

Sec. 4-1 Definition “Animal”

The term “*animal*” as defined by this chapter shall mean any nonhuman living thing whether wild or domesticated.

Sec. 4-4 Abandoned, Mistreated Animals

- (a) It shall be unlawful to abandon or mistreat any animal. An abandoned or mistreated animal may be immediately impounded pursuant to warrant or under exigent circumstances to alleviate suffering. When identifiable, the owner or keeper shall be subject to the institution of criminal process. When determined by a court of competent jurisdiction to have violated this section, the animal may not be redeemed by the owner.
- (b) Injured animals received by the animal shelter may be destroyed if the owner or keeper cannot be located within two hours. If the animal is suffering, animal control officers or the animal shelter may, for humanitarian purposes, administer immediate euthanasia.

Definition “*abandonment*” – deserting, forsaking of all rights or intending to give up absolutely any animal.

Definition “*mistreatment*” - a failure, whether intentional or not, to provide veterinary care or wholesome and adequate food, water and appropriate shelter, kept free of waste and debris and which provides protection from harsh weather. Mistreatment shall also include any restraint of an animal which causes injury, or any action to override, overload or cruelly torment, injure or beat any animals; shall also include poisoning, whether intentionally or negligently; shall also include maintaining animals in an environment of unsanitary conditions which are dangerous to the animal or public health.



Sec. 4-5 Nuisance Animals

It shall be unlawful for any person to own, keep, possess or maintain an animal in such a manner as to constitute a public nuisance. Animal control officers or law enforcement officers may institute criminal process upon probable cause. Citizens may institute criminal process against the owner, keeper or a nuisance animal by way of warrant lawfully issued by a ministerial recorder, municipal judge or magistrate. By way of example and not limitation, the following acts or actions by an owner, keeper or animal are declared to be a public nuisance and therefore unlawful:

- (1) Failure to exercise sufficient restraint necessary to control an animal or by allowing it to become a stray.
- (2) Allowing or permitting an animal 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) Keeping, owning or displaying a vicious or dangerous, wild or feral animal as defined in this chapter (Sec 4-7).
- (4) Maintaining animals in an environment of unsanitary conditions which results in offensive odors or is dangerous to the animal or to the public health, welfare or safety.
- (5) Maintaining 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 animals on the property.
- (6) Allowing or permitting an animal to bark, whine, howl, crow or cackle in an excessive, 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 an animal that is diseased and dangerous to public health.
- (8) Maintaining an animal that habitually or repeatedly charges, chases, snaps at, attacks or barks at pedestrians, bicycles or vehicles.
- (9) By not confining a female pet in heat in such a manner as to not to create a nuisance by attracting other animals.
 - o *Allowing unaltered dogs to run at large*
 - o *Feeding, unaltered free-roaming cats and attracting wildlife.*

Sec. 4-6 Animals running at large; leash required; licensing; rabies inoculation; waste removal

- (a) It shall be unlawful for any owner or keeper to intentionally or negligently allow an animal to run at large. Any animal off the property of the owner or keeper shall be on a leash not exceeding seven feet in length and shall be under control and command of the person; provided however, domesticated cats are not required to be on a leash when off the property of the owner or keeper.
- (c) No person shall own or keep a animal more than four (4) months of age on any premises within the city unless the animal has been appropriately vaccinated by a licensed veterinarian, and unless the dog wears a collar or harness securely attached to its body to which shall be securely attached a tag issued by such licensed veterinarian showing the animal has been appropriately and currently vaccinated as provided herein, and a tag identifying the owner of the animal.
- (d) It shall be unlawful to fail to promptly remove and properly dispose of all feces left by the animal on any public property or private property not owned by the owner.

Sec. 4-7 Vicious, dangerous, wild or feral animals prohibited

- (a) Except as provided herein, it shall be unlawful for any person to own, keep, harbor or act as custodian of a:
- (1) Vicious or dangerous animal as prohibited by this chapter. This section does not apply to guard dogs or attack dogs which are properly and securely confined. An animal shall not be deemed dangerous if: it bites, attacks or menaces anyone assaulting the owner; a trespasser on the property of the owner; or any person or other animal who has tormented or abused it; or it is protecting or defending its young or another animal.
 - (2) Wild or feral animal in such a way as prohibited by this chapter. Animal control officers and law enforcement officers upon probable cause or citizens by way of warrant lawfully issued may institute criminal process against the owner or keeper of a vicious or dangerous animal, or a wild or feral animal. A vicious or dangerous animal may be immediately impounded by the animal control

officer or a sworn law enforcement officer upon a reasonable determination of the exigencies concerning public health, safety and welfare or to alleviate an animal's suffering, or by warrant lawfully issued upon probable cause.

Definition “*vicious animal*” – May include but not limited to: an animal with a history, propensity or inclination to attack unprovoked, to cause injury to, or otherwise endanger the health, safety or welfare of persons or domestic pets; an animal which has attacked unprovoked any person or other animal, whether or not the attack occurs on the owner's or keeper's premises; any animal kept, harbored or trained as a fighting animal; the frequency, intensity and duration of aggression; the animal's behavior, size, temperament, breed, and capacity for inflicting serious injury; the adequacy of the enclosure or confinement of the animal, if any; the likelihood that the conditions pertaining to the animal and the animal's confinement are detrimental to the safety or welfare of citizens, or peace and tranquility of citizens in the immediate surrounding area; the proximity of children; an animal that has bitten a human being or domestic animal without provocation or a trespass or has approached a person in an apparent attitude of attack; that the animal has a known propensity, reputation, tendency or disposition to attack unprovoked; to cause injury or to otherwise endanger the safety of human beings or domestic animals; or other similar factors which would be relevant to a determination of whether or not the animal is vicious or dangerous.

Definition “*wild or feral*” - Any animal which is untamed, feral, or not naturally tame or gentle, and which is of a wild nature or disposition, or which is capable of killing, inflicting serious injury on, or causing disease among humans or domesticated animals; or having known tendencies as a species to do so; which shall include, but not be limited to any nondomesticated member of the order Carnivora; all nondomesticated members of the family felidae; wolves, wolf-dog hybrids containing any percentage of wolf, coyotes and foxes; badgers, wolverines, weasels, skunks and mink; raccoons; bears; nonhuman primates to include apes, monkeys, baboons, macaques, lemurs, marmosets, tamarins and other species of the order primates; bats; alligators, crocodiles, caimans, and turtles; scorpions; any snakes or venomous reptile; or lizards over two feet which are members of the family varanidae.

Sec. 4-8 Dogs on beaches prohibited certain times, animals restricted on Ocean Boulevard.

- (a) It shall be unlawful to allow any dog to be on the public beaches or boardwalks of the municipality from 10:00 a.m. to 5:00 p.m. during the period from May 1 through Labor Day of each year, except for assistance animals and law enforcement dogs. Owners shall be subject to arrest and the dogs may be impounded.
- (b) It shall be unlawful for an owner or keeper of any animal to take or permit the animal onto the right of way of Ocean Boulevard between 21st Ave. North and 13th Ave. South during the period from May 1 through Labor Day of each year, except for the purpose of direct and expeditious crossing of the right of way. Owners shall be subject to arrest and the animal may be impounded.

Sec. 4-10 General Impoundment

Any animal control officer, any health officer or any other person authorized may impound any animal found in violation of this chapter, or may institute criminal process in lieu of impoundment. Unless redeemed by owner within 5 days, in the discretion of the animal shelter the animal may be sold, adopted or subject to euthanasia.

Sec. 4-11 Procedures for vicious, dangerous or biting animals

- (a) Any person attacked by an animal or witnessing an animal attacking a human shall notify the authorities immediately. That animal, when identified, shall be impounded and quarantined by the shelter, or may be quarantined by a veterinarian upon owner request and expense for a period of ten days for a determination of rabies.
- (b) An animal control officer or law enforcement officer may impound a vicious or dangerous dog immediately without a warrant when circumstances require protection of the public.
- (c) The vicious or dangerous animal may also be impounded pursuant to a lawfully issued search and seizure warrant.
- (d) If a court of competent jurisdiction finds the owner to be harboring a vicious or dangerous animal, the animal may not be redeemed.

Sec. 4-12 Kennels

No person shall own or operate a kennel without an inspection by the animal control officer. Commercial kennels shall be constructed, maintained and operated in conformance with the current standards and procedures promulgated by the Humane Society of the United States. Non-commercial kennels must comply with all applicable building and zoning codes for structures.

Definition "kennel" - Any facility wherein a person, business entity or organization regularly keeps six or more dogs or other animals for any purpose and receives compensation or barter for the service or for the sale of the animal, or a owner or keeper of four or more dogs over four months of age.

Sec. 4-14 Penalty

Any person who violates the provisions and requirements of this chapter shall be deemed guilty of a misdemeanor and upon conviction, shall be fined or imprisoned as provided for in Sec. 1-9.

Sec. 14-315 Specific Boardwalk restrictions

- (d) Leashed dogs are permitted to be on the boardwalk only from 5:00 a.m. to 10:00 a.m. during the period from May 1 through Labor Day of each year. It shall be unlawful for the owner or keeper of dog to take or permit any dog on the boardwalk from 10:00 a.m. to 5:00 a.m. except for the purpose of direct and expeditious crossing of the right-of-way from May 1 through Labor Day of each year. Owners shall be subject to arrest and the dogs may be impounded.
- (e) At all times and in all sections, the feeding of birds and other feral animals is prohibited. This specific law does not affect the application of the general law regulating animals in chapter 4 of this Code.



Your Pet is Your Friend!

To view a complete version of the code visit: www.cityofmyrtlebeach.com

Frequently Asked Questions:

Where do animals go when picked up by city officers?

Officers take all domestic animals to The Grand Strand Humane Society located at 3241 Mr. Joe White Ave. (843) 918-4910.

Impoundment fees vary based on the frequency and if the pet is spayed or neutered. Proof of a current rabies inoculation and ownership must be shown to reclaim.

What type of identification does the city require for my pet?

For all animals above the age of 4 months, a current tag identifying the owner and rabies inoculation tag is required to be affixed to the collar or harness at all times. Microchips are not currently required as a form of identification but strongly recommended.

What is the leash requirement for dogs and cats?

Dogs are required to be on a leash when off the owner's property (including the beach). Cats are not required to be on a leash but are subject to impoundment when considered a nuisance or stray.

Is spay/neutering my pet mandatory?

Though encouraged, pets are not mandated to be altered; however, unaltered at large dogs or unaltered free-roaming cats are prohibited, subject to impoundments and fines for creating a nuisance.

Who do I call for wildlife complaints?

The Police Department responds to injured or sick wildlife to provide emergency assistance. All other complaints regarding wildlife should be directed to the SC Department of Natural Resources at www.dnr.sc.gov or 843-953-5291.

City of Myrtle Beach



Animal Ordinances



**Myrtle Beach Police Department
Animal Control Unit
1101 N. Oak St.
(843) 918-1382**