything is traded in, which will be under \$6,000."

Administrator Fragoso clarified the three quotes in the meeting packet: "Originally the idea was that they would reuse the holsters that they have. I do not think that we have confirmed that yet, so if they do not need the holsters, then they are going to use [what they have]...and then you have two quotes for the holsters, one with a light and one without... They will tell me who needs a light and who does not, but that is not part of what you would be approving. That is something I would approve if necessary. It would be under the threshold that I am able to approve if it is necessary. We are jut doing this first bid for \$16,200."

**MOTION: Council Member Ward made a motion to approve, and Council Member Pounds seconded the motion. The motion passed unanimously.**

**E. Update on hiring process for Fire Chief**

Administrator Fragoso said, "We have evaluated and interviewed a couple candidates that are willing and able to serve in the Interim Fire Chief position. We are hoping that we can get that in place in the next several weeks. In the meantime, Chief Cornett will continue to be the Director of Public Safety, overseeing the Fire Department administratively, providing administrative oversight. I have also received three proposals so far from executive recruitment firms. I'm waiting for one that I am expecting in the next day or two to help us recruit the best qualified candidate for the position of Fire Chief to lead our Fire Department. I will continue to update you on all those developments and bring forward a candidate for the interim position. We are thinking about a 3 to 4-month process depending on how long the process to recruit a permanent chief will be. The Interim Chief position will not be a candidate for the permanent role. I have been interviewing folks that have been recently retired, folks that have an impressive background, that have come in and have experience in transitional situations just like the one that we are in."

7. **Miscellaneous Business**

The next meeting of the Public Safety Committee will be on Thursday, October 7, 2021 at 3:00pm.

8. **Adjournment**

Council Member Pounds made a motion to adjourn, and Council Member Ward seconded the motion. The motion passed unanimously. The meeting was adjourned at 3:57pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk

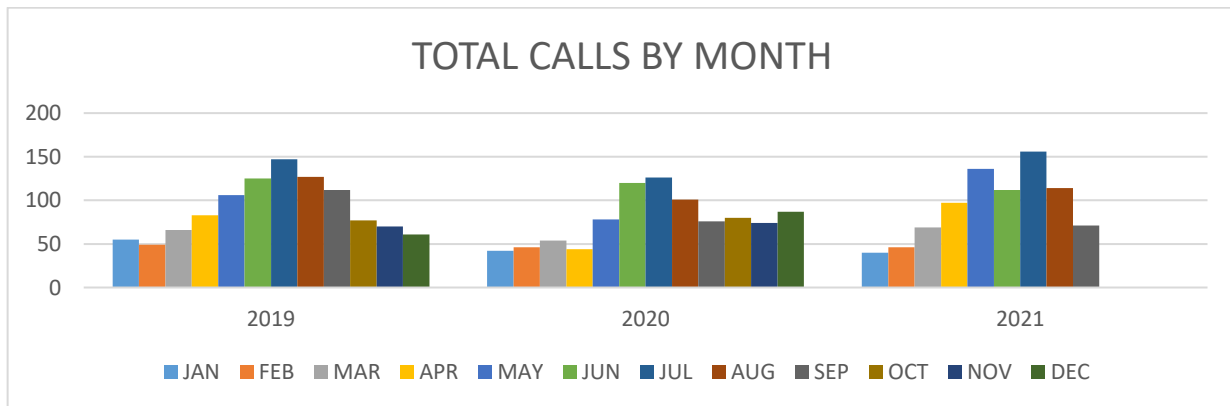


## MONTHLY REPORT SEPTEMBER 2021



FIRE	EMS	RESCUE	HAZ-MAT	SERVICE	OTHER
<b>2</b>	<b>40</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>23</b>

	<b>YEAR TO DATE TOTAL CALLS</b>	<b>SEPTEMBER TOTAL CALLS</b>
<b>2020</b>	687	76
<b>2021</b>	841	71
<b>DIFFERENCE FROM PRIOR YEAR</b>	<b>22.42%</b>	<b>-6.58%</b>



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
<b>2019</b>	55	49	66	83	106	125	147	127	112	77	70	61
<b>2020</b>	42	46	54	44	78	120	126	101	76	80	74	87
<b>2021</b>	40	46	69	97	136	112	156	114	71			





---

## MONTHLY REPORT SEPTEMBER 2021

### NOTABLE EVENTS / CALL HIGHLIGHTS

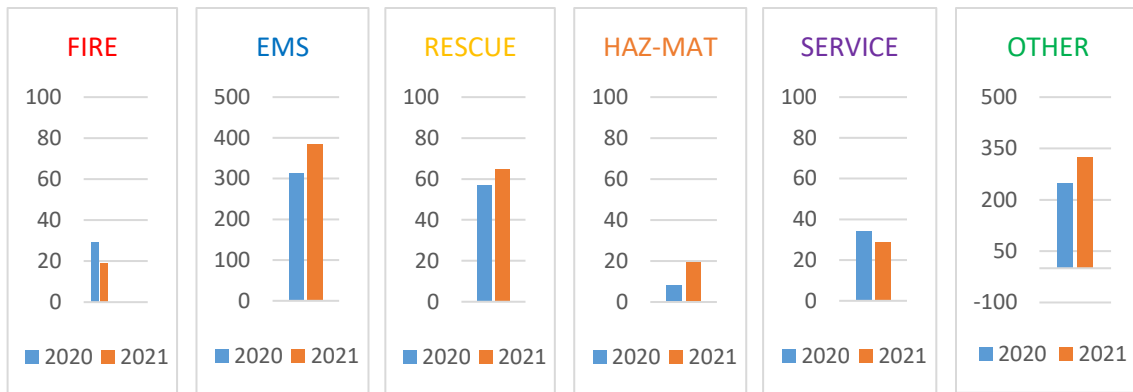
- 09/02/2021 Fire crews responded to an appliance fire at the Harris Teeter. The caller stated that they had a fire in one of the ovens. Upon arrival, fire department personnel were met by employees of the store who showed them where the fire had occurred. The fire had already been extinguished. Firefighters searched the area for any possible fire extension or hazards and did not find any further issues. All units cleared from the scene and returned to service.
- 09/02/2021 Fire crews responded to an auto versus pedestrian accident near 5757 Palm Boulevard. Fire department personnel provided patient care for an individual with traumatic injuries. Patient care was transferred to Charleston County Emergency Medical Services upon their arrival. Firefighters assisted with patient packaging and loading. All units cleared from the scene and returned to service.
- 09/14/2021 Fire crews responded to 5757 Palm Boulevard for a possible outside fire. Upon arrival, fire department personnel found that the contents of a trashcan had been burning. The fire was extinguished prior to the arrival of the firefighters. The area was checked for any fire extension or hazards. None were found. All units cleared from the scene and returned to service.
- 09/17/2021 Fire Marshal Stafford set-up and staffed a fire safety education table for the City of Isle of Palms Wellness Fair at the Isle of Palms Recreation Center.
- 09/18/2021 Fire Marshal Stafford set-up and staffed a car seat safety display and provided car seat installations at the Target parking lot in Mount Pleasant.
- 09/23/2021 Interim Chief Briscoe started his first day with the City of Isle of Palms Fire Department.
- 09/30/2021 Firefighter Cody Marlow was awarded the City of Isle of Palms Employee of the Quarter.



## MONTHLY REPORT SEPTEMBER 2021

### INCIDENT TYPE

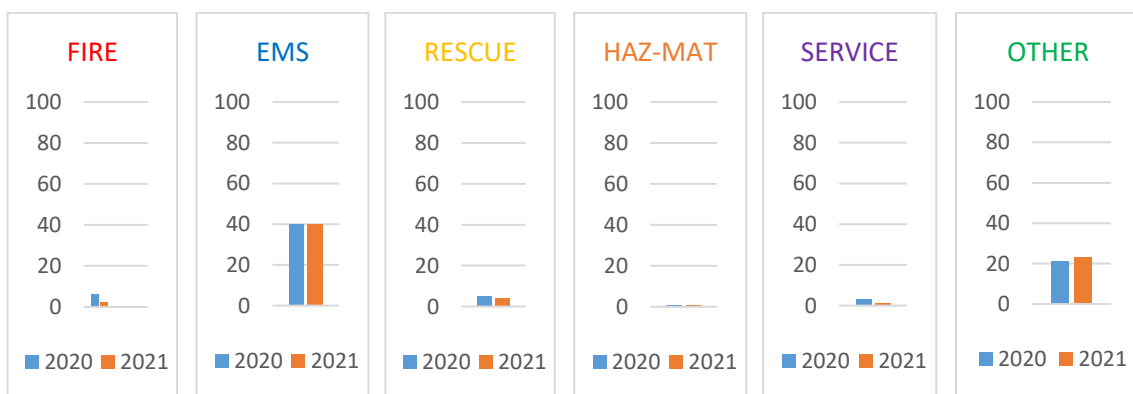
#### ANNUAL YEAR TO DATE ANALYTIC COMPARISONS



<b>2020</b>	<b>29</b>	<b>312</b>	<b>57</b>	<b>8</b>	<b>34</b>	<b>247</b>
<b>2021</b>	<b>19</b>	<b>385</b>	<b>65</b>	<b>19</b>	<b>29</b>	<b>324</b>
<b>DIFFERENCE FROM PRIOR YEAR</b>	<b>-34.48%</b>	<b>23.40%</b>	<b>14.04%</b>	<b>137.50%</b>	<b>-14.71%</b>	<b>31.17%</b>

### INCIDENT TYPE

#### SEPTEMBER MONTHLY ANALYTIC COMPARISONS



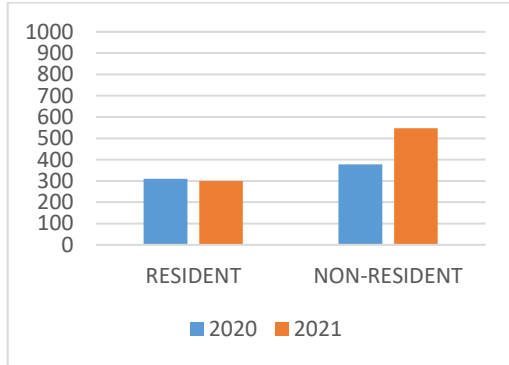
<b>2020</b>	<b>6</b>	<b>40</b>	<b>5</b>	<b>1</b>	<b>3</b>	<b>21</b>
<b>2021</b>	<b>2</b>	<b>40</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>23</b>
<b>DIFFERENCE FROM PRIOR YEAR</b>	<b>-66.67%</b>	<b>0.00%</b>	<b>-20.00%</b>	<b>0.00%</b>	<b>-66.67%</b>	<b>9.52%</b>



## MONTHLY REPORT SEPTEMBER 2021

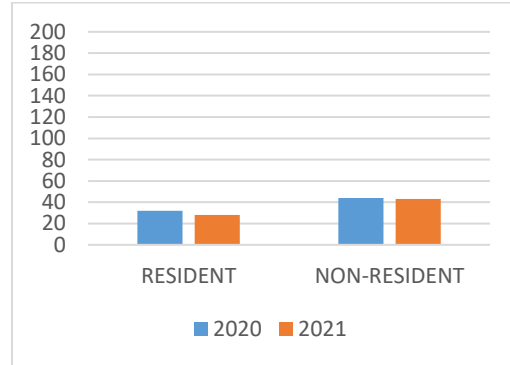
### RESIDENCY TYPE ANALYTIC COMPARISONS

**ANNUAL YEAR TO DATE TOTAL CALLS**



<b>2020</b>	<b>310</b>	<b>377</b>
<b>2021</b>	<b>299</b>	<b>547</b>
<b>DIFFERENCE FROM PRIOR YEAR</b>	<b>-3.55%</b>	<b>45.09%</b>

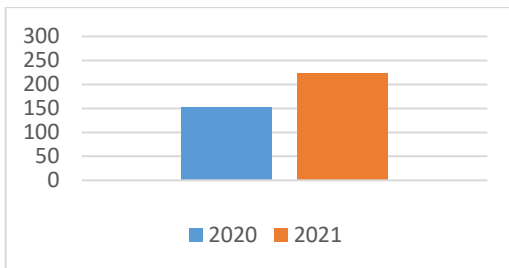
**SEPTEMBER MONTHLY TOTAL CALLS**



<b>2020</b>	<b>32</b>	<b>44</b>
<b>2021</b>	<b>28</b>	<b>43</b>
<b>DIFFERENCE FROM PRIOR YEAR</b>	<b>-12.50%</b>	<b>-2.27%</b>

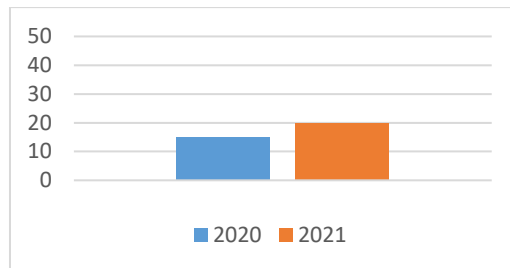
### TOTAL CALLS IN WILD DUNES

**ANNUAL YEAR TO DATE TOTAL CALLS**



<b>2020</b>	<b>152</b>
<b>2021</b>	<b>224</b>
<b>DIFFERENCE FROM PRIOR YEAR</b>	<b>47.37%</b>

**SEPTEMBER MONTHLY TOTAL CALLS**

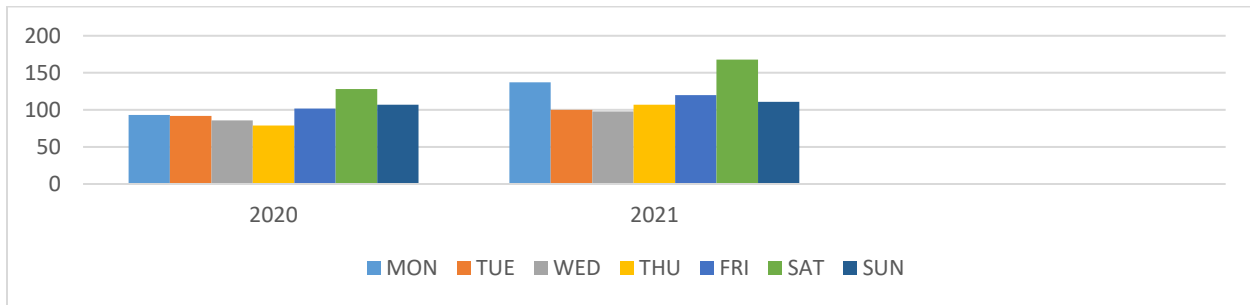


<b>2020</b>	<b>15</b>
<b>2021</b>	<b>20</b>
<b>DIFFERENCE FROM PRIOR YEAR</b>	<b>33.33%</b>



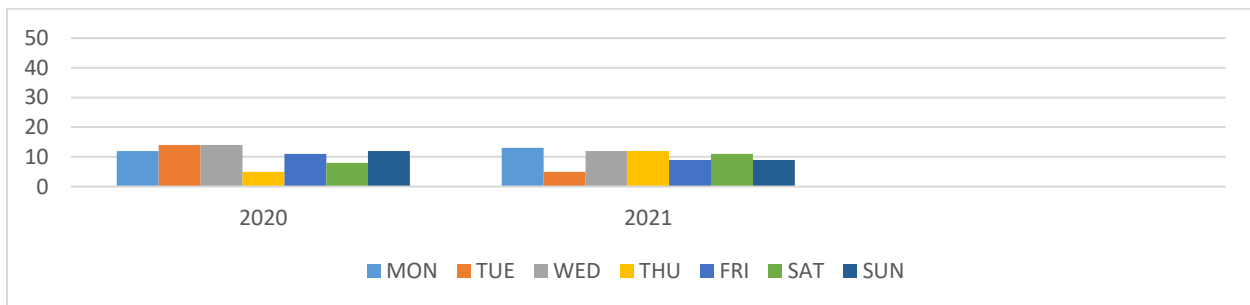
## MONTHLY REPORT SEPTEMBER 2021

### YEAR TO DATE CALLS BY DAY OF THE WEEK



	MON	TUE	WED	THUR	FRI	SAT	SUN
<b>2020</b>	93	92	86	79	102	128	107
<b>2021</b>	137	100	98	107	120	168	111
<b>DIFFERENCE FROM PRIOR YEAR</b>	<b>47.31%</b>	<b>8.70%</b>	<b>13.95%</b>	<b>35.44%</b>	<b>17.65%</b>	<b>31.25%</b>	<b>3.74%</b>

### SEPTEMBER CALLS BY DAY OF THE WEEK



	MON	TUE	WED	THUR	FRI	SAT	SUN
<b>2020</b>	12	14	14	5	11	8	12
<b>2021</b>	13	5	12	12	9	11	9
<b>DIFFERENCE FROM PRIOR YEAR</b>	<b>8.33%</b>	<b>-64.29%</b>	<b>-14.29%</b>	<b>140.00%</b>	<b>-18.18%</b>	<b>37.50%</b>	<b>-25.00%</b>



## MONTHLY REPORT SEPTEMBER 2021

### YEAR TO DATE CALLS BY DISTRICT

	DISTRICT 1	DISTRICT 2	OUT OF JURISDICTION
<b>2020</b>	400	259	28
<b>2021</b>	459	358	24
DIFFERENCE FROM PRIOR YEAR	<b>14.75%</b>	<b>38.22%</b>	<b>-14.29%</b>

### SEPTEMBER CALLS BY DISTRICT

	DISTRICT 1	DISTRICT 2	OUT OF JURISDICTION
<b>2020</b>	49	25	2
<b>2021</b>	40	30	1
DIFFERENCE FROM PRIOR YEAR	<b>-18.37%</b>	<b>20.00%</b>	<b>-50.00%</b>

### YEAR TO DATE CALLS BY SHIFT

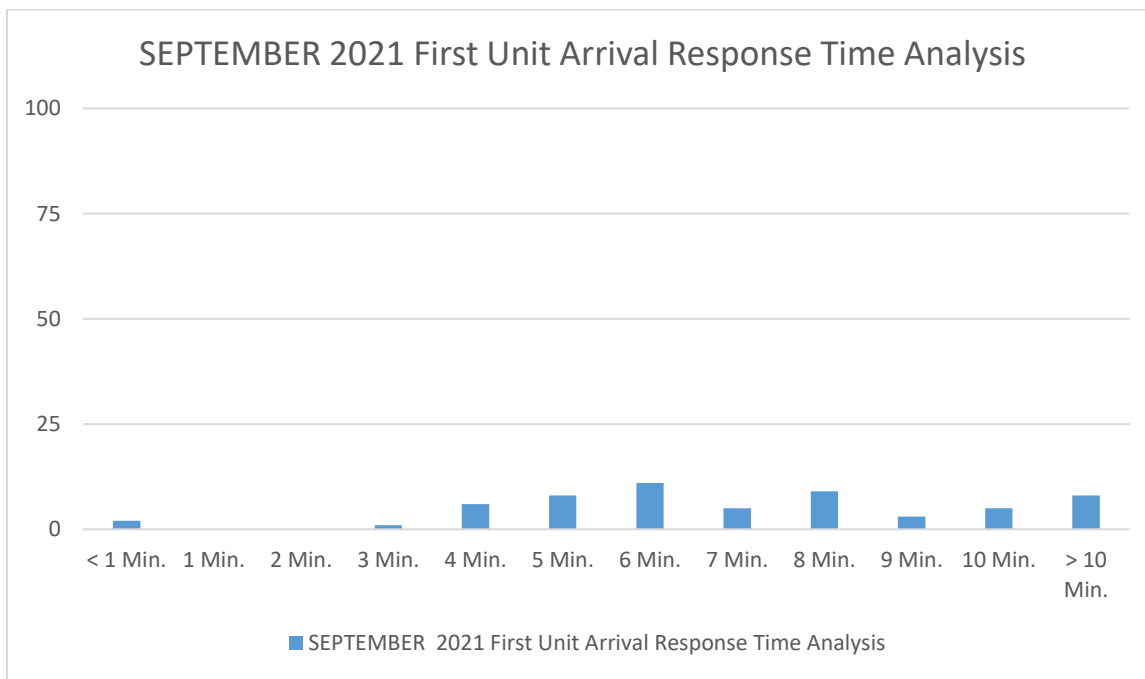
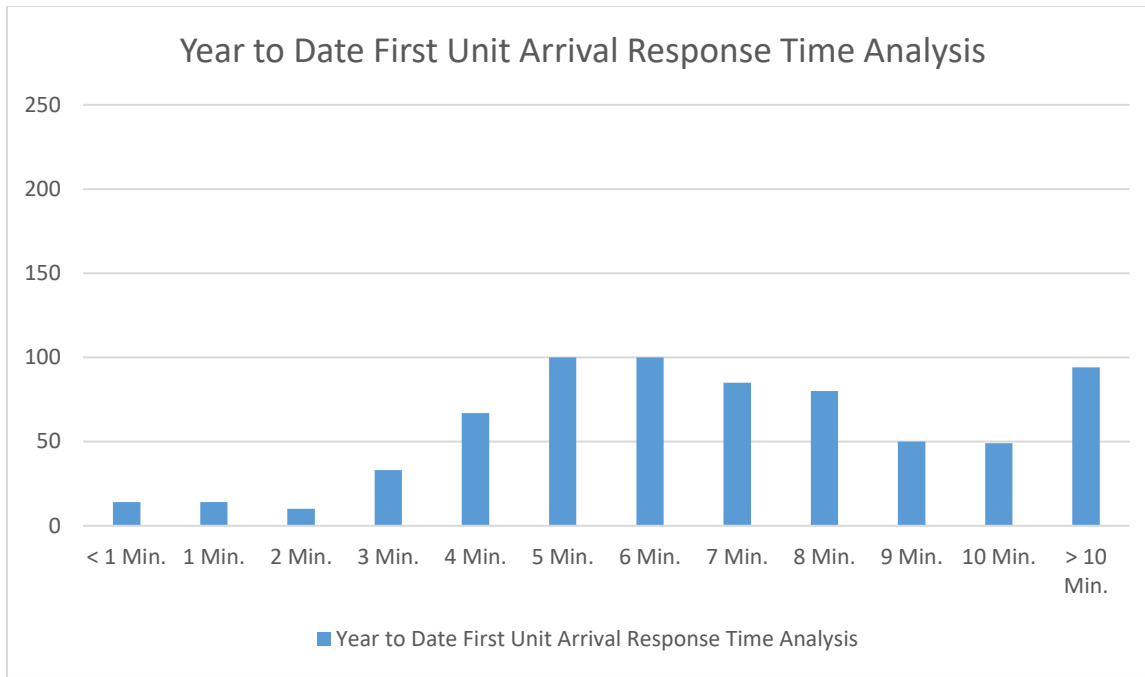
	A-SHIFT	B-SHIFT	C-SHIFT
<b>2020</b>	241	228	218
<b>2021</b>	272	288	281
DIFFERENCE FROM PRIOR YEAR	<b>12.86%</b>	<b>26.32%</b>	<b>28.90%</b>

### SEPTEMBER CALLS BY SHIFT

	A-SHIFT	B-SHIFT	C-SHIFT
<b>2020</b>	26	23	27
<b>2021</b>	24	28	19
DIFFERENCE FROM PRIOR YEAR	<b>-7.69%</b>	<b>21.74%</b>	<b>-29.63%</b>

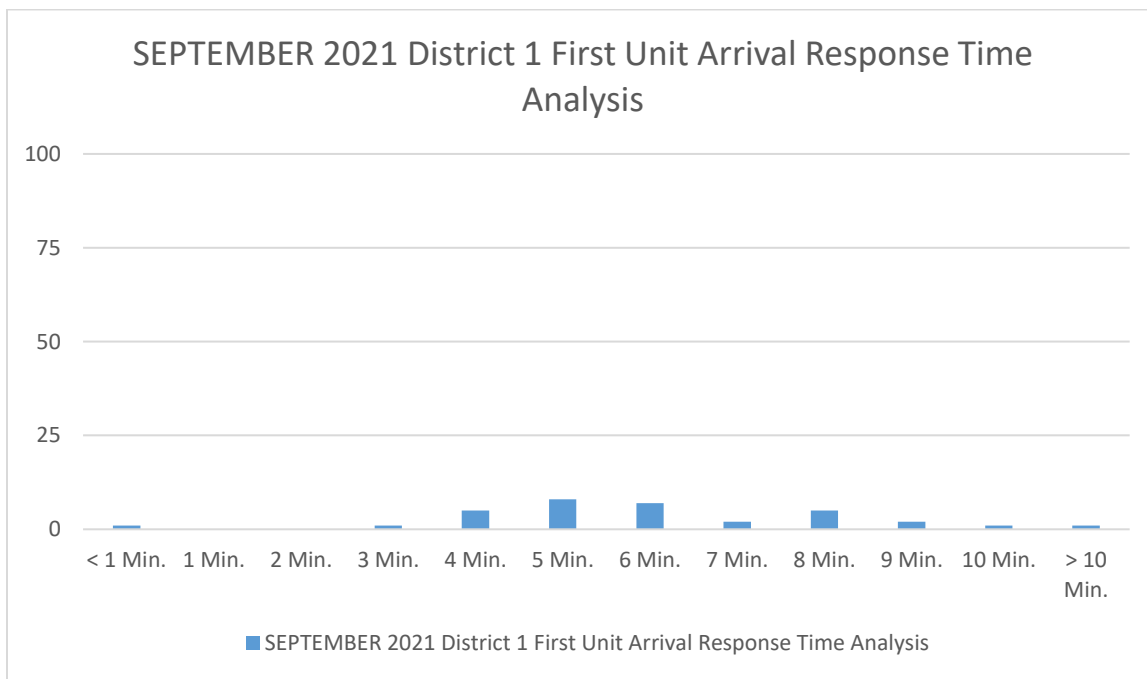
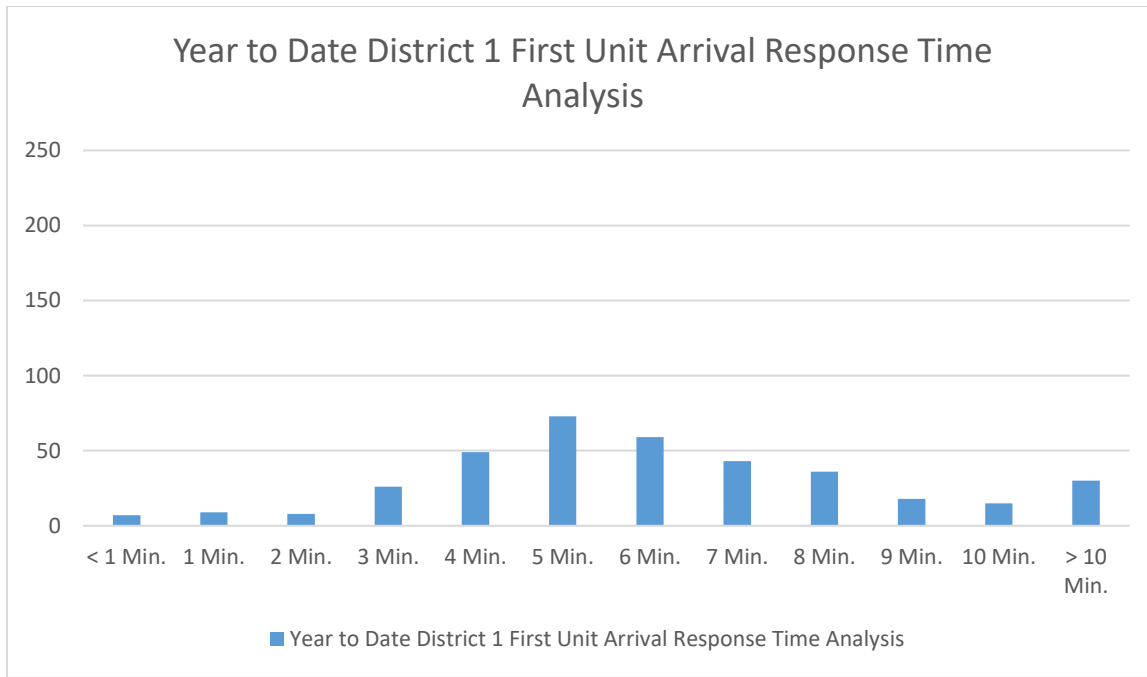


## MONTHLY REPORT SEPTEMBER 2021



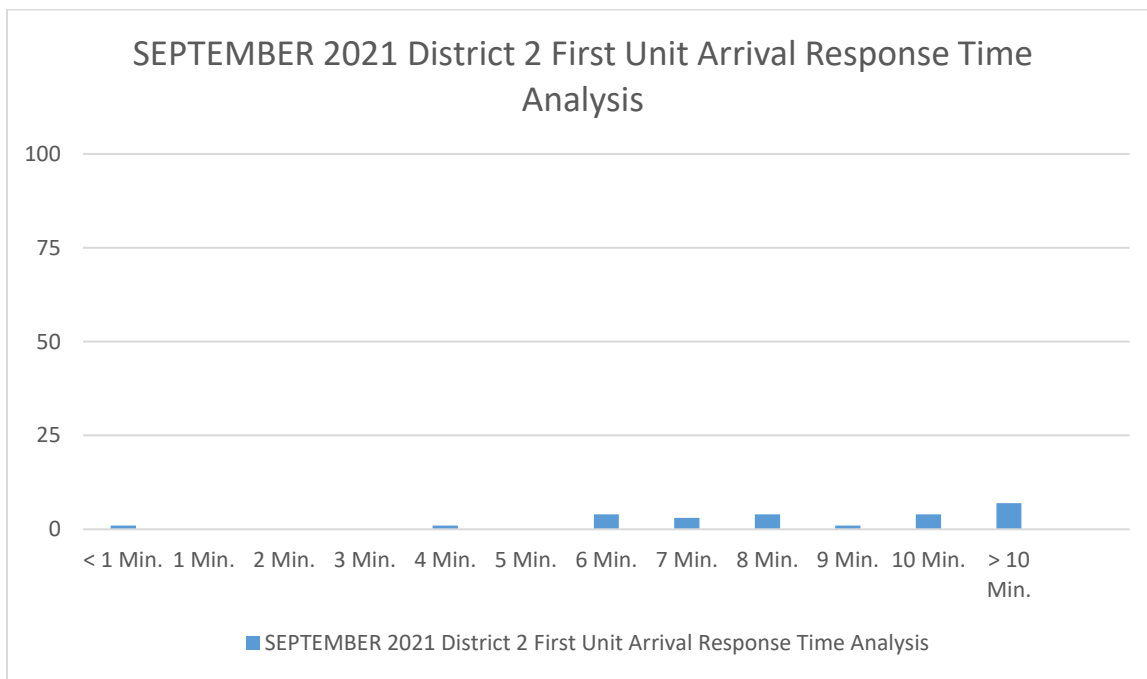
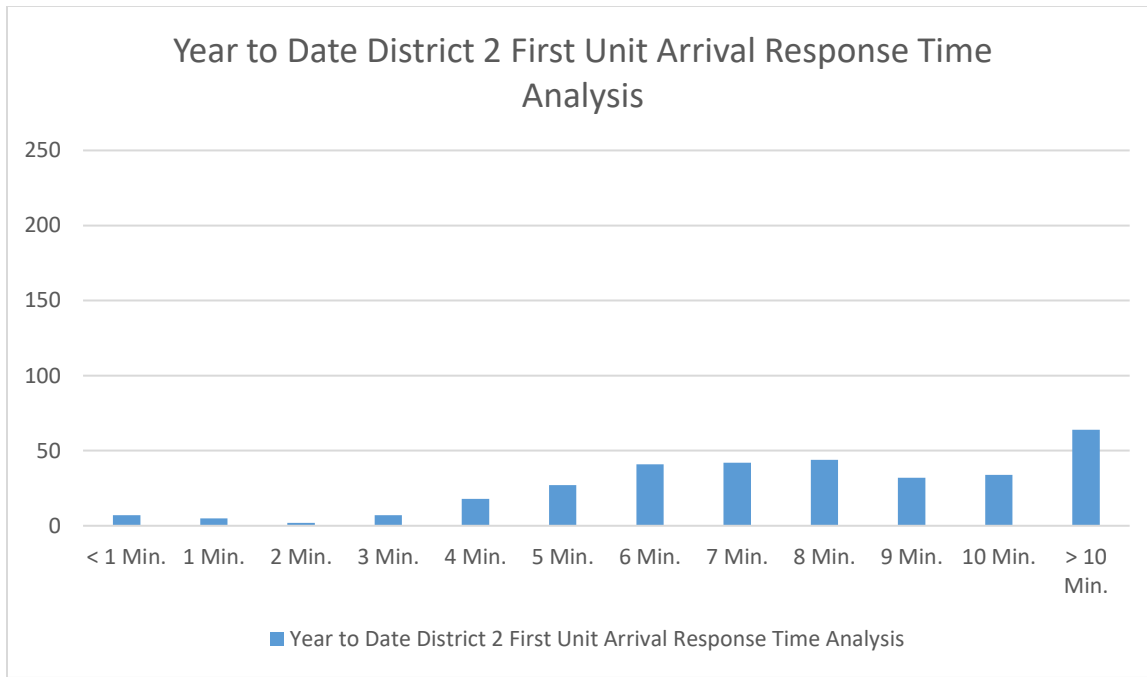


## MONTHLY REPORT SEPTEMBER 2021





## MONTHLY REPORT SEPTEMBER 2021

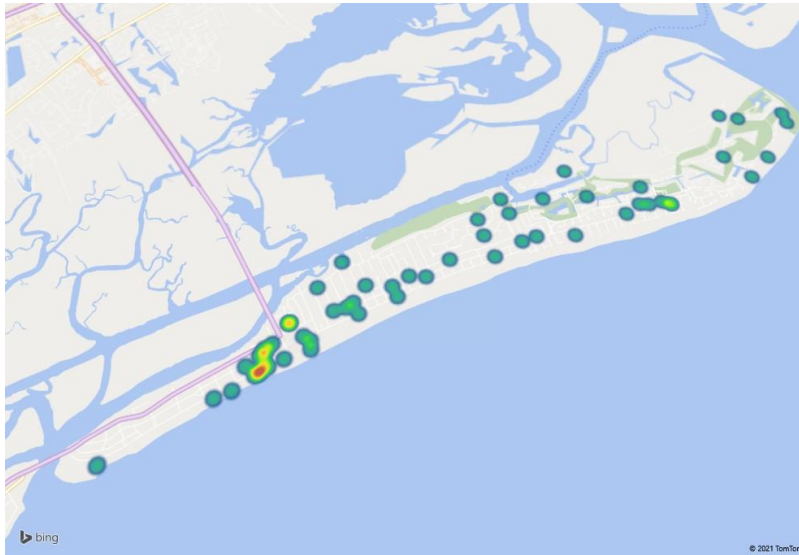






## MONTHLY REPORT SEPTEMBER 2021

### SEPTEMBER 2021 All Calls



### SEPTEMBER 2021 EMS Calls

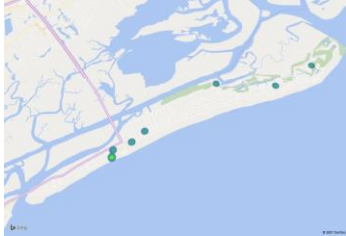




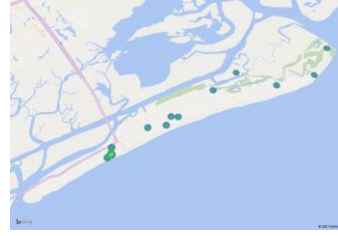
---

## MONTHLY REPORT SEPTEMBER 2021

**SEPTEMBER 2021 Sunday Calls**



**SEPTEMBER 2021 Monday Calls**



**SEPTEMBER 2021 Tuesday Calls**



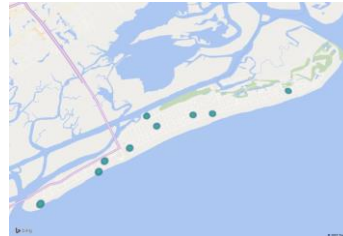
**SEPTEMBER 2021 Wednesday Calls**



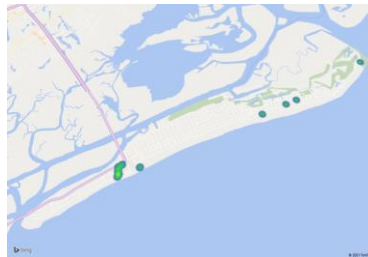
**SEPTEMBER 2021 Thursday Calls**



**SEPTEMBER 2021 Friday Calls**



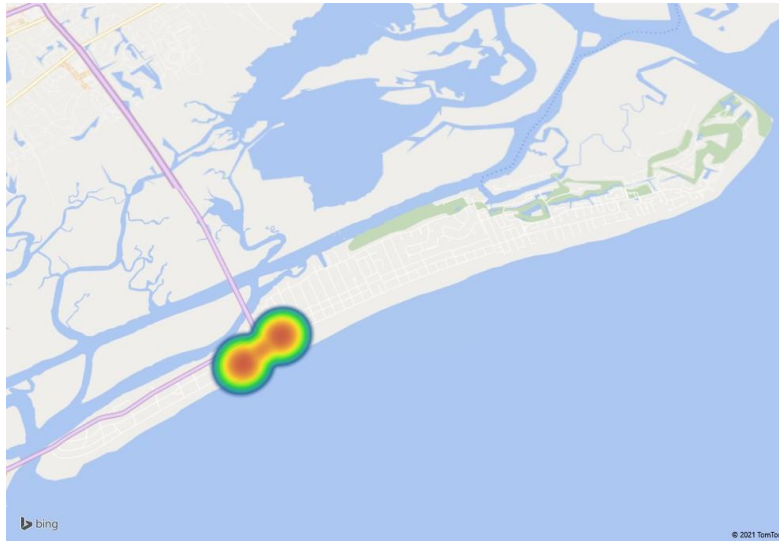
**SEPTEMBER 2021 Saturday Calls**



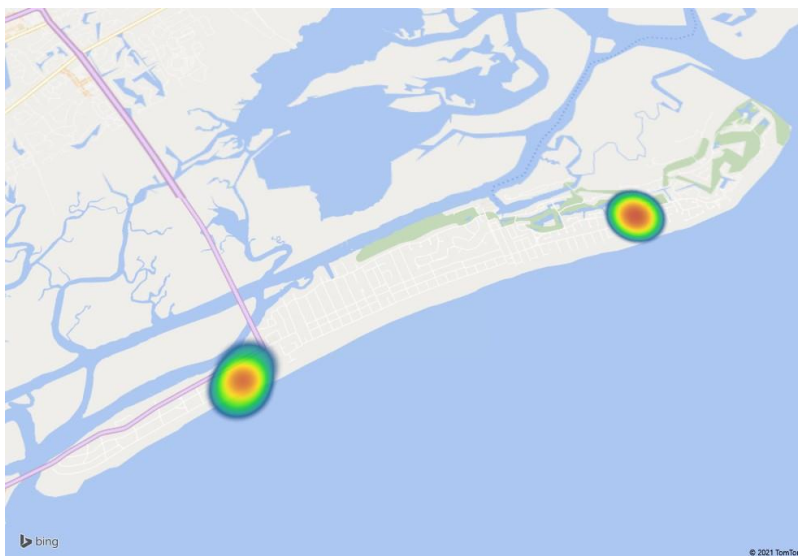


## MONTHLY REPORT SEPTEMBER 2021

### SEPTEMBER 2021 Resident Calls



### SEPTEMBER 2021 Non-Resident Calls



**City of Isle of Palms, SC**  
**Public Safety Committee – October 7, 2021**  
**Animal at Large, Vicious/Dangerous Animal Ordinance**  
**Comparison with Neighboring Communities**

<b>Municipality/County</b>	<b>Fine Amount</b>	<b>Jail Sentence</b>	<b>Ordinance/Statute #</b>	<b>Vicious Dog Statute (yes/no w/ ordinance #)</b>
SC State Statute (if adopted)	1 <sup>st</sup> offense - \$50, 2 <sup>nd</sup> offense – not more than \$100	0	47-3-50	Yes, 47-3-50, 47-3-720, 47-3-730, penalties outlined in 47-3-760
Isle of Palms	No more than \$500	Up to 30 days	6-2-14	No
Sullivan’s Island	No more than \$500	Up to 30 days	3-8	Yes, 3-8B, fine – no more than \$500 and/or 30 days
Edisto Beach	No more than \$500	Up to 30 days	6-36	Yes, 6-37, fine – no more than \$500 and/or 30 days
Folly Beach	No more than \$500	Up to 30 days	95-08	Yes, 95-16, fine – no more than \$500 and/or 30 days
Mount Pleasant	No more than \$500	Up to 30 days	90.29	Yes, 90.30, fine – no more than \$500 and/or 30 days
Charleston	No more than \$500	Up to 30 days	5-4	Yes, 5-19, fine – no more than \$500 and/or 30 days
Charleston County	No more than \$500	Up to 30 days	3-11	Yes, 3-11, fine – no more than \$500 and/or 30 days
Dorchester County	No more than \$500	Up to 30 days	4-7	Yes, 4-7, fine – no more than \$500 and/or 30 days

## **Ordinances**

### **1. South Carolina State Statutes:**

SECTION 47-3-50. Allowing dogs or cats to run at large; penalty.

(A) It is unlawful in any county or municipality adopting penalty provisions pursuant to the provisions of this article for any dog or cat owner or other keeper of a dog or cat to:

(1) allow his dog to run at large off of property owned, rented, or controlled by him;

(2) keep a vicious or unruly dog unless under restraint by a fence, chain, or other means so that the dog cannot reach persons not on land owned, leased, or controlled by him;

(3) release or take out of impoundment or quarantine without proper authority any dog or cat or resist county or municipal shelter personnel engaging in the capture and impoundment or quarantine of a dog or quarantining of a cat.

(B) Any person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined fifty dollars for a first offense and not more than one hundred dollars for each subsequent offense

Vicious Animal defined - "Vicious dog" means any dog evidencing an abnormal inclination to attack persons or animals without provocation.

SECTION 47-3-720. Dangerous animal not to go unconfined on premises; "unconfined" defined; exceptions.

No person owning or harboring or having the care or the custody of a dangerous animal may permit the animal to go unconfined on his premises. A dangerous animal is "unconfined" as used in this section if the animal is not confined securely indoors or confined in a securely enclosed fence or securely enclosed and locked pen or run area upon the person's premises. The pen or run area must be clearly marked as containing a dangerous animal and must be designed to prevent the entry of the general public, including children, and to prevent the escape or release of the animal. However, this section does not apply to an animal owned by a licensed security company and on patrol in a confined area.

HISTORY: 1988 Act No. 515, eff May 9, 1988; 1992 Act No. 374, Section 1, eff May 19, 1992.

SECTION 47-3-730. Dangerous animal not permitted beyond premises unless safely restrained.

No person owning or harboring or having the care of a dangerous animal may permit the animal to go beyond his premises unless the animal is safely restrained and the requirements of Section 47-3-760(E) are met.

SECTION 47-3-760. Penalties; registration of dangerous animals.

(A) A person who violates Section 47-3-720 or 47-3-730 or subsection (E) of this section or who is the owner of a dangerous animal which attacks and injures a domestic animal is guilty of a misdemeanor and, upon conviction, for a first offense, must be fined not more than two hundred dollars or imprisoned not more than thirty days and, upon conviction of a subsequent offense, must be fined one thousand dollars none of which may be suspended or remitted.

(B) A person who is the owner of a dangerous animal which attacks and injures a human being in violation of Section 47-3-710(A)(2)(a) or a person who violates Section 47-3-740:

(1) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than three years;

(2) for a second or subsequent offense, is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than five years.

(C) A dangerous animal which attacks a human being or domestic animal may be ordered destroyed when in the court's judgment the dangerous animal represents a continuing threat of serious harm to human beings or domestic animals.

(D) A person found guilty of violating this article shall pay all expenses, including, but not limited to, shelter, food, veterinary expenses for boarding and veterinary expenses necessitated by the seizure of an animal for the protection of the public, medical expenses incurred by a victim from an attack by a dangerous animal, and other expenses required for the destruction of the animal.

(E) A person owning a dangerous animal shall register the animal with the local law enforcement authority of the county in which the owner resides. The requirements of the registration must be determined by the county governing body. However, the registration application must be accompanied by proof of liability insurance or surety bond of at least fifty thousand dollars insuring or securing the owner for personal injuries inflicted by the dangerous animal. The county governing body shall provide to the owner registering the dangerous animal a metal license tag and a certificate. The metal license tag at all times must be attached to a collar or harness worn by the dangerous animal for which the certificate and tag have been issued.

(F) Nothing in this chapter is designed to abrogate any civil remedies available under statutory or common law.

SECTION 47-3-710. Definitions.

(A) As used in this article "dangerous animal" means an animal of the canine or feline family:

(1) which the owner knows or reasonably should know has a propensity, tendency, or disposition to attack unprovoked, cause injury, or otherwise endanger the safety of human beings or domestic animals;

(2) which:

(a) makes an unprovoked attack that causes bodily injury to a human being and the attack occurs in a place other than the place where the animal is confined as required by Section 47-3-720; or

(b) commits unprovoked acts in a place other than the place where the animal is confined as required by Section 47-3-720 and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being;

(3) which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting.

(B) "Dangerous animal" does not include:

(1) an animal used exclusively for agricultural purposes; or

(2) an animal which attacks a person who is trespassing or who appears to be trespassing. A trespasser is a person who is not lawfully upon the premises of the owner, as set forth in Section 47-3-770(A).

(C) An animal is not a "dangerous animal" solely by virtue of its breed or species.

(D) As used in this article "owner" means a person who owns or has custody or control of the animal.

(E) As used in this article, "injury" or "bodily injury" means (1) broken bones, (2) lacerations, (3) punctures of the skin, or (4) any physical injury resulting in death.

**2. Sullivan’s Island Dangerous Animal Ordinance:**

B. Keep a vicious or unruly dog unless restrained by a fence, chain or other means so that such dog cannot reach persons not on land owned, leased or controlled by him. A "vicious dog" shall be construed to mean any dog evidencing an abnormal inclination to attack persons or animals without provocation.

**3. Edisto Beach Fierce or Dangerous Dog:**

Sec. 6-37. - Fierce or dangerous dogs.

If any owner or possessor of a fierce or dangerous dog, registered or not registered, shall permit such dog to go at large in the town to the danger or annoyance of any of the inhabitants, he shall be liable to a fine as provided in this Code. Upon a second conviction for the same offense, the chief of police shall cause the dog to be slain.

**4. Folly Beach Dangerous Dog Ordinance:**

§ 95.16 DANGEROUS DOGS.

(A) No person owning or harboring or having the care or the custody of a dangerous dog may permit the dog to go “unconfined,” as the term is used in this section, if the dog is not securely confined indoors or confined in a securely enclosed and locked pen or a dog-run area upon the person's premises. The pen or dog-run area also must have either sides six feet high or a secure top. If the pen or structure has no bottom secured to the sides, all sides must be embedded into the ground at a depth of no less than one foot. However, the provisions of this section shall not apply to any dog that is owned by a licensed security company and is on patrol in a confined area.

(B) No person owning or harboring or having the care of a dangerous dog may permit the dog to go beyond his or her premises unless the dog is securely muzzled and restrained with a chain having a minimum tensile strength of 300 pounds and not exceeding three feet in length.

(C) (1) No person may own or harbor a dog for the purpose of dogfighting or train, torment, badger, bait or use a dog for the purpose of causing or encouraging the dog to unprovoked attacks upon human beings or domestic animals.

(2) No person may possess with intent to sell, offer for sale, breed or buy or attempt to buy a dangerous dog.

(D) (1) In the event a law enforcement agent has probable cause to believe that a dangerous dog is being harbored or cared for in violation of this section, he or she may petition the City Judge having jurisdiction to order the seizure and impoundment of the dangerous dog while the trial is pending.



(2) In the event a law enforcement agent has probable cause to believe that a dangerous dog is being harbored or housed in violation of this section, he or she may with proper court petition seize and impound the dangerous dog while the trial is pending.

(E) (1) Whoever violates this section is guilty of a misdemeanor and, upon conviction, for a first offense, must be fined not more than \$200 and/or imprisoned for not more than 30 days.

(2) A dangerous dog which attacks a human being or another domestic animal may be ordered destroyed when in the Court's judgement the dangerous dog represents a continuing threat of serious harm to human beings or other domestic animals.

(3) Any person found guilty of violating this section shall pay all expenses, including shelter, food, veterinary expenses for boarding and veterinary expenses necessitated by the seizure of any dog for the protection of the public or other expenses as may be required for the destruction of the dog. Furthermore, anyone found guilty of violating this section shall pay any medical expenses incurred by the victim as a result of the attack by a dangerous dog.

(F) (1) A person is lawfully upon the premises of the owner within the meaning of this section when he or she is on the premises in the performance of any duty imposed upon him or her by the laws of this state, by the laws or postal regulations of the United States, when he or she is on the premises upon invitation, expressed or implied, of the owner, or when he or she is in the performance of a duty relative to public safety, which includes police officers, firefighters or other authorized personnel. A person has the right to ingress and to egress from the premises for any purpose connected with the performance of the public safety duty.

(2) A person who is lawfully on the owner's premises and who is attacked by a dangerous dog or witnesses the attack may use reasonable force to repel the attack. A person is not liable in damages or otherwise for action to repel or any action taken to restrain or control a dog from an unprovoked attack.

(3) The Chief of Police may cause any dangerous animal to be slain or removed from the city.

Dangerous Dog Defined:

DANGEROUS DOG.

(1) A dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals;

(2) A dog which attacks a human being or domestic animal without provocation;

(3) A dog owned or harbored primarily or in part for the purpose of dogfighting or a dog trained for dogfighting; and

- (4) Trained guard or attack dogs.

**5. Mount Pleasant Dangerous Animal ordinance**

§ 90.30 DANGEROUS AND VICIOUS ANIMALS PROHIBITED.

(A) It shall be unlawful for any person to own or in any way maintain, harbor or keep any animal which is dangerous as described in § 90.29 (B)(3) above, or that is vicious as defined in this chapter. This shall not apply to any animal that attacks any person or animal unlawfully upon its owner's or keeper's premises.

(B) Any person who owns an animal that has been declared dangerous or vicious by the Animal Control Officer shall have the right to appeal this decision to the Town Administrator and to request a hearing by submitting a written request to the office of the Town Administrator within five working days after the Animal Control Officer's determination that the animal is dangerous or vicious. The Town Administrator or his/her designee shall conduct a hearing to determine if the Animal Control Officer's determination that the animal is dangerous or vicious is correct or incorrect. If the animal is judged not to be dangerous or vicious, it shall be returned to the owner. If the Town Administrator or his/her designee determines the animal to be dangerous or vicious, then the animal shall be disposed of in a humane manner.

**6. Charleston Vicious Animal Ordinance:**

Sec. 5-19. - Vicious animals.

It shall be unlawful for any person to own, keep, have charge of, shelter, feed, harbor or take care of any vicious animal within the city limits. For the purposes of this section the term vicious animal shall mean any animal that, according to the records of animal control authority or the municipal court:

- (1) Has killed a human being;
- (2) Has inflicted injury on a human being that requires medical treatment;
- (3) Has killed a domestic animal without provocation; or
- (4) Has been previously determined to be a vicious animal by the animal control authority, and the owner has received notice from animal control authority or an animal control officer of such determination; and the animal has inflicted an injury on a human being that does not require medical treatment, injures a domestic animal, or threatens the safety of humans or domestic animals.

**7. Charleston County Dangerous Animal Ordinance:**

Sec. 3-11. - Restraint.

(a) It shall be unlawful for any owner or custodian of any animal to permit same to run at large at any time upon streets or highways or properties other than his own property within the county. Such owner or custodian shall comply with the definition of "restraint" in section 3-1.

(b) It shall be unlawful to keep a dangerous dog in any manner not allowed under section 47-3-610, et seq., Code of Laws of South Carolina, 1976.

(c) Every female dog in heat and every female cat in heat shall be confined in a building or secure enclosure so that the female dog cannot come into contact with a male dog, nor the female cat come into contact with a male cat.

**8. Dorchester County Dangerous Animal Ordinance:**

Sec. 4-7. - Animals at large prohibited; restraint of dangerous animals.

modified

It is unlawful for any owner or keeper of an animal other than a non-fertile cat to willfully or negligently allow the animal to run at large on any public property or on any private property of another without permission of the property owner. Any animal under the direct and close supervision of its owner or keeper or otherwise engaged in an organized animal exhibition, field trial, competition, legal sport or training for these activities, shall not be deemed to be an animal at large. A dog engaged in lawful hunting where direct and close supervision by an owner or keeper is impractical for reasonable and proper enjoyment of the sport will not be considered at large unless the dog is roaming in populated residential, industrial or business areas or along public roads.

(1) It is unlawful for owners or keepers of a diseased animal, including a diseased cat, to allow the animal to run at large.

(2) It is unlawful for an owner or keeper to allow a fertile cat, six months or older, to run at large.

(3) It is unlawful for the owner or keeper of an animal declared by the animal control officer to be dangerous either willfully or negligently to allow the animal to run at large or to fail to secure, restrain or confine the animal as ordered by the animal control officer pursuant to this chapter.