

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

ORDINANCE NUMBER 20-___

AN ORDINANCE TO SUPPLEMENT THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, BY ADDING NEW SECTIONS TO CHAPTER 4, ANIMALS, PROHIBITING A PET STORE, AS HEREINAFTER DEFINED, FROM OFFERING FOR SALE, AS HEREINAFTER DEFINED, ANY DOG OR CAT.

WHEREAS, according to the Humane Society of the United States (HSUS) most puppies and kittens sold in pet stores come from large-scale, commercial breeding facilities where the health and welfare of the animals is disregarded in order to maximize profits. These breeding facilities are commonly known as “puppy mills” and “kitten mills”. The HSUS has estimated that 10,000 puppy mills produce more than 2 million puppies per year in the United States. Further, dogs bred in puppy mills are more likely to have behavioral and/or health problems. Although kitten mills are not as common as puppy mills, similar problems are reported regarding kitten mills; and,

WHEREAS, the documented abuses endemic to puppy and kitten mills include over breeding, inbreeding, minimal veterinary care, lack of adequate food, lack of adequate water, lack of adequate shelter, lack of socialization, lack of exercise, and lack of sanitation; and,

WHEREAS, according to the United States Centers for Disease and Prevention, pet store puppies pose a health risk to consumers, as over 100 Americans have contracted an antibiotic resistant infection from contact with pet store puppies; and,

WHEREAS, according to the American Society for the Prevention of Cruelty to Animals (ASPCA) fearful behavior and lack of socialization with humans and other animals are common characteristics of dogs from puppy mills and kittens from kitten mills; and,

WHEREAS, Dorchester County Council is of the opinion that a ban on the retail sale of dogs and cats in pet stores within Dorchester County will encourage persons to adopt dogs and cats from shelters and other nonprofit organizations; and,

WHEREAS, Dorchester County Council is authorized and empowered to adopt Ordinances to protect the public health safety and welfare of its citizens.

NOW THEREFORE, be it Ordained by Dorchester County Council, duly assembled, that the Code of Ordinances, Dorchester County, South Carolina, be supplemented by adding the below Sections 4-21, 4-22, and 4-23 to Chapter 4, Animals, prohibiting a Pet Store as hereinafter defined from offering for sale, as hereinafter defined, any dog or cat.

Sec. 4-21. Definitions:

“Cat” means a member of the species of domestic cat, *Felis catus*.

“Dog” means a member of the species of domestic dog, *Canis familiaris*.

“Pet store” means a retail business whether the same be a sole proprietorship, partnership, corporation, association, or other legal entity primarily engaged in the sale, exchange, barter, or offer for sale of dogs and/or cats, and/or pet supplies, and/or pet food to the general public at retail. This term does not include any Animal rescue organization.

“Animal rescue organization” means any not-for-profit organization having tax exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals into permanent homes, and which does not breed animals.

“Manager” means any person employed by a Pet store whose duties and responsibilities are the supervision of the employees of the Pet store while he/she is operating within the scope of his/her employment.

“Employee” “means any person employed by a Pet store whether being paid compensation or not who is transacting business on behalf of the Pet store and acting within the scope of his/her employment.

Sec. 4-22. Prohibition on the sale of dogs and/or cats.

It shall be unlawful for any Pet store, the manager and/or employee of any Pet store, to display, sell, deliver, offer for sale, barter, giveaway, or otherwise dispose of any dogs and/or cats within the unincorporated areas of Dorchester County. Nothing in this section shall prohibit a Pet store from providing space to an Animal rescue organization to allow such Animal rescue organization to showcase adoptable dogs and/or cats provided that the Pet store shall have no

ownership interest in the dogs and/or cats being offered for adoption and shall not receive a fee for providing such space to an Animal rescue organization.

Sec. 4-23 Violation.

Any violation of this Ordinance shall result in the initiation of a suspension of the business license of the Pet store pursuant to the applicable provision(s) of the Dorchester County Business License Ordinance as may be amended from time to time. Each day shall constitute a separate violation.

This Ordinance shall be effective upon 3rd and final reading.

Approved and adopted this _____ day of _____, 2020.

First Reading: _____
Second Reading: _____
Public Hearing: _____
Third Reading: _____

George Bailey, Chairman
Dorchester County Council

ATTEST:

Tracey L. Langley, Clerk of Council