

CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070
CITY COUNCIL WORKSESSION AGENDA
October 9, 2018

**NOTE: IF YOU HAVE SPECIAL NEEDS DUE TO A PHYSICAL CHALLENGE,
PLEASE CALL IVETTE BURGESS 525-7070 FOR ADDITIONAL
INFORMATION**

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STATEMENT OF MEDIA NOTIFICATION

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

WORKSESSION - Planning Conference Room, 1st Floor - 5:00 PM

I. CALL TO ORDER

- A. Mayor, Billy Keyserling

II. PRESENTATION

- A. Community Rating System Program, a program for public information - David Stroud

III. DISCUSSION ITEMS

- A. Beaufort County Animal Control Ordinance new amendments - Tallulah Trice and Chris Inglese
- B. Update on Trick or Treat 2018 event - Linda Roper and Rhonda Carey

IV. EXECUTIVE SESSION

- A. Pursuant to Title 30, Chapter 4, Section (70) (a) (2) of the South Carolina Code of Law: Receipt of Legal Advice and Discussion regarding Stormwater Funding and Chamber of Commerce.

V. ADJOURN



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 9/18/2018
FROM: Bruce Skipper
AGENDA ITEM TITLE: Community Rating System Program, a program for public information - David Stroud
MEETING DATE: 10/9/2018
DEPARTMENT: Planning

BACKGROUND INFORMATION:

The City is preparing for the five-year review of its Community Rating System (CRS) program. This is the program that allows the City's flood insurance policy holders to receive a discount on their flood insurance premiums. The CRS program requirements have changed substantially since the last five-year review, with many of the required elements becoming more stringent. As a result, the City has retained a consultant, David Stroud from Wood Environment & Infrastructure Solutions, to assist us in preparing for the upcoming audit. The City's goal is to retain, and ideally, improve its CRS rating. One of the ways to get additional program points, is by having a Program for Public Information (PPI). Staff assembled a stakeholder committee to prepare a PPI. After a year of work, the PPI is ready for Council's review. David Stroud will be attending the October 9 Council workshop to review the draft PPI (attached) with Council. Adoption of the plan by resolution will be scheduled for an upcoming meeting.

Staff has also asked Mr. Stroud to discuss the advantages of implementing a minimum elevation requirement for all new residential construction and/or a "freeboard requirement" (additional elevation) for properties in the flood zone—the latter in conjunction with adoption of the new flood insurance rate maps.

PLACED ON AGENDA FOR: Discussion

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
PPI	Cover Memo	9/21/2018



City of Beaufort **Program for Public Information**



Prepared for:
City of Beaufort, SC

Prepared by:
Wood Environment &
Infrastructure Solutions

August 2018

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City of Beaufort, SC
Program for Public Information (PPI)

Background

The Community Rating System (CRS) is a part of the National Flood Insurance Program (NFIP). It provides reductions to flood insurance premiums in participating communities. The reductions are based on community floodplain management programs, including public information activities. To keep those discounts, communities must continue to implement their programs and provide status reports to the NFIP each year. The City of Beaufort (the “City”) has been an active participant of the CRS since 1992. The City is currently rated as a Class 7, which rewards policy holders with a 15 percent reduction in their flood insurance premiums. Non-SFHA policies (Standard X Zone policies) receive a 5% discount, and preferred risk policies receive no discount.

A Program for Public Information (PPI) is an ongoing effort to prepare, implement, and monitor a range of public information activities. The objective of CRS credit for a PPI is to allow communities to think “outside” of the box and be creative in their approach to outreach for flooding. It provides credit for information programs that are designed to meet local needs and that are monitored, evaluated, and revised to improve their effectiveness. The City has developed its PPI in accordance with the CRS credit criteria found within Activity 330.

With advances in technology and greater familiarity with web-based services, the City recognizes that mailing information directly to property owners may not be the most effective method to get certain messages across or reach certain audiences. The PPI planning process provides the ability for the City to consider other options for disseminating messages about the flood hazard to the community and to leverage other stakeholders through their messaging and materials.

Flood hazard reduction has been a priority for the City of Beaufort for many years, and the development of this PPI also builds on existing public outreach and education efforts related to flooding. For example, the City’s 2009 Comprehensive Plan process encouraged discussion on environmental protection and sustainability, and arrived at natural infrastructure and resource protection as priorities for planning initiatives moving forward.

Step 1: Establish a PPI Committee

A PPI should assess all the community’s needs for flood-related information and coordinate all the resources that can deliver information. It should recommend a range of activities that convey information to residents, businesses, tourists, school children, and other audiences in and around the community. It should have an objective review of what is being done and how public information activities could be improved. Therefore, a PPI needs to be developed by a committee that consists of members from both inside and outside local government. The committee could be an existing committee, such as a mitigation planning committee or advisory board, or a subcommittee of an existing group, so long as it meets the membership criteria.

1.1 Membership and Stakeholders

The PPI Committee’s membership must meet the following CRS criteria:

- There must be at least five people on the committee.
- There must be representation from the community’s floodplain management office.

- There must be representation from the community’s public information office, if there is one.
- At least half of the members must be from outside the local government (“stakeholders”).

The CRS encourages engagement of groups and people outside the local government in planning and conducting outreach projects. As outlined above, at least one-half of the members of the PPI committee must be representatives from outside the local government. These could be members of the public, representatives of key community organizations, and/or agencies and organizations that would likely implement the recommended outreach projects.

The participants comprising the PPI Committee for the City were selected in accordance with the above CRS criteria and include the following:

1. Libby Anderson, City of Beaufort Planning Department
2. Edward Dukes, Lowcountry Real Estate
3. Tom Hermann, Ameris Bank
4. Bruce M. Skipper, City of Beaufort Building Department (Floodplain Manager)
5. Andy Corriveau, State Farm Insurance
6. Robert Carson, Beaufort City Emergency Management
7. Martie Kay McTeer, City of Beaufort Planning Department (Committee Advisor)

Note: The City does not have a Public Information Officer

Committee Meetings

The PPI committee met three (3) times during the planning process to complete the outreach program. Each PPI committee meeting was held at the 2nd floor conference room in City Hall at 1911 Boundary Street. The meeting dates and objectives covered are detailed below in Table 1.

Table 1 – Summary of PPI Committee Meeting Dates

Meeting Topic		Meeting Date
PPI #1	Assessment of the community’s current public information needs (PPI planning process, assessment of the flood hazard, exposed buildings, flood insurance coverage, and identification of target audiences and areas).	6/21/2017
PPI #2	Define target outreach messages and other potential outreach projects along with dissemination methods.	11/9/2017
PPI #3	Review the draft PPI	7/12/2018

Goals for the PPI

The PPI committee used the following three goals to guide the overall implementation of this Program for Public Information in order to better educate the public about the flood risks facing the City and how to protect themselves as well as their homes and businesses from flood damage; and to understand the importance of flood insurance.

Goal 1: Encourage property owners, through education and outreach measures, to protect homes and businesses.

Goal 2: Reduce damage through flood resilient strategies and measures.

Goal 3: Increase the preparedness capability of the public to respond to and recover from flood events.

Step 2: Assess the Community’s Public Information Needs

The City of Beaufort, located on Port Royal Island in the Sea Islands along the coast of South Carolina, is the county seat of Beaufort County. The City has a total land area of approximately 27.6 square miles and

a water area of approximately 6.0 square miles. The City sits along the Beaufort River, roughly 8 miles inland from the Atlantic coast. Because the City is located in a unique, low-lying estuarine area, it is particularly susceptible to flooding from high tides and storm surge. In fact, storm surge from hurricanes and tropical storms pose the greatest threat for flooding. However, extreme high tides and heavy rains can also cause flooding in neighborhoods and in the streets. Heavy and prolonged rainfall causes the capacity of the drainage system to be exceeded and can also cause flooding along the City's many waterways through increased runoff.

Beaufort is located completely within the Salkehatchie River Basin, which covers 1,021 square miles and spans 7 counties. Within the Salkehatchie River Basin, the City of Beaufort spans the Broad River/Port Royal Sound Watershed and the Coosaw River/St. Helena Sound Watershed.

The City is served by U.S. Highway 21, Business 21, and South Carolina Highway 170. US-21 connects Beaufort southeast to the Sea Islands and north to US-17 and Interstate 95. US-21 has been diverted around the City of Beaufort, but Business 21 runs through downtown. US-21 is the primary hurricane evacuation route for the City and the neighboring Sea Islands. SC-170 connects Beaufort southwest to southern Beaufort County and Savannah.

According to the U.S. Census Bureau's American Community Survey annual estimates, the City had an estimated total population of 13,729 in 2017. The City of Beaufort is the most developed area in northern Beaufort County.

Much of the City of Beaufort is surrounded by estuarine and marine wetlands. It is important to realize, respect and maintain the natural flood protection benefits and floodplain functions provided by these sensitive lands, and the natural and beneficial functions of this undeveloped coastal flood zone should be incorporated into local outreach and flood mitigation programs. The PPI should promote the environmental preservation and protection of coastal floodplain functions which include hydrologic and hydraulic processes, geomorphic processes and biologic processes. The seasonal and storm-generated variations in water flow, including periodic flooding, are part of the normal function of the floodplain. These variations keep erosion and accretion in equilibrium, replenish soils, recharge groundwater, and filter impurities. In coastal areas, water differences are based on tides, currents, wave action, and storm surges—all of which form shorelines, coastal wetlands, dunes, barrier islands, and estuaries.

Much of the City falls within the 1%-annual-chance floodplain and the 0.2%-annual-chance floodplain. While some of this area, especially in the outlying incorporated areas to the southeast and northwest, is open space and marshland, floodplains cover much of the City's developed areas as well. In particular, the southeast and northern portions of historic downtown Beaufort fall within the floodplain. To the south and west of Downtown, the floodplain extends along the western half of Port Royal Island and covers much of the Mossy Oaks neighborhood.

2.1 Delineate Target Areas

To develop an effective local outreach program that raises public awareness about flood related issues, it is necessary to identify and assess the areas within the community that are considered flood-prone. The PPI Committee identified the following target areas and concluded that outreach projects should be directed to all properties (residential, commercial and public) within these areas:

Target Area #1: The Special Flood Hazard Area

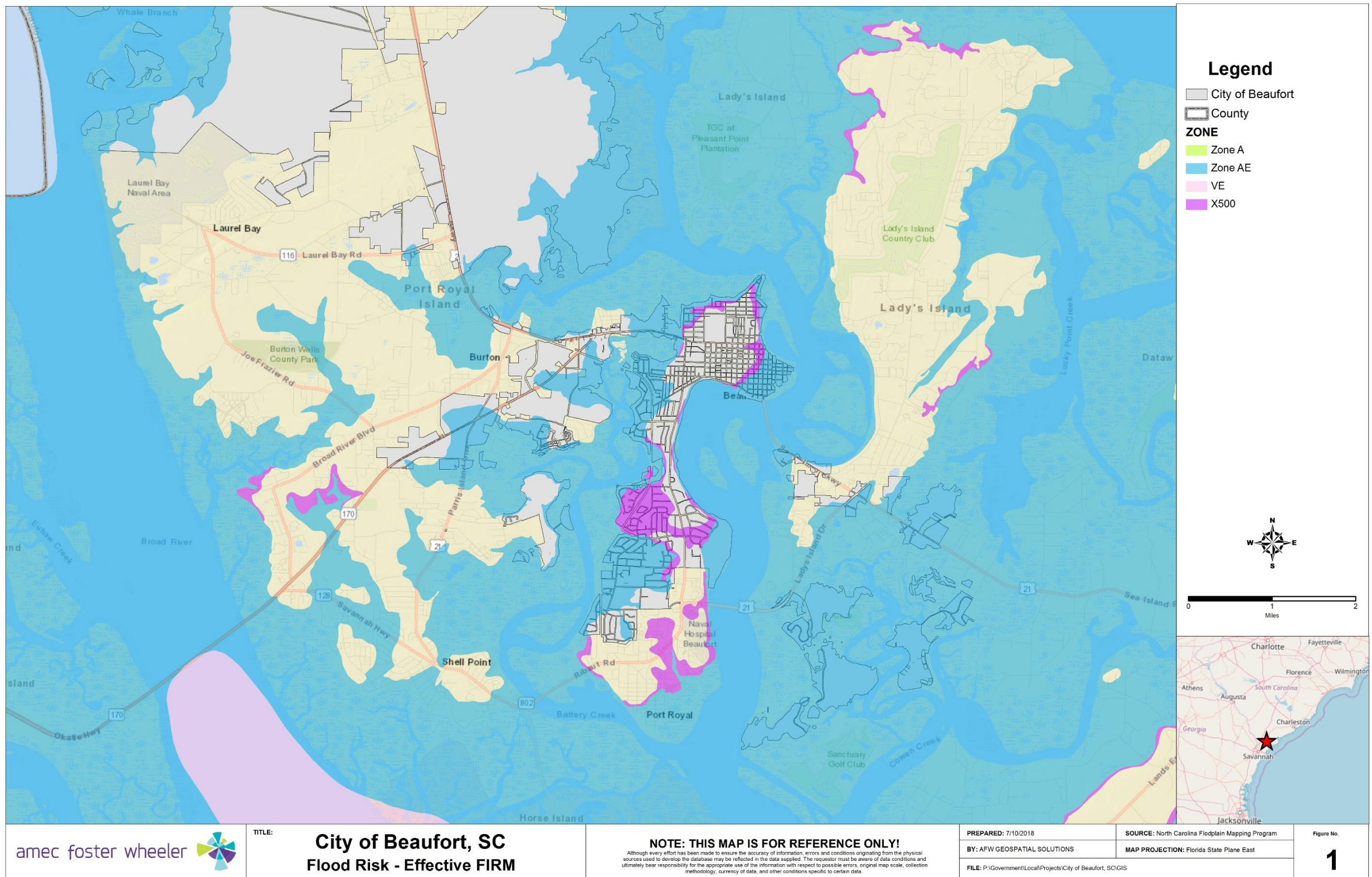
The City of Beaufort's floodplains were last mapped in 1986. Under the Effective FIRM, approximately 38.3% of structures in the City of Beaufort are located within a Special Flood Hazard Area (SFHA). Figure 1 on the following page reflects the mapped flood insurance zones for the City under the Effective FIRM. Note that the flood zones for this data, provided by Beaufort County, have been updated to reflect the current FEMA flood zone definitions. Therefore, all B Zones are shown as Shaded Zone X (the 0.2 percent annual chance floodplain), all C Zones are shown as Unshaded Zone X (areas outside the SFHA), and all numbered A Zones are shown as Zone AE (areas in the SFHA with known base flood elevations).

Table 2 summarizes the building count and improved value of parcels by mapped FEMA flood zone for the Effective FIRM. Based on this analysis, 2,908 improved parcels fall within the 1% annual chance floodplain for a total value of \$818,176,942. Additionally, there are 4,676 improved parcels outside of the SFHA with a value of \$879,545,031; nearly a quarter of these parcels and the associated total building value are located in the 0.2-percent-annual-chance floodplain. Note: Improved parcels indicate that a structure is present; however, the structure may or may not be insurable.

Table 2 – Building Count by FEMA Flood Zone, Effective FIRM

Flood Zone	Building Count	Total Building Value
Zone AE	2,908	\$818,176,941.60
Zone X (shaded)	1,149	\$202,564,678.90
Zone X (unshaded)	3,527	\$676,980,352.50
Total	7,584	\$1,697,721,973.00

Source: Beaufort County GIS



Source: Beaufort County GIS, 2017

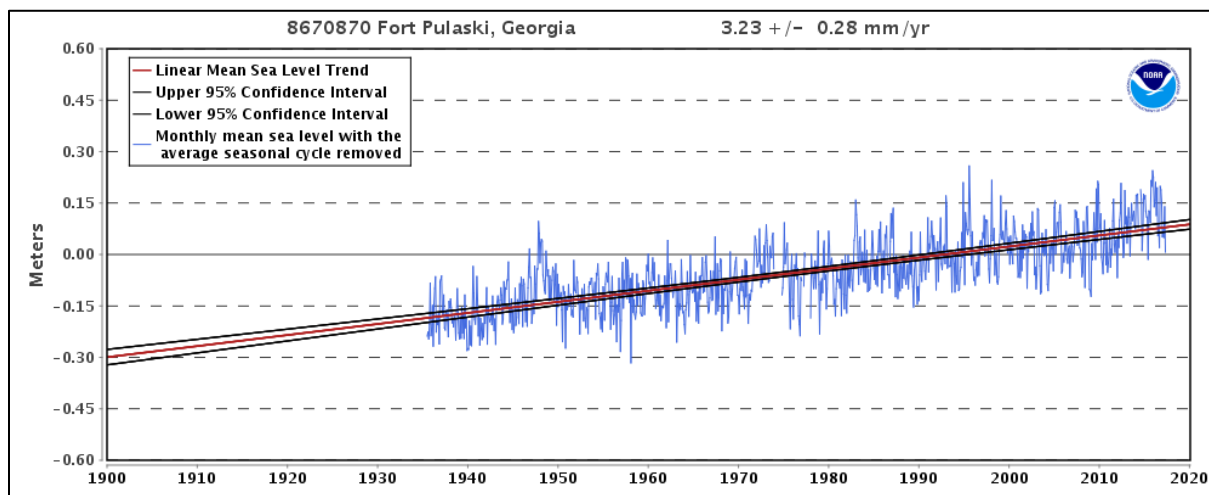
Figure 1 – City of Beaufort Effective FIRM Flood Zones

Target Area #2: Areas of Tidal / Stormwater Flooding & Sea Level Rise

Stormwater flooding can occur throughout the City of Beaufort when heavy rainfall and an accumulation of runoff overburden the stormwater drainage system within the community. This type of flooding is typically exacerbated by tidal influences limiting the capacity of the drainage system. Due to its low elevation and setting among estuarine and marine wetlands in South Carolina's Sea Islands, the City of Beaufort is vulnerable to tidal flooding. These same qualities mean the City is also at risk of sea level rise, which will intensify tidal and stormwater flooding issues.

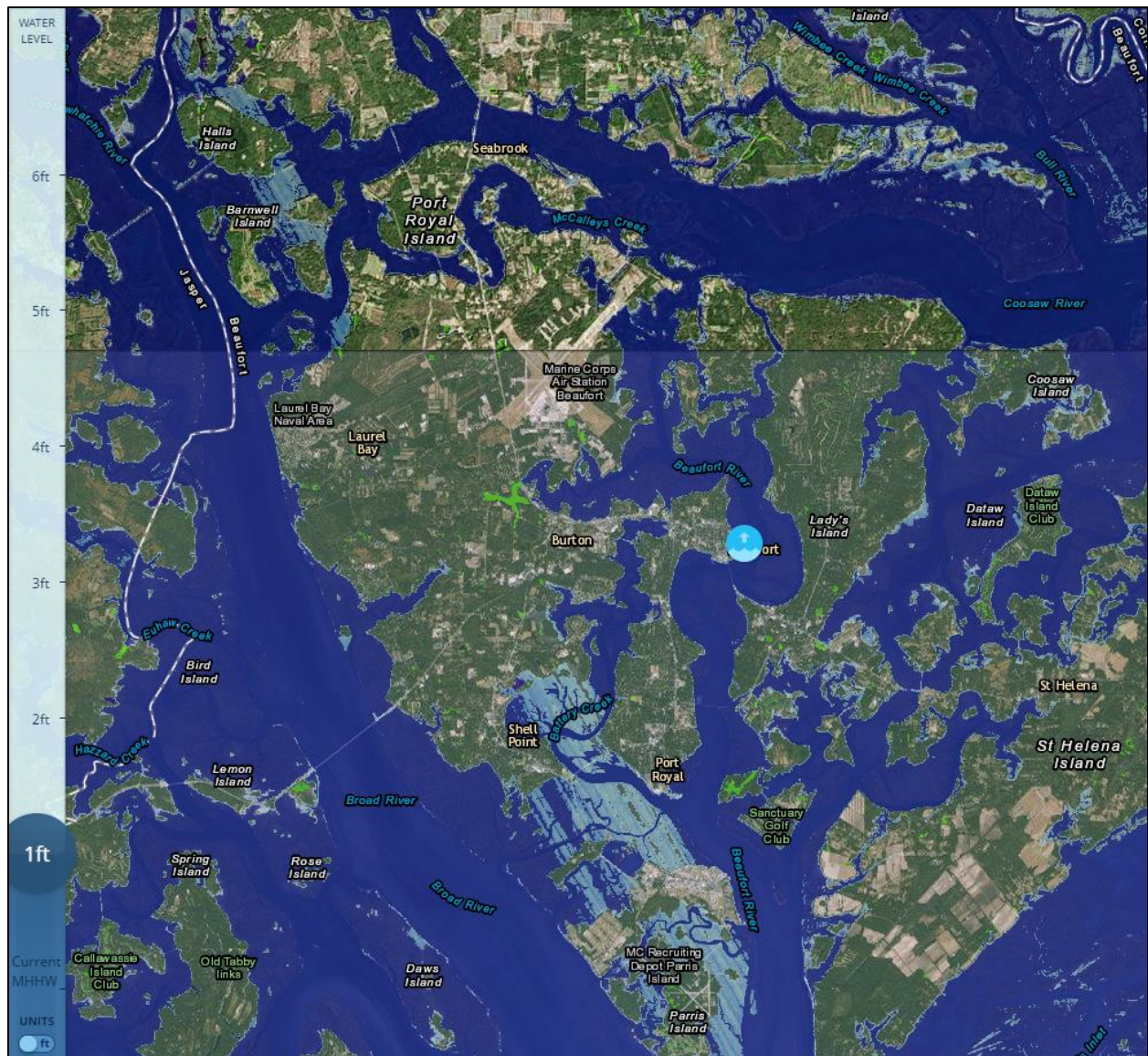
Tidal flooding is measured relative to the mean higher high water (MHHW), which is the 19-year average of the higher of each day's two high tides. Any land above the MHHW is considered normally dry ground. According to the Beaufort County Sea Level Rise Adaptation Report from March 2015, the National Weather Service considers minor flooding in Beaufort County to be any inundation 1.7 ft above MHHW, or 0.5 meters. Nuisance flooding in Savannah, Georgia (measured by the Fort Pulaski flood gauge), which is considered to be 0.46 meters above MHHW, can be taken as a close approximation for Beaufort. According to the 2015 State of U.S. "Nuisance" Tidal Flooding report from the National Centers for Environmental Information (NCEI), Savannah experienced 26 days of tidal flooding in 2015, up from 9 days in 1995. Tidal flooding is increasing as a result of sea level rise.

Sea level rise at the Fort Pulaski, Georgia tidal gauge also closely approximates the local sea level rise trend in Beaufort. Sea level at the Fort Pulaski gauge is rising at a rate of 3.23 ± 0.28 mm/yr, which equates to roughly 1.1 feet per century. However, this linear trend does not capture the continued impacts of climate change, which is expected to cause the rate of sea level rise to continue to increase through the end of the century, according to the National Climate Assessment. Therefore, actual sea level rise will likely exceed the linear trend.



Source: NOAA Tides & Currents, July 2017

Figure 2 illustrates the extent of inundation with 1 foot of sea level rise above mean higher high water based on the NOAA Sea Level Rise Viewer.



Source: NOAA Office for Coastal Management Sea Level Rise Viewer

Figure 2 – Estimated Flooding Under 1 Foot Sea Level Rise

While tidal influences are a leading cause of stormwater flooding in Beaufort, other factors can contribute to stormwater drainage issues and worsen the problem. The following issues can lead to stormwater flooding:

- ▶ **Inadequate Capacity** – An undersized/under capacity pipe system can cause water to back-up behind a structure which can lead to areas of ponded water and/or overtopping of banks.
- ▶ **Clogged Inlets** – debris covering the asphalt apron and the top of grate at catch basin inlets may contribute to an inadequate flow of stormwater into the system. Debris within the basin itself may also reduce the efficiency of the system by reducing the carrying capacity.
- ▶ **Blocked Drainage Outfalls** – debris blockage or structural damage at drainage outfalls may prevent the system from discharging runoff, which may lead to a back-up of stormwater within the system.

- ▶ **Improper Grade** – poorly graded asphalt around catch basin inlets may prevent stormwater from entering the catch basin as designed. Areas of settled asphalt may create low spots within the roadway that allow for areas of ponded water.
- ▶ **Impervious Surface** – An increase in impervious surface creates increased runoff which leads to an increase in the volume of water travelling to a collection point.

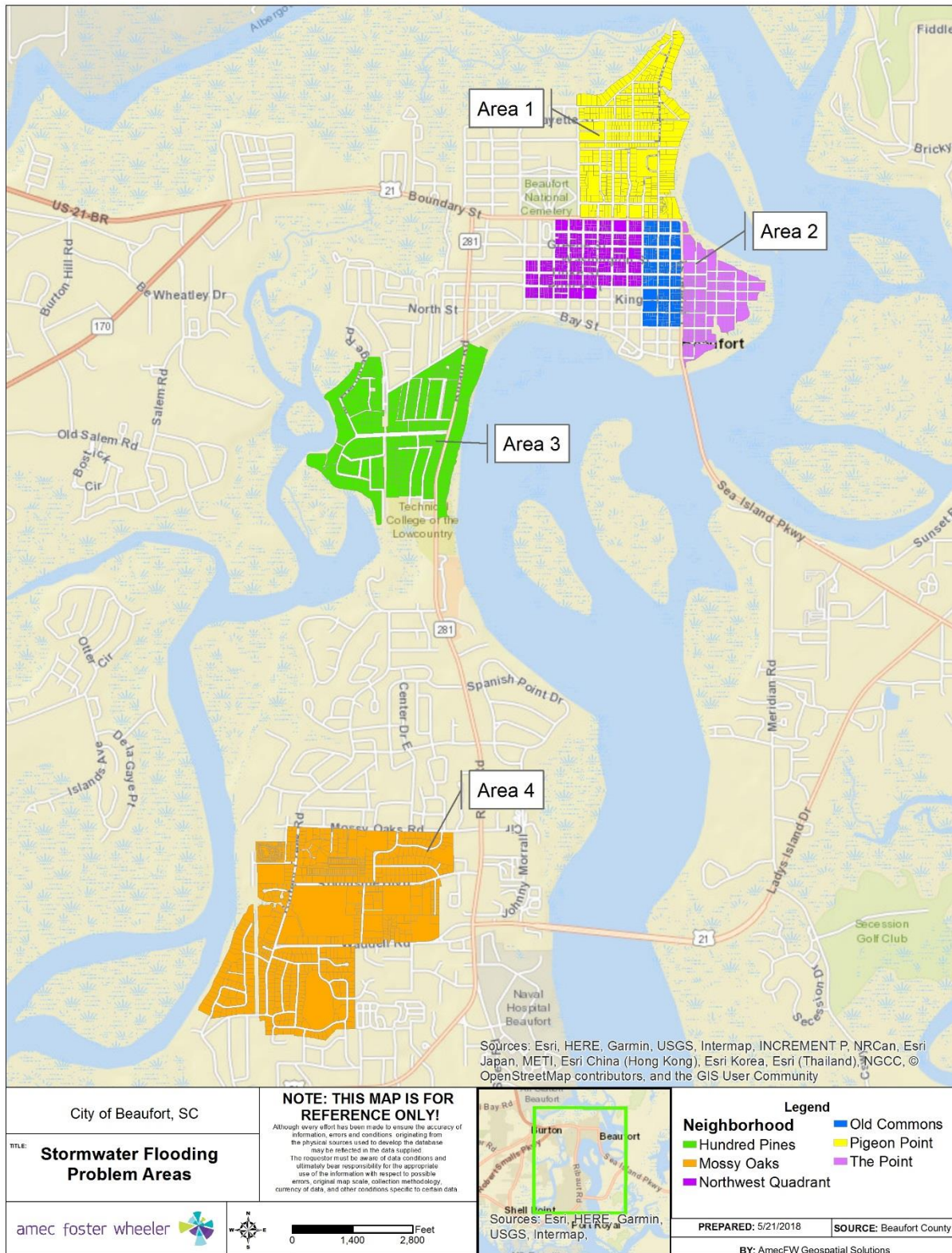
The City's Public Works Department identified four distinct areas affected by stormwater flooding. These areas are summarized in Table 3. Although these areas are noted as hot spots for stormwater issues, the whole of Beaufort is affected by tidal influences. Therefore, drainage issues from tidal flooding may extend beyond these currently identified areas.

Table 3 – Stormwater Flooding Problem Areas

Area	Neighborhood	Type of Flooding
1	Pigeon Point	Inadequate Drainage
2	Downtown/The Point/Northwest Quadrant	Inadequate Drainage
3	Hundred Pines	Inadequate Drainage
4	Mossy Oaks	Inadequate Drainage

Figure 3 shows the location of the neighborhoods that experience localized stormwater flooding.

Included in this target area of stormwater and tidal flooding are The Point and Downtown Beaufort, including Historic Bay Street and Carteret Street. This Downtown area is the heart of the City's cultural and historic assets, including many historic landmarks. The area also contains a significant concentration of small businesses throughout the "Main Street Beaufort, USA" downtown area. For these reasons, this area draws a large tourist population, which makes the area integral to the City of Beaufort's economy. Under the Effective FIRM, much of Downtown also falls within the SFHA.



Source: Beaufort County GIS, 2017

Figure 3 – Areas of Localized Flooding

Target Area #3: Repetitive Loss Areas

Properties categorized as repetitive loss properties for having two or more claims of \$1,000 or more paid against the National Flood Insurance Program (NFIP) have a greater need for flood protection. These properties are known to be vulnerable to flood and will continue to experience losses unless they are mitigated. Per 2016 NFIP records, there are four repetitive loss properties in the City of Beaufort including two unmitigated properties; however, one of these unmitigated buildings is actually located in unincorporated Beaufort County. Of the two mitigated properties, one received flood protection and the other is a historic building.

Table 4 below details the total repetitive loss building count by FEMA flood zone according to current NFIP records (excluding the property known to be located outside the City of Beaufort limits).

Table 4 – Repetitive Loss Buildings by Flood Zone

Flood Zone	Mitigated?	Building Count		Total Building Payment	Total Content Payment	Total Paid
		Insured	Uninsured			
X	X		X	\$14,805.98	\$6,791.48	\$21,597.46
A12	X	X		\$97,573.98	\$4,568.27	\$102,142.25
C		X		\$35,838.58	\$1,061.79	\$36,900.37
Total	2	2	1	\$148,218.54	\$12,421.54	\$160,640.08

Source: NFIP Repetitive Loss Data, 1/31/2017

Note: Flood zones reflect the historical FIRM at the time of the property's first loss.

In addition to the repetitive loss properties there are historical claims properties, which have had one claim paid against the NFIP and the potential to become repetitive loss properties. The location of these properties was taken into consideration when defining repetitive loss areas in the City of Beaufort.

Figure 4 illustrates the location of the one repetitive loss area defined for the City, based on the known repetitive loss property, historic claims properties, and other surrounding properties with similar flood conditions.



Source: NFIP Repetitive Loss Data, 01/31/2017

Figure 4 – Repetitive Loss Area

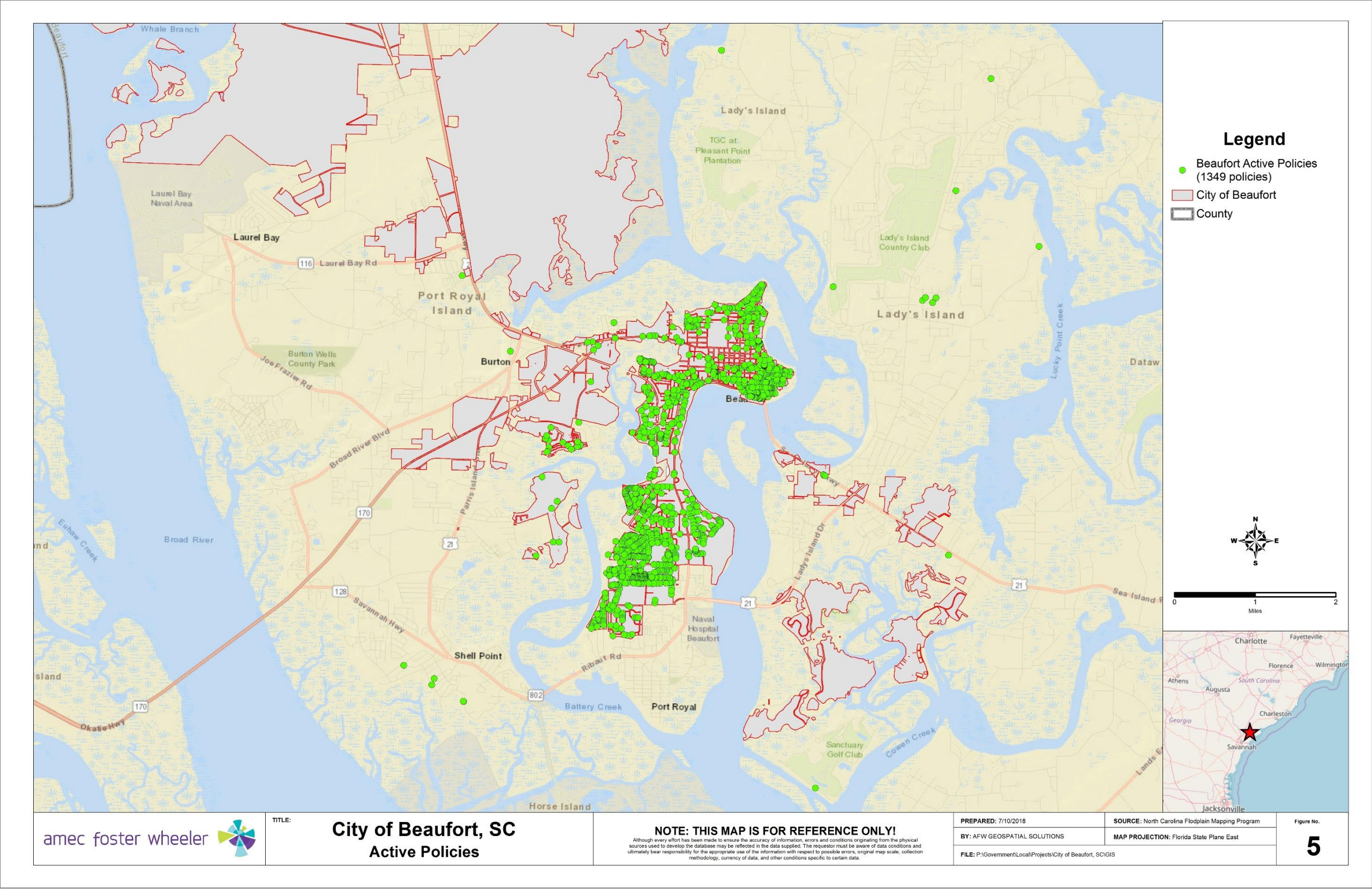
2.2 Assess Flood Insurance Coverage (Flood Insurance Assessment)

One valuable source of information on flood hazards is current flood insurance data for active policies and past claims. Flood insurance is required as a condition of federal aid or a mortgage or loan that is federally insured for a building located in a FEMA flood zone. An analysis of the NFIP data provided the following insight into areas susceptible to flooding in the City:

1. Where do active flood insurance policies exist?
2. Where have flood insurance claims been paid in the past?
3. How many buildings are exposed to the flood hazard versus how many buildings have coverage?
4. How does the average amount of coverage compare to the amount of expected flood damage from the 100-yr flood?

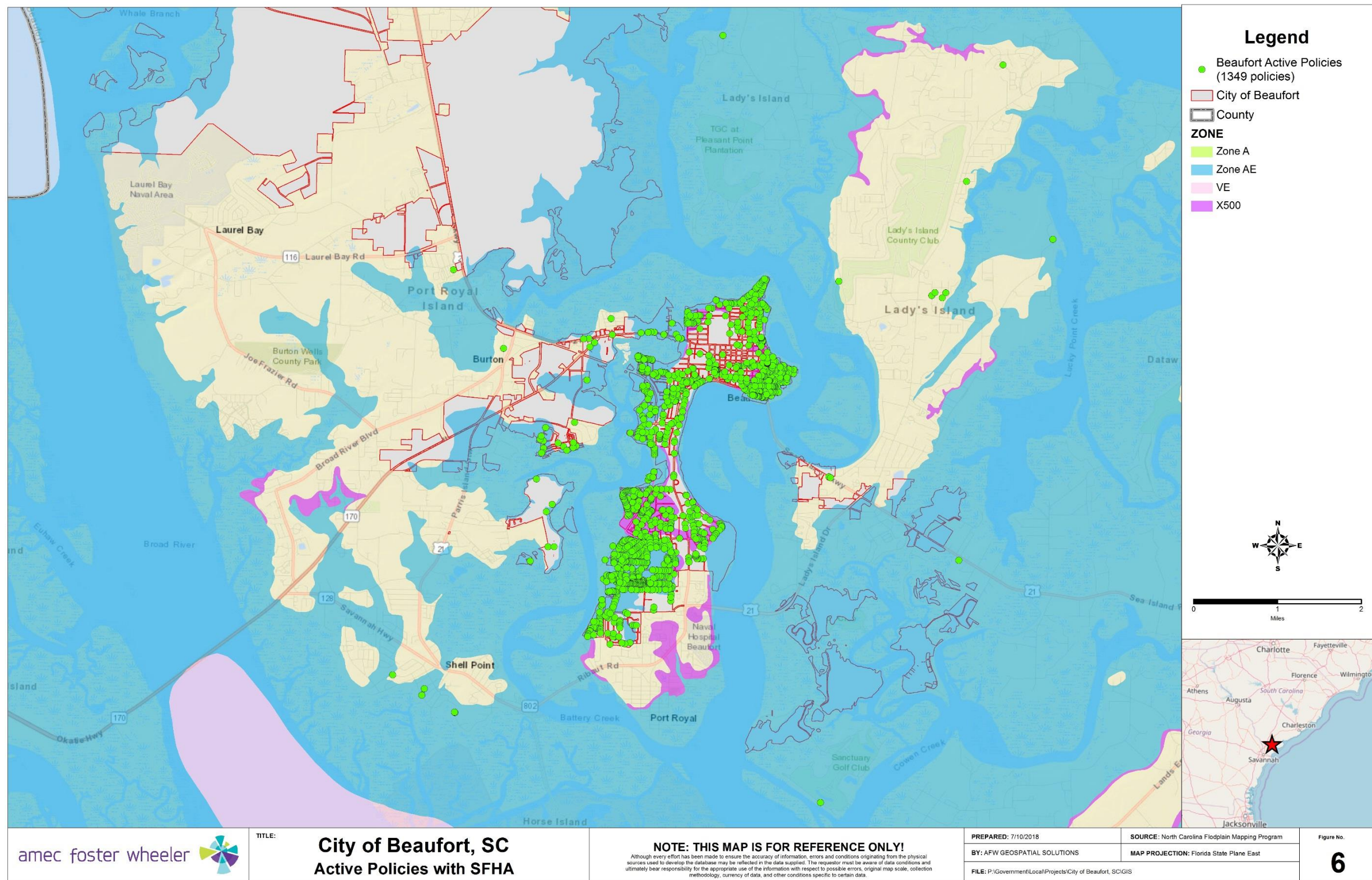
Figure 5 shows the location of active flood insurance policies and Figure 6 maps those policies in reference to the Effective FIRM. It should be noted that several policies listed for the City of Beaufort mapped outside of the city's jurisdictional boundaries. Additionally, three percent of the policies listed in FEMA/ISO data could not be mapped. Therefore, actual coverage is slightly higher than what is shown.

This figure shows that there is good policy coverage in downtown Beaufort throughout the AE Zone and extending into the Unshaded X Zone. There are also a significant number of policies in the AE Zone and Shaded X Zone in the south of the City toward Port Royal. There appear to be gaps in many of the outlying incorporated areas of the City, but much of this land is vacant. However, the City should encourage increased policy coverage in the southeastern portions of the City, especially south of US-21 BUS (Sea Island Parkway) and US-21 (Ladys Island Drive). Areas in the AE Zone to the west and southwest of downtown, including properties around Robert Smalls Parkway, could also be targeted for increased insurance coverage.



Source: NFIP Policy Data, 01/31/2017

Figure 5 – Flood Insurance Policies in Force



Source: NFIP Policy Data, 01/31/2017

Figure 6 – Flood Insurance Policies and Special Flood Hazard Areas

Table 5 summarizes key statistics of policies in force and past claims by flood zone.

Table 5 – NFIP Policy and Claims Data by Flood Zone for the City of Beaufort

Flood Zone	Number of Policies in Force	Total Premium	Total Coverage	Number of Closed Paid Losses	Total of Closed Paid Losses
A01-30 & AE Zones	824	\$915,351	\$216,313,500	56	\$982,879.02
A Zones	0	\$0	\$0	0	\$0.00
AO Zones	0	\$0	\$0	0	\$0.00
AH Zones	0	\$0	\$0	0	\$0.00
AR Zones	0	\$0	\$0	0	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00
V Zones	0	\$0	\$0	0	\$0.00
D Zones	0	\$0	\$0	0	\$0.00
B, C & X Zone					
Standard	38	\$56,689	\$9,838,200	10	\$142,590.26
Preferred	551	\$226,528	\$163,106,000	16	\$167,041.78
Total	1,413	\$1,198,568	\$389,257,700	82	\$1,292,511.06

Source: FEMA Community Information System, data as of 05/31/2017

Table 6 compares the number of policies in force with the number of buildings located in each flood zone.

Table 6 – Percentage of Buildings Insured in City of Beaufort

Flood Zone	Number of Policies in Force	Number of Buildings	% Insured
A01-30 & AE Zones	824	2,908	28.3%
B, C & X Zones	589	4,676 ¹	12.6%
Total	1,413	7,584	18.6%

¹This total includes 1,149 buildings that are located in the 0.2%-annual-chance floodplain

Source: FEMA Community Information System data as of 05/31/2017

The notable statistic in Table 5 is that while there are 2,908 buildings located within the 100-year flood zone mapped on the 1986 Effective DFIRM, less than 29 percent of these buildings carry an active flood insurance policy. Furthermore, less than 13 percent of buildings within the X Zone are insured, yet flooding is not limited to the 1-percent-annual-chance flood zones, as evidenced by the fact that 31.7 percent of all paid claims in the City of Beaufort were made on properties in the B, C, and X Zones. In fact, policy coverage in these zones meets less than half the number of structures in the 0.2-percent-annual-chance flood zones, which make up nearly 25 percent of all buildings in the B, C, and X Zones.

Table 7 compares number of buildings present, number of policies in force, total coverage and a calculation of loss estimate values for the 100-yr flood. Losses were estimated using a flood depth of 3.4 feet, which is the average flood depth for a 100-year flood across the entire SFHA. Therefore, this analysis may overestimate losses for some areas of the City and underestimate losses for others, but it is an average approximation for loss across the entire SFHA. Using the U.S. Army Corps of Engineers' catalog of residential depth-damage functions for the Charleston District, for a 3.4-foot flood depth an estimated damage of 30 percent was applied to all structures. Note that this loss estimate is for a modeled 1-percent annual chance flood and therefore available data did not include any flooding in B, C, or X Zones. However, these areas are not without flood risk; a flood greater than the modeled 1-percent annual chance flood would likely cause damages in some of these areas.

Table 7 – Flood Loss Estimates by Flood Zone

Flood Zone	Number of Buildings	Number of Policies in Force	Total Value ¹	Total Coverage	Loss Estimate
Effective FIRM					
A01-30 & AE Zones	2,908 ²	824	\$818,176,941.60	\$982,879.02	\$154,723,618.66
B, C & X Zones	4,676	589	\$879,545,031.40	\$309,632.04	N/A
Total	7,584	1,413	\$1,697,721,973.00	\$1,292,511.06	\$154,723,618.66

Source: City of Beaufort; FEMA 1986 Effective FIRM

¹Total value does not include land value.

²Using a flood depth of 3.4 feet based on the average depth for the entire SFHA, only 1,578 of the 2,908 buildings in the SFHA were estimated to be impacted by flooding.

An analysis of existing flood insurance coverage shows that existing building coverage does not exceed the loss estimate for the 1-percent annual chance flood zone. Additionally, this statistic does not consider buildings outside the SFHA. There are a large number of uninsured proprietries (81.4%) that would have no coverage in the event of a flood loss. Moreover, this estimate does not consider the impacts of a flood more severe than the modeled 1-percent annual chance flood, which would cause greater damages inside the SFHA and impact buildings outside the SFHA.

Insurance Conclusions:

1. Only 28.3% of buildings in the AE Zone are covered by a flood insurance policy, despite these properties facing the highest flood risk in the City.
2. Coverage in the AE Zone is only 0.1% of the total value in these areas and only 0.6% of the estimated losses that could occur as a result of a 1-percent annual chance flood.
3. Nearly 25% of all buildings in the B, C, and X Zones are located in the 0.2-percent annual chance floodplain, yet only 12.6% of all B, C, and X Zone buildings are covered by a flood insurance policy.
4. Over 68% of past losses have occurred in the AE Zone, and nearly 32% have occurred in the B, C, and X Zones.

Insurance Recommendations:

1. Total coverage in the SFHA is far below the estimated losses that would occur as a result of a 1-percent annual chance flood. The PPI committee should work to increase the number of active policies within the AE Zone.
2. Encourage property owners in the X Zones, especially those vulnerable to the 0.2-percent annual chance flood, to purchase a Standard or Preferred Risk flood insurance policy.

Repetitive Flooding: Repetitive flood loss was analyzed to determine the number of insured repetitive loss properties in each FEMA flood zone. According to 2017 NFIP records, there is one unmitigated property with a total payment of \$36,900. The unmitigated repetitive loss property is insured. Table 8 details repetitive loss building counts, FEMA flood zones, total losses, and total payment.

Table 8 – Unmitigated Repetitive Loss Summary

Flood Zone	Building Type		Building Count		Losses	Total Building Payment	Total Content Payment	Total Paid
	Residential	Commercial	Insured	Uninsured				
C	X		X		2	\$35,838.58	\$1,061.79	\$36,900.37
Total	1	0	1	0	2	\$35,838.58	\$1,061.79	\$36,900.37

Source: NFIP Repetitive Loss Data, January 2017

2.3 Determine Target Audiences

The committee considered a number of social and economic factors when identifying target audiences to ensure that the right messages, tools and resources will be used to overcome obstacles.

According to the 2011-2015 American Community Survey 5-Year Estimates, 7.4% of City residents are Hispanic or Latino and 9.6% of residences have a language other than English spoken in the home. Language barriers should be considered when creating an outreach program. How people are able to receive messaging is also important to consider. Approximately 23.6% of the population in the City of Beaufort is considered as living below the poverty level, which may affect their access to information. Also important to note are the many visitors to the City given Beaufort's significant tourist industry. According to data from the Convention and Visitors Bureau as of 2015, the City of Beaufort receives an estimated 192,500 visitors annually.

The committee recognized that messages would need to be distributed in different forms and using different sources in order to reach all target audiences. The following groups have been identified as target audiences who need special messages on flood protection:

Target Audience #1: Homeowners Associations

Homeowners Associations have access to entire neighborhoods and often host neighborhood events. Educating and partnering with this audience would be an efficient way to reach large groups of residents at one time.

Target Audience #2: Schools

School children tend to take the messages they learn into the home which often changes behavior within the family itself. Educating children about flooding, preparedness, and mitigation will help to bring these messages to the larger community. School children will need information conveyed in a simplified, educational, and engaging format.

Target Audience #3: Spanish Speaking Population

To ensure that information about flood risk is accessible to all residents of the City, Beaufort must target outreach to non-English speakers, who make up 9.2% of the population. According to the 2015 American Community Survey 5-Year Estimates, 7.2% of the population speaks Spanish at home. This audience needs Spanish language translations of the flood risk and flood protection information being disseminated throughout the City.

Target Audience #4: Real Estate, Lending and Insurance Companies, and Surveyors

This group plays a key role in conveying information about flood insurance to homeowners. The PPI Committee will make sure this group is informed and equipped with the tools needed to convey flood risk and flood insurance information to residents. This group needs information that they can easily share with their clients.

Target Audience #5: Landscapers

There has been a consistent problem with landscapers sweeping vegetation/debris into nearby storm drains which clogs the system and causes stormwater to back-up and overflow into the surrounding area.

Flood problems can occur anywhere in City due to local stormwater issues. In addition to the target audiences detailed above, the PPI Committee identified the following Stakeholders as able to provide support and informational materials to supplement and enhance the outreach efforts detailed in this PPI:

- FEMA
- SCDNR
- SCEMD
- Beaufort County Emergency Management

2.4 Inventory Other Public Information Efforts

A key part of developing a public information program is becoming aware of other public information activities targeted at City residents. The information in Table 9 came from past projects, staff research, and PPI Committee members. Knowing what messages are currently reaching the residents of the City is essential in determining what types of projects or messages are effective and which ones may need to be revised or what new projects are necessary to encourage residents and businesses to adopt behaviors to protect their property and their lives and make the City more resilient.

Table 9 – Existing Public Information Efforts

Organization	Project	Subject Matter	Frequency
City of Beaufort & Beaufort County	Flood Risk Evaluator Flood Insurance Outreach Event	Know your flood hazard; Insure your property; property protection and flood prevention	One Time
Building Codes Department	City Website	Elevation certificates maintained on City website	Year-Round
Building Codes Department	City Website	Various flood-related topics*	Year-Round
Building Codes Department	City Website	Links posted to information from Beaufort County, State of South Carolina, and FEMA	Year-Round
Public Works Department	Signs on storm drains	No dumping regulations	Year-Round
Lowcountry Real Estate	Flood Insurance Disclosure form	Home buyers are responsible for investigating flood insurance	Year-Round

*** Note: Various Flood-Related Topics mean Prevention and Regulatory, Property Protection, Natural Resource Protection, Emergency Services, and Public Information**



BEAUFORT COUNTY & CITY of BEAUFORT
FREE FLOOD INSURANCE OUTREACH!
MONDAY, SEPTEMBER 25th 2017
JOIN US AT ONE OF THE FOLLOWING SESSIONS:

FROM: 3pm - 5pm FROM: 6pm - 8pm

HELD AT: BEAUFORT CITY HALL - 1st floor - 1911 Boundary Street, Beaufort, SC 29902
 RESERVE A SPOT ONLINE: <https://beaufortoutreach.eventbrite.com>
 CALL US AT: (866) 599-7065

ALL YOU NEED TO BRING FOR YOUR REVIEW ARE THESE 2 DOCUMENTS:

- ☐ Elevation Certificate
- ☐ Current Flood Insurance Policy

COMMUNITY OUTREACH
 IMPROVEMENTS THAT MAY REDUCE YOUR FLOOD INSURANCE PREMIUM

Whether you are confused about coverage options or FE regulations/requirements, in just one free session, our professionals offer you the guidance you need with on the spot mitigation recommendations and Flood Insurance Premium information.

AGENDA

I. Opening Remarks/Short Summary

- National Flood Insurance Program (NFIP) Changes - Review laws and regulations that will potentially affect your policy
- Mitigation Steps - Review changes that can be made to help you save!
- Discuss Actual Homeowner Savings

II. Elevation Certificate Review Q&A Session

- Sit one-on-one with a Certified Floodplain Manager to review your current Elevation Certificate and Flood Insurance Policy. Determine the proper mitigation steps needed to lower your premium on the spot!
- Open up session for group and/or individual questions.



**ARE YOU PREPARED FOR A
FLOOD IN YOUR
NEIGHBORHOOD?**

**YOU ARE RECEIVING THIS BROCHURE
BECAUSE YOUR PROPERTY IS
LOCATED IN OR NEAR A
FLOOD PRONE AREA.**

Floods can occur in the City of Beaufort at any time during the year. Storm surge from hurricanes and tropical storms pose the greatest threat for flooding. However, extreme high tides and heavy rains can also cause flooding in neighborhoods and in the



FLOOD INSURANCE DISCLOSURE



1. FLOOD INSURANCE COST MAY INCREASE: Buyers are notified that flood insurance costs may increase in the future. Current and future federal laws (e.g. Biggert-Waters Act) and regulations may impact the future availability of the National Flood Insurance Program which may affect the cost and coverage of flood insurance.

2. POTENTIAL BUYERS SHOULD INVESTIGATE FLOOD INSURANCE PRIOR TO CONTRACT: Brokers recommend that Buyers investigate the current and future anticipated cost of flood insurance, availability of flood insurance, flood hazard minimization strategies, NFIP community rating system, federal elevation grants for raising property, and flood insurance cost minimization strategies including higher deductibles prior to signing a contract. Buyers should consult and retain professionals in flood insurance and flood hazard minimization strategies prior to signing a contract. As with any product or service in a real estate transaction, Brokers recommend that buyers shop multiple sources for insurance and obtain appropriate insurance coverage after deliberation. Cost, coverage, elevation, FEMA flood maps, community flood mitigation strategies, special flood hazard areas, and other issues should be investigated. The current owner's insurance cost and coverage should not be relied upon as an indicator of insurance cost and coverage in the future after purchase.

For more information on flood insurance and the National Flood Insurance Program (NFIP) research:

www.floodsmart.gov

www.fema.gov/national-flood-insurance-program

www.realtor.org/topics/national-flood-insurance-program-nfip

3. INSURANCE: All types of insurance are subject to cost increases, coverage changes, and availability issues.

Buyers have sole responsibility to investigate the cost anticipated availability issues, coverage, deductibles, risk buying appropriate insurance, reputations of insurance factors that can void coverage, factors that can increase/decrease risk.

Buyers are solely responsible for obtaining insurance information

Brokers recommend obtaining insurance information and for insurance issues.

Buyers acknowledge receiving a copy, reading, and understanding

IN WITNESS WHEREOF, this disclosure has been duly executed

BUYER: _____

BUYER: _____

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BEAUFORT
SOUTH CAROLINA

DEPARTMENTS CITY HALL PROJECTS RESIDENTS VISITORS BUSINESS NEWS RELEASES ONLINE PAYMENTS

RESIDENTS

- Hurricane Recovery Information
- How To
- Education
- City Services
- Utilities
- Parks
- Parking Information
- Emergency Preparedness
- Beaufort County Library
- Beaufort County Gov. Center
- Beaufort Regional Chamber of Commerce
- Beaufort County Black Chamber of Commerce

Home > Residents > Emergency Preparedness

Emergency Preparedness

NOTE: FLOOD CERTIFICATES ON FILE WITH THE CITY ARE NOW AVAILABLE ONLINE (CLICK HERE)

PDF forms require Adobe Acrobat Reader to view and print. Click [here](#) to download.

CITY OF BEAUFORT INFORMATION	BEAUFORT COUNTY INFORMATION
Flood Ordinance	Beaufort County Emergency Management
Flood Map	Beaufort County Evacuation Map
Flood Elevation Certificates	
Flood Zone Verification Form	Hurricane Storm Surge Map
Citizens Flood Evacuation Guide	
SC STATE INFORMATION	FEDERAL INFORMATION
SCDNR Flood Mitigation Program	Check your flood area
	FEMA Web Site
	What is substantial improvement?
	Answers to questions about substantially damaged buildings (RIS621)

Step 3: Formulate Messages

After reviewing the Community Needs Assessment, the PPI Committee reviewed the existing outreach projects and their dissemination methods and developed the following priority messages. Table 10 summarizes each message and the desired outcome. Topics A through F are the CRS Activity 330 Priority Topics and Topics G through J are the additional topics which were identified by the PPI Committee.

The 10 topics identified below are covered by various projects which are listed in Table 11. In addition, the 6 Target Audiences are addressed through these projects.

Table 10 – Topics, Messages, and Outcomes

Topic	Message	Outcome(s)
A. Know your flood hazard	1. Your property is subject to flooding	Increase number of FIRM inquires
	2. Your property is in a repetitively flooded area	Reduce future repetitive loss properties
	3. Don't drive through flooded streets (know where to drive and where not to drive)	Reduce damages to vehicles, emergency rescues, and responders
B. Insure your property	1. You need to buy flood insurance	Increase number of flood insurance policies
	2. Your homeowner's policy does not cover flood damage	Increase number of flood insurance policies
	3. Buy renters contents insurance to protect your valuables from flood damage	Reduce damage to contents
C. Protect yourself and your family	1. Turn around don't drown	Reduce rescues and deaths
	2. Know the flood warning signals	Reduce rescues and deaths
D. Protect your property from the hazard	1. Elevate HVAC exterior units	Reduce number of flood damaged HVAC units
	2. Get the proper permits before you begin work	Reduce code violations and stop work orders
	3. Don't throw trash or debris in streams, channels or open bodies of water	Reduce pollution and overbank flow
	4. Grant monies may be available to help elevate your home	Increase financial opportunities
E. Build responsibly	1. Get a permit before you start construction	Reduce citations
	2. Know the substantial damage rules	Reduce citations
	3. Keep areas open (setbacks) between homes and property lines	Maintain proper drainage
F. Protect natural floodplain functions	1. Don't dump in storm drains	Improve water quality
	2. Report erosion control measures not working	Contain erosion on construction sites
	3. Don't disturb natural floodplain areas	Reduce grading, fill, and earth movement
G. General Preparedness	1. Identify and document your personal belongings	Save Important Insurance documents, etc. and reduce delays in receiving insurance payments
H. Buy flood insurance in low risk flood zones	1. Buy flood insurance outside of SFHA in X-Zone or C-Zone	Increase number of flood insurance policies and protect properties from low level flooding

Topic	Message	Outcome(s)
I.	1. Prepare a safety checklist and know evacuation routes	Protect family
J. Flood Education	1. Promote floodplain management and No Adverse Impact (NAI) concepts	Reduce damage to buildings and natural floodplain functions while increasing flood awareness

Step 4: Identify Outreach Projects to Convey the Messages

The overall strategy is to make information available to target audiences in a manner that will encourage each audience to adapt behaviors to improve preparedness and decrease future flood damage. Table 10 provides a list of program elements which include various public information pieces, website information, and various meetings to homeowner associations, etc. There are 15 projects and initiatives that will be implemented during 2018.

New proposed projects, developed through discussions at the committee meetings, are highlighted below, as are other effective outreach projects which have been implemented by the City over the past several years. Together these projects will provide enhanced information to the public as well as to specific targeted audiences.

Flood Response Preparations

In addition to projects that are implemented every year, the PPI Committee recommends projects that will be implemented during and after a flood. These 5 projects are drafted and made ready for production and dissemination after a flood warning. These projects are listed at the end of Table 10.

Step 5: Examine Other Public Information Initiatives

The PPI Committee and City staff worked together to identify other Public Information Initiatives (PII) which provide additional information to citizens in the City and to improve access to information and services provided by the City. Those other public information initiatives include:

Activity 310: All Elevation Certificates (ECs) are accessible on the City's website. See **PII #3** on page 29. ECs can be retrieved at <http://www.cityofbeaufort.org/flood-elevation-certificates.aspx>. This project will allow insurance and real estate professionals along with lenders and property owners to quickly and easily access important elevation information about a particular property.

Activity 320: Publicize Activity 320 on the City's website to encourage more map information requests from the public by listing the types of information available and the benefits of this information to the public. The service is already publicized annually to two target audiences (residents of the SFHA and residents of Repetitive Loss Areas) via a direct mail letter. This information will also be added to the City's website to make it more visible to the public as a service the City offers as well as mention this service when speaking to HOA's. See **PII #2** on page 29 and **OPA #9** on page 24.

Activity 350: Enhancement of the City's website to include updated information consistent with the topics on the updated flood brochure along with continued availability of Elevation Certificates and LOMAs. The updated website will also include links to various stakeholder groups such as FEMA, SCEMD, SCDNR, Beaufort County Emergency Management, etc. See **PII #3** on page 29. Additionally, ensure that the local library maintains information on flooding and flood protection. See **PII #4** on page 30.

Activity 360: Undertake Activity 360 (PPA and PPV) and publicize Activity 360 on the updated Flood Brochure and in the City’s website so a wider audience is aware of this service. Additionally, this service will be discussed at homeowner association meetings so that an even wider audience is aware that the City provides this service. See **PII #5** on page 30.

Step 6: Implement, Monitor and Evaluate the Program

6.1 Adoption

This document will become effective when it is adopted by the City Council.

6.2 Evaluation

The PPI Committee, along with City staff, will monitor the projects as they are developed, as well as the results. They will record inputs from PPI Committee members and suggestions from other City employees and stakeholders participating in the activities. That input will be sent by e-mail to committee members for consideration and evaluation.

The PPI Committee will meet once per year to review the implementation of these projects and initiatives. At that time, the status of the projects will be explained and progress toward the outcomes will be discussed. The Committee will recommend to the appropriate City offices and the stakeholders who implement projects whether the projects should be changed or discontinued. The Committee will meet and review the outcomes of each individual activity to change, add, or approve them. Tables 9 and 10 will be revised as needed. The outcomes and revisions will be submitted as part of the City’s annual recertification package to the Community Rating System and submitted to the City Council for their review and consideration. A report will be submitted to the City Council explaining the annual changes to the PPI – projects, messages, and outcomes.

Table 11 – PPI Projects and Initiatives

Target Area / Audience(s)	Topic(s) (See Table 8)	Message(s) (See Table 8)	Project(s)	Assignment	Schedule	Stakeholder
Outreach Projects						
Target Area #1: Special Flood Hazard Area (SFHA)	Topic A Know Your Flood Hazard Topic B Insure Your Property Topic C Protect Yourself and Your Family Topic D Protect Your Property from the Hazard Topic E Build Responsibly Topic F Protect Natural Floodplain Functions Topic G General Preparedness Topic H Buy Flood Insurance in low risk flood zones Topic I Hurricane Awareness Topic J Flood Education	<ul style="list-style-type: none"> Your property is subject to flooding Don't drive through flooded streets You need flood insurance Renters should protect contents with flood insurance Elevate exterior HVAC units Get permit before you start construction Don't dump in storm drains Grant monies are available to help elevate your home Prepare a safety checklist Identify and document your personal belongings Buy flood insurance outside of SFHA in X-Zone or C-Zones 	OP #1 Updated Flood Protection Brochure will be mailed to all property owners in SFHA annually	Building Codes Department	July	N/A
			OP #2 Updated Flood Protection Brochure placed at 3 different locations: City Hall, the Public Works Department, and the public library	Building Codes Department	Year-Round	N/A
			OP #3 Provide NFIP brochures on benefits of flood insurance at 3 different locations: City Hall, the Public Works Department, and the public library	Building Codes Department	Year-Round	FEMA (NFIP)/Real Estate Agents, Lenders, Insurance Agents
			OP #4 Provide information on flood insurance to commercial building owners through the Chamber of Commerce	Building Codes Department	Annually	Chamber of Commerce
			OP #5 Post information on the 6 Priority and 4 additional topics on the City's social media accounts such as Facebook, Twitter, YouTube, Pinterest and Instagram and link to information from Beaufort County, SCDNR, and FEMA	Building Codes Department	Monthly	Beaufort County, SCDNR, and FEMA
			OP #6 Hold an annual hurricane fair with local home improvement stores to provide information from the Flood Protection Brochure and additional education on hurricane preparedness and property protection	Building Codes and Planning Departments	Annually	N/A
	Topic A Know Your Flood Hazard Topic D Protect Your Property from the Hazard Topic E Build Responsibly	<ul style="list-style-type: none"> Your property is subject to flooding Elevate exterior HVAC units Keep areas open between homes and property lines 	OP #7 Informational brochures educating homeowners on the need to elevate HVAC units for flood protection available at 3 different locations: City Hall, the Public Works Department, and the public library	Building Codes Department	Year-Round	HVAC Contractors, Home Builders Association
			OP #8 Maintain Copies of Substantial Damage rules and regulations (flyer) at the Building Department	Building Codes Department	Year-Round	N/A

Target Area / Audience(s)	Topic(s) (See Table 8)	Message(s) (See Table 8)	Project(s)	Assignment	Schedule	Stakeholder
Outreach Projects						
Target Area #2: Stormwater / Tidal Flooding / Sea Level Rise Locations	Topic A Know Your Flood Hazard Topic C Protect Yourself and Your Family Topic D Protect Your Property from the Hazard Topic E Build Responsibly Topic F Protect Natural Floodplain Functions Topic J Flood Education Topic H Buy Flood Insurance in low risk flood zones	<ul style="list-style-type: none"> Your property is subject to flooding Don't drive through flooded streets You need flood insurance Renters should protect contents with flood insurance Elevate exterior HVAC units Get permit before you start construction Don't dump in storm drains Identify and document your personal belongings Buy flood insurance outside of SFHA in X-Zone or C-Zone 	OP #9 Give presentations to 2 homeowners associations annually to distribute and discuss the Flood Protection Brochure (10 Topics) as well as flood risk (including localized stormwater flooding, the dangers of flooding in low-lying areas, "turn around don't drown"), insurance options, property protection, and where to find additional information in City Hall and on the City's website. Additionally, mention Activity 320 Map Information Service.	Building Codes Department	Year-Round	N/A
			OP #10 Information to advise landscapers and homeowners not to blow grass clippings or leaves into storm drains posted on the City's website along with brochures to hand out	Planning and Building Codes Departments	Year-Round	N/A
			OP #11 Continue to place no dumping signs on top of drainage inlets	Public Works Department	Year-Round	N/A
Target Area #3: Repetitive Loss Properties/Areas	Topic A Know Your Flood Hazard Topic B Insure Your Property Topic C Protect Yourself and Your Family Topic D Protect Your Property from the Hazard Topic E Build Responsibly Topic F Protect Natural Floodplain Functions Topic G General Preparedness Topic H Buy Flood Insurance in low risk flood zones Topic I Hurricane Awareness Topic J Flood Education	<ul style="list-style-type: none"> Your property is in a repetitively flooded area Don't drive through flooded streets You need flood insurance Renters should protect contents with flood insurance Elevate exterior HVAC units Get permit before you start construction Don't dump in storm drains Identify and document your personal belongings Promote floodplain management and NAI concepts 	OP #12 Updated Flood Protection Brochure will be mailed annually to all property owners in Repetitive Loss Areas	Building Codes Department	July	N/A
			OP #3 also applies in this Target Area.	Building Codes Department	Year-Round	FEMA (NFIP)

Target Area / Audience(s)	Topic(s) (See Table 8)	Message(s) (See Table 8)	Project(s)	Assignment	Schedule	Stakeholder
Outreach Projects						
Homeowners Associations	Topic A Know Your Flood Hazard Topic B Insure Your Property Topic C Protect Yourself and Your Family Topic D Protect Your Property from the Hazard Topic E Build Responsibly Topic F Protect Natural Floodplain Functions Topic G General Preparedness Topic H Buy Flood Insurance in low risk flood zones Topic I Hurricane Awareness Topic J Flood Education	<ul style="list-style-type: none"> Your property is in a repetitively flooded area Don't drive through flooded streets You need flood insurance Elevate exterior HVAC units Get permit before you start construction Don't dump in storm drains Identify and document your personal belongings Promote floodplain management and NAI concepts 	OP #9 also applies to this Target Audience.	Planning and Building Codes Departments	Bi-Annually	Homeowner's Associations
Schools	Topic A Know Your Flood Hazard Topic C Protect Yourself and Your Family Topic D Protect Your Property from the Hazard Topic E Build Responsibly Topic F Protect Natural Floodplain Functions Topic G General Preparedness Topic I Hurricane Awareness Topic J Flood Education	<ul style="list-style-type: none"> Don't drive through flooded streets Turn around don't drown Don't throw trash or debris in streams, channels, or open bodies of water Don't dump in storm drains Prepare emergency flood kit & plan Prepare a safety checklist and know evacuation routes Promote floodplain management and NAI concepts 	OP #13 Conduct flood education and preparedness programs at a middle or high school each year to teach students about flood causes and safety. Use the Flood Protection Brochure as guide OP# 1	Planning and Building Codes Departments	Annually	Port Royal Sound Foundation, Camden Science Facility
			OP #14 Speak at a Technical College of Lowcountry Class. Use the Flood Protection Brochure as a guide OP#1	Building Codes Department	Annually	Technical College of Lowcountry
Spanish Speaking Population	Topic A Know Your Flood Hazard Topic B Insure Your Property Topic G General Preparedness Topic H Buy Flood Insurance in low risk flood zones	<ul style="list-style-type: none"> Your property is subject to flooding You need flood insurance Renters should protect contents with flood insurance Prepare a safety checklist Identify and document your personal belongings Lower cost Preferred Risk Policies (PRP) are available 	OP #15 Spanish version of NFIP brochures on benefits of flood insurance and that insurance can be purchased in an X Zone will be made available at 3 different locations : City Hall, the Public Works Department, and the public library	Building Codes Department	Year-Round	FEMA (NFIP)

Target Area / Audience(s)	Topic(s) (See Table 8)	Message(s) (See Table 8)	Project(s)	Assignment	Schedule	Stakeholder
Outreach Projects						
Spanish Speaking Population	Topic A Know Your Flood Hazard Topic B Insure Your Property Topic G General Preparedness Topic H Buy Flood Insurance in low risk flood zones	<ul style="list-style-type: none">Your property is subject to floodingYou need flood insuranceRenters should protect contents with flood insurancePrepare a safety checklistIdentify and document your personal belongingsLower cost Preferred Risk Policies (PRP) are available	OP # 16 Updated Flood Protection Brochure in OP # 1 will be translated into Spanish and provided to restaurants in the City with Spanish speaking employees	Police/Emergency Manger	Annually	Spanish speaking Population
Real Estate, Lending, and Insurance Companies, and Surveyors	Topic A Know Your Flood Hazard Topic B Insure Your Property Topic H Buy Flood Insurance in low risk flood zones Topic J Flood Education	<ul style="list-style-type: none">Your property is subject to floodingYou need flood insuranceRenters should protect contents with flood insuranceLower cost Preferred Risk Policies (PRP) are availablePromote flood education for real estate agents, insurance agents, and lenders	OP #3 also applies to this Target Audience.	Building Codes Department	Year-Round	FEMA (NFIP)/Real Estate Agents, Lenders, Insurance Agents
Landscapers	Topic F Protect Natural Floodplain Functions	<ul style="list-style-type: none">Don't dump in storm drainsDon't disturb natural floodplain areas	OP #10 also applies to this Target Audience.	Building Codes Department	Year-Round	Landscapers
			OP #11 also applies for this Target Audience.	Public Works Department	Year-Round	N/A
Flood Response Projects						
Flooded property owners and residents	Topic C Protect Yourself and Your Family Topic B Insure Your Property Topic D Protect Your Property from the Hazard Topic E Build Responsibly Topic I Hurricane Preparedness	<ul style="list-style-type: none">Your property is subject to floodingDon't drive through flooded streetsYou need flood insuranceElevate exterior HVAC unitsGet permit before you start constructionFlood insurance is not just for the SFHAGrant monies are available to help elevate your homeKnow the substantial damage rules	FRP #1 Provide "After a Flood: The First Steps" brochure to flooded property owners which provides information on the dangers of flood water, listen for local warnings, don't drive through flooded streets, stay healthy (emotional stress), and cleaning up and repairing your home	Building Codes Department	Ready to go before and after a flood	FEMA and American Red Cross
			FRP #2 Provide copies of "Repairing your flooded home" FEMA 234 publication to flooded property owners which provides information on protecting your home from further damage, getting organized, drying out your flooded home, restoring utilities, clean up, rebuilding and preparing for the next flood.	Building Codes Department	Ready to go	FEMA and American Red Cross

Target Area / Audience(s)	Topic(s) (See Table 8)	Message(s) (See Table 8)	Project(s)	Assignment	Schedule	Stakeholder
Outreach Projects						
		<ul style="list-style-type: none"> Keep areas open (setbacks) between homes and property lines Don't begin work without a proper permit 	FRP #3 Provide informational flyer on the City's Substantial Damage rules	Building Codes Department	Ready to go	N/A
			FRP #4 Provide information on the need for a building permit on the City's website and in local news	Building Codes Department	Ready to go	N/A
			FRP #5 Promote the availability and benefits of flood insurance on the City's Website and in local news	Building Codes Department	Ready to go	N/A
			FRP #6 Provide FEMA Increased Cost of Compliance Brochure	Building Codes Department	Ready to go	FEMA

Target Area / Audience(s)	Topic(s) (See Table 8)	Message(s) (See Table 8)	Project(s)	Assignment	Schedule	Stakeholder
Flood Response Projects						
continued from above	continued from above	continued from above	FRP # 7 Flood Protection Brochure in OP#1 copies available to handout before, during and after a flood	Building Codes Department	Ready to go	N/A
			FRP # 8 Homeowner’s guide to cleaning up mold.	Building Codes Department	Ready to go	EPA
Public Information Initiatives						
All City of Beaufort Residents	Topic A Know Your Flood Hazard Topic B Insure Your Property Topic C Protect Yourself and Your Family Topic D Protect Your Property from the Hazard Topic E Build Responsibly Topic F Protect Natural Floodplain Functions Topic G General Preparedness Topic H Buy Flood Insurance in low risk flood zones	<ul style="list-style-type: none">• Your property is subject to flooding• Don’t drive through flooded streets• You need flood insurance• Renters should protect contents with flood insurance• Elevate exterior HVAC units• Get permit before you start construction• Don’t dump in storm drains• Grant monies are available to help elevate your home• Prepare a safety checklist	PII #1 Map Information Service (CRS Activity 320): Identify areas of localized stormwater flooding, repetitive loss areas, and flood depths	Building Codes Department	Year-Round	N/A
			PII #2 Publicize the Map Information Service (CRS Activity 320) on the updated Flood Brochure (OP# 1), on the enhanced website (PII #3), and when speaking to HOAs (OP #9)	Building Codes Department	Year-Round	Homeowner’s Associations
			PII #3 Enhance website to include updated information on the 6 Priority and 4 additional topics, Elevation Certificates, LOMAS, and links to Floodsmart.gov, Beaufort County Emergency Management, South Carolina Department of Natural Resources Flood Mitigation Information, and FEMA	Building Codes Department	Update Annually	Beaufort County, SCDNR, and FEMA

Target Area / Audience(s)	Topic(s) (See Table 8)	Message(s) (See Table 8)	Project(s)	Assignment	Schedule	Stakeholder
	Topic I Hurricane Awareness Topic J Flood Education	<ul style="list-style-type: none"> Identify and document your personal belongings Lower cost Preferred Risk Policies (PRP) are available 	PII #4 Ensure that the local library maintains information on flooding and flood protection (CRS Activity 350): Make sure that the Library has an adequate supply of both LIB – FEMA publications and LPD – locally pertinent documents.	Beaufort County Public Library	Year-Round	Beaufort County
			PII #5 Flood Protection Assistance (CRS Activity 360): Publicize Service on City’s website and in Flood Protection Brochure That the City will provide advice and assistance for flood issues on properties with recommendations on how to solve the problem.	Building Codes and Public Works Departments	Year-Round	Homeowner’s Associations

End of Report



COUNTY COUNCIL OF BEAUFORT COUNTY
Public Safety Division

To: Beaufort City Council

From: Beaufort County Animal Services

Subject: The Proposed Changes to Chapter 14- ANIMALS

Date: 10/9/2018

Executive Summary:

Beaufort County Animal Services (BCAS) is submitting this proposal seeking Council's approval of the changes made to Chapter 14: ANIMALS. The revised ordinances will help BCAS make Beaufort County a safer place for its residents and pets.

The key changes are as follows:

14-27: Muzzle is now defined as a guard, typically made of straps or wire, fitted over part of an animal's face to stop it from biting or feeding.

14-29 (d): County license and fees: The director of BCAS will establish a fee schedule subject to approval by County Council.

14-30: Restricted breeds- definition of PitBull is clarified to expressly include American Bully, American Bulldog and Cane Corso, all of which are relatively new mixed breeds of Pit bull. This section reduced the days to comply with spay/neuter requirements from 30 days to 10 days to align with the time provided for an appeal of the breed determinations.

14-32: Dangerous Dog. Added that a magistrate may deem a dog dangerous in cases where a serious injury occurred to a human other than the owner, regardless of provocation or location. Expanding the ability for magistrates to deem a dog dangerous will protect the public from dogs that are dangerous but do not fit neatly into the existing categories.

Note: Cases are sometimes unclear as to whether the animal was provoked (for example the case of the blind dog, or the child). These cases occurred in the animal's normal place of confinement, with unclarity about provocation but resulted in serious bodily harm to a human.

14-32 (b)(2): Dangerous Dog. The Animal Services Officers may take temporary possession of an animal initially determined to be dangerous in cases where a human or other animal has been injured, until final hearing before a Magistrate judge.



COUNTY COUNCIL OF BEAUFORT COUNTY

Public Safety Division

Note: Currently Animal Services Officers need to obtain a pick up order to temporarily gain custody of an alleged dangerous dog, unnecessarily burdening the court and staff.

14-34 (d): Includes what classifies a pet as a nuisance.

14-35 (f): Animals cannot be tethered during named Tropical Storms and named Hurricanes.

14-38 (f): Only government agencies and organizations that are “contracted” with government agencies can perform animal control services have authority to impound animals. All stray animals must be taken to shelter or affiliated organizations.

14-47(d): Provides that a magistrate has the authority to order possession and custody of an animal to BCAS when a person is in violation of the ordinance.

14-47 (f): Administrative citations and penalties. Ordinance proposes to include a process for administrative citations and penalties. Violations subject to administrative citations and penalties include but are not limited to: mandatory dog licenses/registrations, mandatory rabies vaccinations, permitting a dog to run at large, mandatory spay/neuter, and warnings for a noisy public nuisance animal.

Note: Administrative citations are for non-criminal charges. Certain violations should be handled administratively instead of as criminal charges in the Magistrate Court. We estimate reducing the animal court docket by 50%-60%.

Chapter 14 - ANIMALS^[1]

Footnotes:

--- (1) ---

Cross reference— Environment, ch. 38; health and sanitation, ch. 46; agricultural use regulations, § 106-1156 et seq.

ARTICLE I. - IN GENERAL

Secs. 14-1—14-25. - Reserved.

ARTICLE II. - ANIMAL CONTROL^[2]

Footnotes:

--- (2) ---

Editor's note— [Ord. No. 2015/27](#), adopted Oct. 12, 2015, amended art. II in its entirety to read as herein set out. Former art. II pertained to the same subject matter, consisted of §§ 14-26—14-37, and derived from [Ord. No. 2010/7, adopted Apr. 26, 2010](#); [Ord. No. 2010/27, adopted Nov. 8, 2012](#); [Ord. No. 2015/18, adopted Jun. 23, 2015](#); [Ord. No. 2015/23, adopted Aug. 10, 2015](#); and [Ord. No. 2015/26, adopted Sept. 28, 2015](#).

Sec. 14-26. - Authority for and enactment of chapter.

Sec. 14-26. - Authority for and enactment of chapter.

This article is hereby authorized by S.C. Code 1976, § 47-3-20, as amended.

(Ord. No. 2015-27, 10-12-2015)

Sec. 14-27. - Definitions.

Whenever used in this chapter, unless a contrary intention is clearly evidenced, the following terms shall be interpreted as herein defined.

Abandonment shall mean to desert, forsake, or intend to give up absolutely a pet or livestock without securing another owner or without providing for adequate food, water, shelter, and care. An animal is considered abandoned when it has been left unattended for 24 hours.

Animal shall mean a live vertebrate creature except a human being.

Animal services director means any person so appointed by the county administrator.

Animal services facility shall mean any facility so designated by the county council.

Style Definition

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Animal services officer shall mean any person employed by the county as an enforcement officer of the provisions of this chapter.

BCAS shall mean Beaufort County Animal Services, any place or premises designated by Beaufort County Council for the purpose of impounding, care, adoption, or euthanasia of dogs and cats held under the authority of this chapter.

Breeder shall mean any person owning unaltered pets with the intent of selling pets' offspring.

Domestic shall mean any animal which shares the genetic makeup and/or physical appearance of its ancestors, which were historically domesticated for human companionship and service.

Dub shall mean to trim or remove.

Feral shall mean any animal that was domesticated at one time, but now lives in the wild or a controlled colony, or that have been born in the wild and have not been domesticated.

Kennel shall mean a small shelter for a dog, cat or other animal.

Livestock shall mean all classes and breed of animals, domesticated or feral, raised for use, sale or display.

Muzzle shall mean a guard, typically made of straps or wire, fitted over part of an animal's face to stop it from biting or feeding.

Non-domestic shall mean any animal which shares the genetic makeup and/or physical appearance of its ancestors, which were not historically domesticated for human companionship and service.

Nuisance shall mean a pet or livestock that disturbs the rights of, threatens the safety of, or damages a member of the general public, or interferes with the ordinary use and enjoyment of their property.

Owner shall mean any person who:

1. ~~Has~~ Has a property right in an animal;
2. ~~Keeps or harbors an animal or who has it in his or her care or acts as its custodian; or~~
3. ~~Permits an animal to remain on or about any premises occupied by him or her for three or more days.~~

Pet shall mean any animal which may be legally held as a pet by a private citizen without special permit or permission; i.e., dog (*canis familiaris*) and/or a domestic cat (*felis catus domesticus*).

~~*Pitbull*~~ *Pit Bull* shall mean any dog that is an American Pit Bull Terrier, American Staffordshire Terrier, ~~Stafford~~ Staffordshire Bull Terrier, American Bulldog, American Bully, Cane Corso, or any dog that exhibits physical characteristics which predominantly conform to the standards established by the

American Kennel Club (AKC), United Kennel Club (UKC), or American Dog Breeders Association (ADBA) for any of the above breeds.

Serious injury shall mean death or any physical injury that results in severe bruising, muscle tears, or skin lacerations requiring sutures or other professional medical treatment or requires corrective or cosmetic surgery.

Shelter shall mean a ~~structure that made of durable material with 4 walls, a roof and floor, that allows retention of body heat and is of suitable size to accommodate the animal and will~~ reasonably ~~may~~ be expected to protect the animal from physical suffering or impairment of health due to exposure to the elements or adverse weather.

Tethering shall mean a chain, rope, leash, cable, or other device that attaches the pet via a collar or harness to a single stationary point.

Strict voice control shall mean demonstrable control or governance of the behavior of any animal as if such animal were controlled by a leash. However, when an animal destroys or damages any property, attacks, threatens to attack, or interferes with any person in any manner, becomes a nuisance, or strays onto the private property of another, there shall be a presumption of law that the animal was not under strict voice control.

Unaltered shall mean a pet which has not been spayed or neutered.

Under restraint shall mean when any pet that is off the property of the owner is controlled by a leash; is within the property limits of its owner and is confined by fence, chain, or other appropriate measure ~~or attended by its owner and responds to strict voice control~~; or confined by fence, chain, or other appropriate measure within the property of another with permission of the person in control of the property.

(Ord. No. 2015/27, 10-12-2015)

Cross reference— Definitions generally, § 1-2.

Sec. 14-28. - County pet license; rabies vaccination tags.

It shall be unlawful for the owner of any pet to fail to provide any pet over four months of age with a current county annual or lifetime license. The owner of any pet over three (3) ~~four~~ months of age must also have a current rabies vaccination tag securely attached to a collar or harness and be visible as proof the pet has been vaccinated by a licensed veterinarian. No county license will be issued unless proof of rabies inoculation is shown. Any pet owner who moves into the county for the purpose of establishing residency shall have 30 days in which to obtain the license.

(Ord. No. 2015/27, 10-12-2015)

Sec. 14-29. - Lifetime/annual pet license issuance, fees and exemptions.

(a) —Eligibility. The owner of a pet ~~four months of age or older that is~~after being spayed/neutered and permanently identified, may apply to BCAS for a lifetime license; the lifetime pet license is only for Beaufort County, South Carolina.

(b) —Permanent identification requirement. A person applying for ~~an annual license or~~ lifetime license shall choose either a tattoo, a BCAS approved tag, ~~or the~~ implantation of a microchip as the means of permanent identification for the pet. Lifetime licenses are transferable to new owners, upon the new owner completing a new BCAS pet license application, permanent identification form, ~~and when applicable, a~~ new registration with the micro-chipping company. For permanent identification of restricted breeds, see Section 14-30.

(c) —Pets previously microchipped. If a person has previously had a microchip implanted for his/her pet and seeks to obtain a lifetime license for the pet, the applicant shall:

(1) —Obtain and complete both a lifetime license application and a verification of permanent identification form as prescribed by BCAS.

(2) —Have a licensed veterinarian or shelter employee scan the pet to assure the microchip has been properly implanted and to obtain the identifying number of the microchip.

(3) —The pet owner and the licensed veterinarian shall complete, date, and sign the verification of a permanent identification form for the pet in which the microchip was scanned. The verification of permanent identification form must set forth the identifying number of the microchip scanned, identify the pet by breed and delineate the age, sex, color, and markings and whether it has been spayed or neutered. In addition, it must contain the name, address, and phone number of the pet's owner and the name, business address, and phone number of the person scanning the microchip number. If a veterinarian is involved, the veterinarian shall set forth his/her veterinary practice license number on the verification of permanent identification form.

(d) —County license and fees.

The ~~county license~~ Director of BCAS shall establish a fee schedule ~~of fees are as follows: subject to the approval of County Council.~~

~~(1) —Pets previously sterilized and with permanent identification shall~~All pet owners of dogs and cats in Beaufort County shall obtain either a lifetime or annual pet license.

Lifetime pet license. To be a-eligible for a lifetime pet license a pet shall:

(1) Be spayed or neutered

(2) Microchipped

(3) Pay the appropriate one-time fee of \$5.00, per the published fee schedule.

~~(2) — Pets previously sterilized and provided with permanent identification by BCAS shall be charged a one-time microchip fee and \$5.00 license fee.~~

~~(3) — Fertile Annual Pet license. All other pets with a permanent identification shall be \$20.00 annually. Fertile pet licenses will expire on June 30 of each year and are non-transferable.~~

~~(4) — Fertile pets with no permanent identification shall be \$50.00 annually and will be issued a metal tag to be worn at all times fertile pet licenses will expire on June 30 of each year and are non-transferable.~~

~~(e) — Exemptions. Exempt owners shall be required to pay a one-time microchip subject to an annual pet license and annual fee and will not be required to have the pet spayed/neutered. The, except that the following are exempt owners: exemptions may be eligible for a lifetime license:~~

~~(1) — Any owner of a pet who can furnish a statement from a licensed veterinarian that the pet, due to health reasons, could not withstand spay/neuter surgery may receive a lifetime license.~~

~~(2) — Any owner of one or more purebred pets who can furnish proof of participation in nationally recognized conformation or performance events within the past 12 months.~~

~~(3) — (2) Any owner of a dog that is currently being used for hunting purposes. Owner must provide a copy of a valid South Carolina hunting license by the proper state agency and proof that the dog is properly registered with the South Carolina Department of Natural Resources. Under this exemption, the dog owner may receive a lifetime license without spaying or neutering the dog.~~

~~(4) — Any owner of a dog which is trained to be an assistance dog for its owner shall be required to obtain a lifetime license but shall not be required to pay any license fee.~~

~~(Ord. No. 2015/27, 10-12-2015)~~

~~(Ord. No. 2015/27, 02-01-2018)~~

Sec. 14-30. - Declaration of restricted dog, appeal of breed determination.

(a) — For the purposes of this section, a restricted dog shall be defined as a ~~pit bull~~ Pit bull.

(b) — No person may own, keep, or harbor a restricted dog in violation of this section.

(c) — An owner or custodian of restricted dogs must have the dog spayed or neutered unless the owner of the restricted dog provides BCAS written proof one of the following exemptions applies:

(1) — The restricted dog is less than four months of age;

(2) — A licensed veterinarian has examined the animal and signed a written certificate stating that at such time spaying or neutering would endanger the animal's health because its age, infirmity, disability or other medical consideration. The certificate shall state the period of exemption from this requirement and shall not be valid for more than 12 months from the date of issuance.

(3) —The determination of the dog's breed is under appeal pursuant to ~~section 14-30~~ section 14-30(d)(2);

(4) —The owner or custodian has owned or had custody of the dog less than 30 days.

~~(d)~~—(d) An owner or custodian of a restricted dog must provide for the dog's permanent identification by implantation of a BCAS approved microchip.

(e) Determination of breed and appeal of determination.

(1) —Determination. The director of BCAS or his or her designee, in his or her discretion, may make ~~an initial~~ breed determination upon contact with, or impoundment of a dog. The determination shall be made by the director or designee in accordance with BCAS's breed determination checklist. Technical deficiency in the dog's conformance to the standards defined in ~~section 14-27 for pit bulls~~ section 14-27 for pit bulls shall not be construed to indicate the dog is not a pit bull dog under this section.

(2) —Notice. Upon determination of the breed, the animal services officer shall deliver written notice of determination to the owner or any adult residing at the premises where the animal is located or by posting on the premises if no adult is present. The notice shall include the determination of breed, mandatory spay and neuter requirements, an administrative penalty and notice of appeal process.

(3) —~~[Compliance.]~~ The owner or custodian of an unaltered restricted dog shall comply with this article within 30~~10~~ days after receipt of notice of ~~breed~~restricted dog determination. Upon compliance, the owner or custodian shall submit written documentation to BCAS confirming compliance. If ownership of the dog is transferred within the time for compliance the original owner or custodian must provide BCAS with the new owner's name and address.

~~(e)~~—(f) Appeal. Notice of a declaration of breed determination constitutes a final determination that the dog is a restricted dog, unless the owner or custodian requests a hearing in writing to the Beaufort County Magistrate Court within ten days of service of the notice.

(Ord. No. 2015/27, 10-12-2015)

Sec. 14-31. - Pet breeder license, inspection and fees.

It shall be unlawful for a pet breeder to fail to obtain a county pet breeder license. The requirements for such a license are as follows:

(a) —Individuals engaged or intending to engage in breeding ... must obtain a non-transferable, pet breeder license from BCAS.

(b) —Applicants must have a valid county annual pet license and microchip for all pets ~~that have reached the age of four months~~ before applying for the pet breeder license.

(c) —BCAS shall conduct an inspection of the identified property for the pet ~~breed~~breeders license requested by the applicant to determine whether the applicant qualifies to hold a pet breeder license pursuant to this section.

(d) —To qualify for a pet breeder license the applicant must demonstrate the following:

- (1) —The enclosure where the pets are being kept shall be constructed in such a manner that any pets housed there will be adequately and comfortably kept in any season of the year.
- (2) —All pet enclosures must be constructed in such a manner they can be easily cleaned and sanitized. Any kennels or yards that are connected or are used to confine the pets must be kept clean and free from accumulations of feces, filth, mud, and debris.
- (3) —Every pet on the premises must have access to sufficient good and wholesome food, and water at all times.
- (4) —The premises must be set up in such a manner as to not allow pets to stray beyond its enclosed confines. The setup must also prevent the public and stray animals from obtaining entrance into or gaining contact with any pets on the premises.

(e) —A license will not be issued to an applicant that has pled no contest, or has been found to have violated any federal, state, or local laws or regulations pertaining to animal cruelty within five years of the date of application.

(f) —The pet breeder license fee ~~shall be \$100.00 annually published in the fee schedule approved by County Council.~~ The license shall expire ~~on June 30 of each year.~~365 days after the date it is issued.

(g) —Any violations found under the provisions of this chapter shall be grounds for the suspension of the pet breeder license if deemed necessary by the Beaufort County Animal Services.

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-32. — Dangerous animals.

(a) —For the purposes of this section, a dangerous or vicious animal shall be defined to be any one of the following:

- (1) —An animal which the owner knows or reasonably should know has a propensity, tendency, or disposition to attack unprovoked, cause injury, or to otherwise endanger the safety of human beings or domestic animals;
- (2) —An animal which 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;
- (3) —An animal which commits unprovoked acts in a place other than the place where the animal is confined and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being;
- (4) —An animal which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting;
- (5) —An animal which is used as a weapon in the commission of a crime~~;~~

(6) An animal which causes serious injury to a human being, other than the owner, regardless of provocation or location.

(b) —Declaration of a dangerous animal, confinement requirements, and final determination of danger animal declaration.

(1) —Declaration. An animal services officer or law enforcement officer, in his or her discretion, may ~~declare~~make an initial determination that an animal is dangerous. Upon the initial determination, the officer shall deliver written notice to the owner or any adult residing at the premises where the animal is located or by posting on the premises if no adult is present. The notice shall include a description of the animal, a hearing date, confinement requirements and registration requirements.

~~(2)~~(2) When, in the discretion of an animal services officer or law enforcement officer, the animal initially determined to be dangerous has caused injury to another animal or human, the officer may take temporary possession of the animal during the pendency of the final dangerous dog determination hearing before a Magistrate Judge.

(2) Confinement requirements and registration. Every dangerous animal, as determined under this section, shall be confined by the owner within 72 hours of the notice of dangerous dog determination and until the final determination of the dangerous dog declaration:

a. —All dangerous animals shall be securely confined within an occupied house or residence or in a securely enclosed and locked pen or kennel, except when leashed as provided in this section. Such pen, kennel or structure must have secure sides and a secure top attached to the sides.

b. —The pen or kennel must be clearly marked as containing a dangerous animal.

c. —No person shall permit a dangerous animal to go outside its kennel or pen unless such animal is securely leashed and muzzled with a leash no longer than six feet in length.

d. —The owner of a dangerous animal must provide BCAS with proof of liability insurance or surety bond of at least \$50,000.00.

e. —The owner must obtain a dangerous animal registration/license from BCAS and pay a ~~\$5.00 registration fee~~fee on the BCAS fee schedule subject to County Council approval.

(3) —Final determination of dangerous animal declaration. Notice of a declaration of a dangerous animal constitutes an initial determination that the animal is dangerous or potentially dangerous. A final determination shall be made by the Beaufort County Magistrate Court within 30 days or as soon as practicable.

~~(e)~~e. Exemptions. A dog working in a law enforcement capacity with a governmental agency and in the performance of the dog's official duties.

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-33. - Running at large.

(a) [Unlawful.] It shall be unlawful for any owner or custodian of any ~~pet~~dog to permit the same to run at large except on property owned or rented by the owner or custodian. All ~~pets~~dogs, must be kept under restraint or confinement and under the physical control of the owner or custodian by means of a leash or other physically attached similar restraining device.

(b) Exemption. Except as provided herein, no person shall bring or allow any dog, or any other animal on the beach that is not at all times on a leash between the hours of 10:00 a.m. and 5:00 p.m. from April 1 through the Thursday before Memorial Day weekend and from the Tuesday after Labor Day weekend through September 30. No person shall bring or allow any dog, or any other animal, on the beach

between the hours of 10:00 a.m. and 5:00 p.m. from the Friday before Memorial Day weekend through the Monday of Labor Day weekend. No person shall bring or allow any dog or any other animal on the beach that is not on a leash or under positive voice control of the responsible person between 5:00 p.m. and 10:00 a.m. from April 1 through September 30. No person shall bring or allow any dog or any other animal on the beach that is not on a leash or under positive voice control at any hour from October 1 through March 31.

No person shall permit any excrement from any animal under that person's control to remain on the beach, but shall dispose of same in a sanitary manner.

From April 1 through the Thursday before Memorial Day weekend and from the Tuesday after Labor Day weekend through September 30 of each year, dogs or any other animal, other than seeing-eye dogs, shall not be allowed in any designated swimming area unless on a leash and walking through the area between 10:00 a.m. and 5:00 p.m.

(c) —Exempt dogs. Dogs that are participating in hunting events, obedience trials, conformation shows, tracking tests, herding trials, lure courses and other events similar in nature shall not be considered "at large."

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-34. - Nuisance pets or livestock.

(a) —The actions of a pet or livestock constitute a nuisance when a pet or livestock disturbs the rights of, threatens the safety of or injures a member of the general public, or interferes with the ordinary use and enjoyment of their property.

(b) —It shall be unlawful for any person to own, keep, possess, or maintain a pet or livestock in such a manner so as to constitute a public nuisance. By way of example, and not of limitation, the following acts or actions by an owner or possessor of any pet or livestock are hereby declared to be a public nuisance and are, therefore, unlawful:

(1) —Failure to exercise sufficient restraint necessary to control a pet or livestock as required by section 14-33.

(2) —Allowing or permitting a pet or livestock to damage the property of anyone other than its owner, including, but not limited to, turning over garbage containers or damaging gardens, flowers, or vegetables.

(3) —Failure to maintain a dangerous animal in a manner other than that which is described in section 14-32.

(4) —Maintaining pets or livestock in an environment of unsanitary conditions which results in offensive odors or is dangerous to the pet or livestock or to the public health, welfare, or safety.

(5) —Maintaining his or her property in a manner that is offensive, annoying, or dangerous to the public health, safety, or welfare of the community because of the number, type, variety, density, or location of the pets or livestock on the property.

(6) —Allowing or permitting a pet or livestock to bark, whine, or howl in an excessive, unwarranted, and continuous or untimely fashion, or make other noise in such a manner so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises.

(7) —Maintaining a pet or livestock that is diseased and dangerous to the public health.

(8) —Maintaining a pet or livestock that habitually or repeatedly chases, snaps at, attacks, or barks at pedestrians, bicycles, or vehicles.

(9) —Every female pet or livestock in heat shall be confined in a building or secure enclosure in such a manner as will not create a nuisance by attracting other pets or livestock.

(c) —A pet or livestock that has been determined to be a habitual nuisance by BCAS may be impounded and may not be returned to the owner until said owner can produce evidence to demonstrate that the situation creating the nuisance has been abated.

([Ord. No. 2015/27, 10-12-2015](#))

(D) It shall be unlawful for any owner of any animal to allow the animal to disturb any person by excessive, unrelenting, or habitual barking, howling, yelping, or other audible sound. In addition to being a violation of this Section, the same is hereby declared to be a public nuisance that may be abated pursuant to the provisions specified in Chapter 14 of this Code.

(1) No person shall be charged with violating this Section unless a written warning was given to the owner or person in custody of the animal by an Animal Services Officer or police officer within 12 months preceding the first date alleged as a date of violation in the complaint. A warning is given under this subsection if it is personally given to the owner or person in custody of the animal, or it is posted upon the property of the owner or person in custody or mailed first-class to such person. Such records are prima facie evidence that such warnings were given.

(2) No administrative penalty or summons shall be issued and no person shall be convicted at trial for violating this Section unless two or more witnesses from different households testify to the loud and persistent or loud and habitual nature of the noise, or unless there is other evidence corroborating the testimony of a single witness.

([Ord. No. 2015/27, 02-01-2018](#))

Sec. 14-35. - Animal cruelty.

(a) —Animal care generally. It shall be unlawful for an owner to fail to provide his animals with sufficient good and wholesome food, water at all times, proper shelter and protection from weather, and humane care and treatment.

(b) —Mistreatment. It shall be unlawful for a person to beat, cruelly treat, torment, overload, overwork, or otherwise abuse an animal or cause, instigate, or permit any dogfight or other combat between animals or between animals and humans.

(c) —Physical alteration. It shall be unlawful for a person to dye or color artificially any animal or fowl, including, but not limited to, rabbits, baby chickens, and ducklings, or to bring any dyed or colored animal or fowl into the county. No person shall crop or dub a pet or livestock's ears or tail or wattle or comb, except a licensed veterinarian.

(d) —Abandonment. It shall be unlawful for any owner to abandon an animal.

(e) —Unlawful tethering. No person owning or keeping a dog shall chain or tether a dog to a stationary object, including, but not limited to, a structure, dog house, pole, stake, or tree ~~for longer than 24 consecutive hours in any manner or by any method that allows the dog to become entangled or injured.~~ A tethering device employed shall not allow the dog to leave the owner's, guardian's or keeper's property. The tether shall be designed for dogs and devices not designed for tethering dogs shall not be used. Only a properly fitted harness, collar or other tethering device specifically designed for the dog may be used. No chain or tether shall weigh more than one-eighths of the dog's body weight. When tethered to a stationary object, the tethering device shall be attached to the dog's harness or collar and not directly to the dog's neck. Nothing in this section shall be construed to prohibit a person from walking a dog on a hand-held leash. No dog under the age of six months shall be tethered outside for any length of time, unless under direct supervision of an adult over the age of 18 years old.

(f) No animal shall be tethered during any named Tropical Storm or named Hurricane or whenever flooding could occur.

(1) —A person owning or keeping a dog may confine such dog outside, subject to the restrictions in this section, through the use of any of the following methods:

a. —Inside a pen or secure enclosure; or

b. —A fully fenced, electronically fenced or otherwise securely enclosed yard, wherein a dog has the ability to run but is unable to leave the enclosed yard; or

c. —The length of the tether from the cable run to the dog's collar or harness shall allow continuous access to clean water and appropriate shelter at all times

(2) —Exceptions to the above restrictions on outdoor confinement shall be made for dogs actively engaged in conduct directly related to the business of shepherding or herding cattle or other livestock or engaged in conduct that is directly related to the business of cultivating agricultural products, if the restraint is reasonably necessary for the safety of the dog.

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-36. - Sale of animals, pets or livestock.

- (a) —No person shall sell, trade, barter, auction, lease, rent, give away, or display for commercial purpose, any live animal, pet or livestock on any roadside, public right-of-way, public property, commercial parking lot or sidewalk, or at any flea market, fair, or carnival.
- (b) —No person shall offer an animal, pet or livestock as an inducement to purchase a product, commodity, or service.
- (c) —No person shall sell, offer for sale, or give away any animal or pet ~~under five~~ **four (4) weeks of age**, except as surrender to the county animal services facility or to a licensed pet rescue organization.
- (d) —Licensed pet shops, commercial kennels, county animal services facilities, and licensed pet rescue organizations are exempt from the requirements of this section **14-36**.
- (e) —Any sale of wildlife will be reported to the South Carolina Department of Natural Resources, United States Department of Agriculture, and United States Fish and Wildlife Service.

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-37. - Seizure and right of entry to protect abandoned, neglected, or cruelly treated pets or livestock.

- (a) —Seizure and right of entry. If the owner does not give permission to the animal services officers for right of entry on private property to examine suspected abandoned, neglected or cruelly treated pets or livestock, the animal services officers shall petition the appropriate magistrate for an animal pickup order or a search warrant for the seizure of the pet or livestock to determine whether the owner, if known, is able to adequately provide for the pet or livestock and is a fit person to own the pet or livestock.
- (b) —Citation. The animal services officers shall cause to be served upon the owner, if known, and residing within the jurisdiction wherein the pet or livestock is found, a written citation at least five days prior to the hearing containing the time and date and place of the hearing. If the owner is not known or cannot be found within the jurisdiction wherein the pet or livestock was found, the animal services officers shall post a copy of the notice at the property where the animal was seized.
- (c) —Custody. The pet or livestock shall remain in the custody and care of BCAS until such matter is heard before a magistrate. The magistrate shall make the final determination as to whether the pet or livestock is returned to the owner or whether ownership is transferred to the BCAS whereby the pet or livestock may be put up for adoption or humanely euthanized. If the magistrate orders the return of the pet or livestock to its owner, BCAS shall release the pet or livestock upon receipt from the owner of all redemption fees as described in section 14-39, below.
- (d) —Nothing in this section shall be construed to prohibit the euthanasia of a critically injured or ill animal for humane purposes.

(~~[Ord. No. 2015/27, 10-12-2015](#)~~)

([Ord. No. 2015/27, 02-01-2018](#))

Sec. 14-38. - Impoundment.

(a) —Any pet or livestock found within the county in violation of the provisions of this chapter may be caught and impounded by BCAS. BCAS may, thereafter, make available for adoption or humanely euthanize impounded pets or livestock not positively identified or redeemed within five working days.

(b) —When a person arrested is, at the time of arrest, in charge of an animal, BCAS may take charge of the animal and deposit the animal in a safe place of custody or impound the pet or livestock at its animal care facility.

(c) —The owner of a pet or livestock that may be positively identified shall be notified at the owner's last known address by registered mail if attempts by telephone are not successful. The owner has ~~14~~10 days from the date of mailing to contact BCAS for pick-up. Redemption costs will include the cost of mailing, any established costs, fines, fees, or other charges. If the owner does not make contact within ~~14~~10 days of the date of mailing, the pet or livestock will be deemed abandoned and becomes the property of BCAS. For pets or livestock impounded at BCAS, the director of animal services, or his/her designee in agreement with a licensed veterinarian, shall either place the pet or livestock for adoption or have the pet or livestock humanely euthanized, pursuant to S.C. Code, § 47-3-540 (Supp. 1999).

(d) —Notwithstanding the above, pets or livestock impounded at BCAS, which are deemed by the director of animal services, or his/her designee or a licensed veterinarian to constitute a danger to other pets, livestock or persons at the facility, or which are infectious to other pets or livestock, in pain or near death may be humanely euthanized immediately.

(e) —Any pet or livestock surrendered to BCAS may be adopted or euthanized at any time provided there is a completed and signed surrender form on file for the pet or livestock concerned.

([Ord. No. 2015/27, 10-12-2015](#))

(f) Only government agencies or organizations that are contracted with a government agency to perform animal control services have the authority to impound animals. All stray animals must be taken or reported to the Beaufort County Animal Shelter and or affiliated organizations as soon as possible for the mandatory holding period.

Sec. 14-39. - Redemption.

(a) —The owner or keeper of any pet or livestock that has been impounded under the provisions of this chapter, and which has not been found to be dangerous or vicious, shall have the right to redeem such pet or livestock at any time when proper ownership has been confirmed by BCAS personnel; upon payment of a fee as follows:

(1) —For a pet or livestock that has not been properly inoculated, licensed, ~~microchipped~~micro chipped, and spayed or neutered ~~or spayed, at,~~ the BCAS director of animal services or his/her

designee, may issue a warning or Administrative Citation for the first offense at their discretion ~~after a thorough~~ investigation of the circumstances. ~~First offense Redemption fees shall be published on the BCAS fee is \$50.00, second offense is \$150.00, third offense schedule and any subsequent offense is \$250.00. be subject to County Council approval.~~

(2) ~~In addition to the administrative penalty, F~~for a pet or livestock not properly inoculated, licensed, microchipped and spayed or neutered ~~the fee shall be \$50.00 plus the an~~ appropriate microchip license fee, the charge for rabies inoculation, and the cost of spaying or neutering the pet or livestock ~~as appropriate may be charged to the owner.~~

~~(3) Fertile pets or livestock (as appropriate) shall not be redeemed or adopted unless one of the criteria under the exemptions provisions in subsections 14-29(e)(1)–(4) has been met.~~

(3) Pets or livestock will not be released without proof of inoculation and without an implanted microchip. The requirements of spaying or neutering shall not be waived under the exceptions in subsections ~~14-29(~~ 14-29(e)(1)–(4) when the pet or livestock (as appropriate) has been impounded a second time for any violations of sections ~~14-32, 14-33, 14-34, or 14-35.~~

(b) ~~In addition to the redemption fee, a boarding fee after 24 hours of \$25.00 per the published fee schedule~~ per day per pet or livestock shall be paid by the owner or keeper when a pet or livestock is redeemed.

(c) ~~The fees set out in this section shall be doubled for any pet or livestock impounded twice or more within the same 12-month period.~~

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-40. - Adoption.

(a) ~~Any pet or livestock impounded under the provisions of this chapter may, at the end of the legal detention period, be adopted provided the new owner will agree to comply with the provisions contained herein.~~

(b) ~~Any pet or livestock surrendered to BCAS may be adopted at any time provided there is a completed and signed surrender form on file for the pet or livestock concerned.~~

(c) ~~Those individuals adopting puppies or kittens too young to be neutered or spayed or receive rabies inoculations will pay the cost of these procedures at the time of adoption and be given an appointment for a later time to have these procedures completed. In the event the pet is deceased prior to the appointment date, the applicable portion of the adoption fee will be returned.~~

(d) ~~The county animal services director or designee shall have the authority to refuse adoption of any animal to any person deemed unable to provide proper shelter, confinement, medical care and food or to any person who has a past history of inhumane treatment of or neglect to pets or livestock. Any person seeking adoption of a pet or livestock more frequently than 90 from the last adoption shall be subject to refusal of adoption. Any person who has been refused adoption of a pet or livestock may appeal his case to the assistant county administrator for public safety. If any person surrenders an~~

owned pet or livestock to the animal services department, they will not be able to adopt a pet or livestock for 90 days from the date of the original surrender.

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-41. - Trapping.

.(a) —It shall be unlawful for any person or business to conduct trapping of any pets, livestock or domestic animals within Beaufort County without prior approval from the animal services department. Any pets, livestock or domestic animals trapped with prior approval from the animal services department will be reported or delivered to the animal services department for purposes of identification of the pet's owner and record keeping of the trapping. It shall be unlawful for any person to remove, destroy, or liberate any trap and/or trapped animal set by the Beaufort County Animal Services Department or enter any animal services vehicle with the intent to rescue or deliver it from the custody of the animal services department. If a trapped animal is in need of immediate attention, the animal services department or 911 will be notified immediately of the animal in distress.

(b) —Exemption. Trapping is permitted for hogs.

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-42. - Management of feral cat colonies.

.(a) —Definitions.

Caregiver means any person who provides food, water or shelter to or otherwise cares for a feral cat colony and has made application to the animal services department for management of a feral cat colony.

Caregiver manager means any person in charge of a caregiver program.

Ear tipping means straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized.

Feral cat means a cat which currently exists in a wild or untamed state.

Feral cat colony means a group of cats that congregate. Although not every cat in a colony may be feral, non-feral cats routinely congregate with a colony shall be deemed to be a part of it.

Nuisance means disturbing the peace by:

- (1) —Habitually or continually howling, crying or screaming, or
- (2) —The habitual and significant destruction of property against the wishes of the owner of the property.

Suitable shelter means shelter that provides protection from rain, sun and other elements and is adequate to protect the health of the cat.

TNR means trap, neuter/spay and release.

TNA program means a program pursuant to which cats are trapped, neutered or spayed, vaccinated against rabies, ear tipped or tattooed and released to a designated location of a managed colony.

(b) —Feral cat colony management. Feral cat colonies shall be permitted (no fee) by the Beaufort County Animal Services Department and caregivers shall be responsible for applying for the permit for each colony and be entitled to maintain them in accordance with the terms and conditions of the BCAS policy on feral cat colony management, once the permit is approved by animal services department.

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-43. - Livestock.

(a) —All livestock shall be properly housed with adequate food, water and confined within a fenced enclosure. The fenced enclosure shall be maintained in such a manner as to keep any average livestock animal from escaping the enclosed compound and causing damage, accidents or injury to any person or property. No person shall tie, stake or fasten any livestock within any street, highway, road, alley, sidewalk, right-of-way, or other public place within the county or in such manner that the animal has access to any portion of any street, highway, road, alley, sidewalk, right-of-way, or other public place.

(b) —Owners or possessors of livestock impounded for violation of this article or any state and/or federal laws, will be charged in accordance with actual costs of impoundment plus impounding and boarding fees.

(c) —Impounded livestock shall be held for a period of ~~21~~ 10 days. If such impounded animals are not claimed by the owners during that period of time, the animals may be given to persons willing to accept them, in the discretion of the Beaufort County Animal Services Department.

(d) —Exception: No other swine or livestock shall be kept within the corporate limits of Port Royal and Bluffton except as is permissible under the municipal zoning regulations. No approval shall be granted or continued if such keeping shall constitute a menace to health or welfare of the public. To the extent that other section within this chapter reference livestock this section shall be controlling.

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-44. - Importation of exotic animals prohibited.

(a) —Definition. An "exotic animal" shall be defined as one which would ordinarily be confined to a zoo, or one which would ordinarily be found in the wilderness of this or any other country or one which is a species of animal not indigenous to the United States or to North America, or one which otherwise causes a reasonable person to be fearful of significant destruction of property or of bodily harm and the

latter includes, but would not be limited to, such animals as monkeys, raccoons, squirrels, ocelots, bobcats, lions, tigers, bears, wolves, hybrid wolves, and other such animals or one which causes zoonotic diseases. Such animals are further defined as being those mammals or those nonvenomous reptiles weighing over 50 pounds at maturity which are known at law as Ferae naturae. Wild or exotic animals specifically do not include animals of a species customarily used in South Carolina as ordinary household pets, animals of a species customarily used in South Carolina as domestic farm animals, fish contained in an aquarium, birds or insects.

(b) —Unlawful act. It shall be unlawful for any person, firm, or corporation to import into Beaufort County, any venomous reptile or any other exotic animal.

(c) —Exceptions. This division shall not apply to following entities:

- (1) —An entity licensed as a Class R Research Facility by the United States of America or any agency thereof pursuant to the Animal Welfare Act (7 U.S.C. 2131 et seq.).
- (2) —An entity properly accredited by the Association of Zoos and Aquariums or the Zoological Association of America.
- (3) —An entity licensed as a Class C Facility by the United States of America or any agency thereof pursuant to the Animal Welfare Act (7 U.S.C. 2131 et seq.) for exhibition not to exceed seven days within a 52-week period.
- (4) —A team mascot for a university or educational facility.

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-45. - Rabies Control Act (S.C. State Law 47-5-10).

This law is strictly enforced by South Carolina Department of Health and Environmental Control (DHEC) in cooperation with Beaufort County Animal Services Department and any state, county or municipal law enforcement agencies.

([Ord. No. 2015/27, 10-12-2015](#))

(A) Vaccinations: It shall be unlawful for any owner of a dog or cat 43 months of age or older to fail to have such animal vaccinated against rabies, unless recommended otherwise by veterinarian for medical reasons. All dogs and cats shall be vaccinated at 43 months of age (unless recommended otherwise by veterinarian) and revaccinated thereafter at the expiration of the validity of the vaccine used, as shown on the written document prepared by a licensed veterinarian. The vaccination shall be valid for the period shown on the document. Any person moving into the County~~ty~~ from a location outside the County~~ty~~ shall comply with this Section within 30 days after having moved into the County~~ty~~ by having the animal vaccinated or showing proof of current, valid vaccination. If the dog or cat has inflicted a bite on any person or another animal within the last ten days, the owner of said animal shall report such fact

to a veterinarian, and no rabies vaccine shall be administered until after the required observation or quarantine period.

(B) Proof of Vaccination: It shall be unlawful for any person who owns a vaccinated animal to fail or refuse to exhibit his copy of the certificate of vaccination upon demand to any person charged with the enforcement of this Chapter. A current rabies tag, if provided by the veterinarian administering the vaccine, shall be attached to a collar, harness or other device and shall be worn by the vaccinated dog or cat at all times. The requirement for a dog to display a current rabies tag shall not apply to a dog that is displaying a current dog license tag affixed to a collar, harness or other device worn on the dog

(C) Harboring Unvaccinated Dogs and Cats: It shall be unlawful for any person to harbor any dog or cat that has not been vaccinated against rabies, as provided herein, or that cannot be identified as having a current vaccination certificate.

(D) Non-transferability: Vaccination certificates and tags are not transferable and cannot be used for any animal other than the animal that received the vaccination and for which the certificate was originally issued.

(E) Exceptions: No person charged with violating 14-45 Rabies Control shall be convicted if he produces in Court a bona fide and valid certificate of vaccination that was in full force and effect at the time of the alleged violation.

Sec. 14-46. - Interference with animal services officers.

It shall be unlawful for any person to interfere with, hinder, or molest an animal services officers in the performance of his or her duties or seek to release any pet or livestock in his/her custody without his/her consent.

([Ord. No. 2015/27, 10-12-2015](#))

Sec. 14-47. - Enforcement and penalties.

(a) —The animal services officers of the Beaufort County Animal Services Department shall be charged with the responsibility of enforcing all ordinances enacted by the county and contracts entered into with the county for the care, control and custody of pets or livestock covered by this article. All violations of this article shall be heard by the Beaufort County Magistrate Court.

(b) —The provisions of this article shall not apply to any dog or cat owned within the confines of any incorporated municipality within the county, unless and until the governing body of a municipality requests in writing that county council include the area of such municipality within the coverage of this article, and county council has acted favorably on such request and has so notified such municipality of its approval of such request.

(c) —Any person who violates the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding ~~\$\$\$500.00~~ the maximum allowed within the jurisdiction of the magistrate courts or imprisonment not exceeding 30 days, or both.

~~(Ord. No. 2015/27, 10-12-2015)~~

-(d) Administrative citations and penalties.

In addition to the remedies and penalties contained in this chapter, and in accordance with S.C. Code Section 47-3-20, an administrative citation may be issued for certain violations of county animal control ordinances. Violations of this Chapter subject to administrative citation and penalty are in the discretion of the Animal Services Officer and include but are not limited to: Mandatory dog licenses/registration, mandatory rabies vaccination, permitting a dog to run at large, mandatory spay/neuter, and warnings for a noisy public nuisance animal.

The following procedures shall govern the imposition, enforcement, collection and administrative review of administrative citations and penalties.

A. Notice of violation. If an animal is owned, kept, maintained, or found to be in violation of a county animal control ordinance, an administrative citation may be issued by the animal services officer.

B. Content of citation. The administrative citation shall be issued on a form approved by the Director of Beaufort County Animal Services and shall contain the following information:

1. Date, location and approximate time of the violation;
2. The ordinance violated and a brief description of the violation;
3. The amount of the administrative penalty imposed for the violation;
4. Instructions for payment of the penalty, and the time period by which it shall be paid and the consequences of failure to pay the penalty within the required time period;
5. Instructions on how to appeal the citation;
6. The signature of the animal control officer.

The failure of the citation to set forth all required contents shall not affect the validity of the proceedings.

C. Service of citation.

1. If the person who has violated the county animal control ordinance is present at the scene of the violation, the animal control officer shall attempt to obtain his signature on the administrative citation and shall deliver a copy of the administrative citation to him/her.
2. If the owner, occupant or other person who has violated a county animal control ordinance is a business, and the business owner is on the premises, the animal control officer shall attempt to deliver the administrative citation to him/her. If the animal control officer is unable to serve the business owner on the premises, the administrative citation may be left with the manager or employee of the business. If left with the manager or employee of the business, a copy of the administrative citation shall also be mailed to the business owner by certified mail, return receipt requested.
3. If no one can be located at the property where the violation occurred, then the administrative citation shall be posted in a conspicuous place on or near the property and a copy mailed by certified mail, return receipt requested to the owner, occupant or other person who has violated the ordinance. The citation shall be mailed to the property address and/or the address listed for the owner on the last county equalized assessment roll. The citation shall also be mailed to any additional addresses for the owner in department records.
- 4.

D. Administrative penalties.

1. The penalties assessed for each violation of a county animal control ordinance shall not exceed the following amounts:
 - i. One hundred dollars (\$100.00) for a first violation;
 - ii. Two hundred dollars (\$200.00) for a second violation of the same administrative abatement order within one year;
 - iii. Five hundred dollars (\$500.00) for each additional violation of the administrative abatement order within one year.
2. If the violation is not corrected, additional administrative citations may be issued for the same violation. The amount of penalty shall increase at the rate specified above.
3. Payment of the penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action.
4. The penalties assessed shall be payable to the Beaufort County Animal Services.
5. Where the violation would otherwise be an infraction, the administrative penalty shall not exceed the maximum fine or infraction amount.

E. Administrative appeal of administrative citation.

1. Notice of appeal. The recipient of an administrative citation may appeal the citation by filing a written notice of appeal with the department. The written notice of appeal must be filed within twenty (20) days of the service of the administrative citation set forth in subsection C. above. Failure to file a written notice of appeal within this time period shall constitute a waiver of the right to appeal the administrative citation. The notice of appeal shall be submitted on county forms and shall contain the following information:

- i. A brief statement setting forth the appellant's interest in the proceedings;
- ii. A brief statement of the material facts which the appellant claims supports his contention that no administrative penalty should be imposed or that an administrative penalty of a different amount is warranted;
- iii. An address at which the appellant agrees notice of any additional proceeding or an order relating to the administrative penalty may be received by mail;
- iv. The notice of appeal must be signed by the appellant;
- v. A check or money order is required, as a deposit, for the total penalty amount shown on the front side of the citation, before the Administrative Appeal will be scheduled;
- vi. Indigence must be proved to have the deposit waved.

2. Administrative hearing of appeal. Upon a timely written request by the recipient of an administrative citation, an administrative hearing shall be held as follows:

- i. Notice of hearing. Notice of the administrative hearing regarding the administrative citation shall be given at least ten (10) days before the hearing to the person requesting the hearing.
- ii. The administrative hearing regarding the administrative citation shall be held before the animal services director, or his designee. The hearing officer shall not be the investigating animal control officer who issued the administrative citation or his immediate supervisor. The director may contract with a qualified provider to conduct the administrative hearings or to process administrative citations.
- iii. Conduct of the hearing. The investigating animal control officer who issued the administrative citation shall not be required to participate in the administrative hearing regarding the citation. The contents of the investigating animal control officer's file shall be admitted as prima facie evidence of the facts stated therein. The hearing officer shall not be limited by the technical rules of evidence. If the person requesting the appeal of the administrative citation fails to appear at the administrative hearing, the hearing officer shall make his determination based on the information contained in the notice of appeal.
- iv. Hearing officer's decision. The hearing officer's decision regarding the administrative citation following the administrative hearing may be personally delivered to the person requesting the hearing or sent by mail. The hearing officer may allow payment of the administrative penalty in installments, if the person provides evidence satisfactory to the hearing officer of an inability to pay the penalty in full at one time. The hearing officer's decision shall contain instruction for obtaining review of the decision by the superior court.

F. Appeal to Circuit Court. Any person who receives an unfavorable decision from the decision of an Administrative Appeal may file an appeal with the Circuit Court in Beaufort County. The appeal to Circuit Court must be filed within thirty (30) days of the notice of the Administrative Officer's decision being mailed to the recipient of an Administrative citation.