

Ordinance # / Resolution
Proclamation

Title

2014- 0311

"Ill Treatment of Animals"

2014- 0522

"Ownership of Chickens"

2014- 0512a

"Prohibiting Smoking"

2014- July 23

Proclamation "Day of Reading"

2014 - 0714

"In God We Trust"

Town of West Pelzer

Ordinance # 2014-0311

“Ill Treatment of Animals, Abandonment of Animals; Proper Treatment and Tethering of Animals”

I. Ill-treatment and torment of animals generally.

- (A) A person may not knowingly or intentionally overload, overdrive, overwork or ill-treat any animal, inflict unnecessary pain or suffering upon any animal or by omission or commission knowingly or intentionally cause these things to be done to any animal.
- (B) A person may not torture, torment, needlessly mutilate, cruelly kill, or inflict excessive or repeated unnecessary pain or suffering upon any animal or by omission or commission causes the acts to be done to any animal.

PENALTY--A person who violates any provision of this ordinance is guilty of a misdemeanor and, upon conviction, may be punished by imprisonment not exceeding thirty (30) days or by a fine of not more than five hundred dollars, or both. Any offense under this ordinance shall be tried in municipal court.

II. Abandonment of animals; penalty.

- (A) A person may not abandon an animal. As used in this section “abandonment” is defined as deserting forsaking, or intending to give up absolutely any animal without securing another owner or without providing the permanent necessities of life. “Necessities of life” includes:
 - (1) Adequate water which means a constant access to supply of clean, fresh, and portable water provided in a suitable manner for the species;
 - (2) Adequate food which means provision at suitable intervals of quantities of wholesome foodstuff suitable for the species and age, sufficient to maintain a reasonable level of nutrition so as to allow for proper growth and weight;
 - (3) Adequate shelter which means shelter that reasonably may be expected to protect the animal from physical suffering or impairment of health due to exposure to the elements or adverse weather.

PENALTY--A person who violates any provision of this ordinance is guilty of a misdemeanor and, upon conviction, may be punished by imprisonment not exceeding thirty (30) days or by a fine of not more than five hundred dollars, or both. Any offense under this ordinance shall be tried in municipal court.

III. Proper treatment and Tethering of animals; penalty.

- (A) No owner or keeper shall fail to provide such person's animals with a sufficient and regular supply of wholesome food; a sufficient and regular supply of clean, fresh and potable water; proper shelter and protection from the weather; veterinary care when needed to prevent suffering; and humane treatment at all times. An owner or keeper of animals shall at all times maintain a clean shelter and living area for such person's animals, free of accumulated animal or other waste and other debris so that the animals shall be freely able to walk or lie down without coming in contact with any such animal or other waste or other debris.

- (B) Proper shelter includes a structure appropriately sized for the animals to be able to stand in it or lie in it in a normal manner. The structure must adequately protect the animals from harsh weather; at a minimum, it shall have a roof, four sides, and an opening large enough for the animals to go in and out of the structure easily.

- (C) It shall be unlawful for anyone to tether any animals outdoors, except when the following conditions are met:
 - (1) The animals must be over the age of six months.
 - (2) The animals remain in visual range of the responsible party.
 - (3) The tether is connected to the animals with a buckle type collar or a body harness made of nylon or leather not less than one inch thick in width and is one inch greater in diameter than any animal's neck or torso.
 - (4) The tether has the following properties:
 - a. A minimum 12-foot length; and
 - b. A swivel type termination at both ends; and
 - c. Is not made of chain; and

- d. Total weight does not exceed ten percent of the animal's body weight; and
 - e. Is fabricated of a material that prevents tangles.
- (5) The animals are tethered so as to prevent injury, strangulation, or entanglement.
 - (6) The animals have easy and direct access to water, food, and shelter, none of which are in direct sunlight.
 - (7) The animals are not tethered where any object may interfere or impede free movement of the tether.
 - (8) The animals are not sick or injured.
 - (9) The animals are not tethered in such proximity to any other tethered animals that would allow any entanglement.
 - (10) Any pulley, running line or trolley system to which a tether is attached shall be no less than 15 feet in length and no more than seven feet above the ground.

PENALTY--A person who violates any provision of this ordinance is guilty of a misdemeanor and, upon conviction, may be punished by imprisonment not exceeding thirty (30) days or by a fine of not more than five hundred dollars, or both. Any offense under this ordinance shall be tried in municipal court.

This ordinance shall become effective as of the date of second reading.

Peggy M. Pastore
Mayor

1st Reading: 3-10-14

2nd Reading: 4-8-14

Paul Pastore
Attest: Town Clerk

Ordinance 2014-0522

“Ownership of Chickens in the Town of West Pelzer”

Section 1: Purpose

- A. The purpose of this ordinance is to allow for the ownership of chickens within the corporate town limits of West Pelzer at single family residences.

Section 2: Permit and Fee Requirements

- A. No person shall keep chickens on said premises within the corporate limits of the Town of West Pelzer without first completing an approved application and obtaining a permit. Completed applications are to be submitted to the Clerk of Court during regular business hours with a non – refundable annual fee of twenty five dollars (\$25.00)

Section 3: General Provisions

- A. No more than six (6) domesticated female chickens (hens) shall be kept or maintained on lots with single – family dwellings only. No roosters shall be allowed.
- B. Domesticated chickens must be confined in a fully enclosed coop not less than 12” in height off of the ground and with a minimum floor area of two (2) square feet per chicken, connected to a run of not less than nine (9) square feet for each bird. The total coop and run area shall not exceed 100 square feet.
- C. Coops must be constructed in a uniform manner of material that provides complete enclosure and protection from potential predators and varying elements.
- D. Coops must be constructed to provide proper ventilation.
- E. Chicken runs must be constructed of fencing material that prevents predators from getting in and prevents chickens from escaping.
- F. The coop and run must be free draining so that there is no accumulation of excrement and shall be cleaned regularly of all excrement to prevent odor and unsanitary conditions.
- G. Coops must be located in the rear yard of single – family residences and must meet accessory building setbacks as per the Town of West Pelzer Zoning ordinances. In addition to accessory setback requirements, coops and runs shall be located at least fifty (50) feet from the nearest residence other than that of the owner.
- H. No person shall slaughter chickens on the premises. It shall be unlawful to raise chickens for commercial purposes or to sell eggs laid by chickens kept within the Town of West Pelzer.

Section 4: Enforcement

- A. The West Pelzer Police Chief or Law Enforcement officers acting through his direction are authorized and directed to enforce the provisions of this chapter as may be warranted. The Chief of Police or his Law Enforcement delegate will perform initial inspections, annual inspections, and follow up inspections as needed and pursuant to any written complaints received by the Town or violations observed in the course of their normal duties.
- B. Complaints shall be made in writing and provided to the Town of West Pelzer Town Clerk and submitted at the West Pelzer Town Hall during normal business hours.
- C. A copy of the approved permit shall be made readily available by the owner upon any inspection or at the request of Law Enforcement.

Section 5: Violation – Penalties

- A. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction, may be punished by imprisonment not exceeding thirty (30) days or by a fine of not more than five hundred dollars, or both. Any offense under this ordinance shall be tried in municipal court. Further, the violator shall lose his permit immediately and for the following calendar year.
- B. A permit to keep chickens may be suspended, revoked, or not issued at the discretion of the Town of West Pelzer where there is risk to public health, safety, or for any violation or failure to comply with any provision of this ordinance or other applicable ordinances.

This ordinance shall become effective as of the date of second reading.

1st Reading: 5-22-14

2nd Reading: 6-2-14



Peggy Paxton, Mayor



Paula Payton, Town Clerk

Ordinance #2014-0512a
“Prohibiting Smoking In All Workplaces”

Ordinance Prohibiting Smoking In All Workplaces
(100% Smoke Free)

Sect. 1. Title

This ordinance shall be known as the town of West Pelzer Smoke Free Air Ordinance of 2014

Sect. 2. Findings and Intent

The Town of West Pelzer does hereby find that:

A. The 2006 U.S. Surgeon General’s Report, The Health Consequences of Involuntary Exposure to Tobacco Smoke, has concluded that secondhand smoke exposure causes disease and premature death in children and adults who do not smoke. For more information, please see www.surgeongeneral.gov.

B. Accordingly, the town of West Pelzer finds and declares that the purposes of this ordinance are (1) to protect the public health and welfare by prohibiting smoking in workplaces; and (2) to guarantee the right of nonsmokers to breathe smoke free air, and to recognize that the need to breathe smoke free air shall have priority over the desire to smoke.

Sect. 3. Definitions

The following words and phrases, whenever used in the Ordinance, shall be construed as defined in the Section:

A. “E-cigarette” means any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use of inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-cigarillo, e-pipe, or under any other product name or descriptor.

B. “Enclosed Area” means all space between a floor and a ceiling that is bounded on all sides by walls, doorways, or windows, whether open or closed. A wall includes any

retractable divider, garage door, or other physical barrier, whether temporary or permanent.

C. "Workplace" means an enclosed area under the control of an employer, including, but not limited to, work areas, private offices, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways and vehicles. A private residence is not "workplace" unless it is used as a child care, adult day care, or health care facility.

D. "Smoking" means inhaling, exhaling, burning or carrying any lighted cigar, cigarette, or pipe or any other lighted tobacco or plant product intended for inhalation, in any manner or in form. "Smoking" also includes the use of an e-cigarette which creates a vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in the Ordinance.

Sect. 4. Prohibition of Smoking in Enclosed Workplaces

A. Without exception, smoking shall be prohibited in all enclosed workplaces within the Town of West Pelzer.

Sect. 5. Prohibition of Smoking in Outdoor Areas

Smoking shall be prohibited in the following outdoor places:

A. Within a reasonable distance of 10' feet outside entrances, operable windows and ventilation systems of enclosed areas where smoking is prohibited, so as to prevent tobacco smoke from entering those areas.

B. In, and within 10' feet of, outdoor seating or serving areas of restaurants and bars; all outdoor arenas, stadiums, and amphitheaters; all outdoor public transportation stations, platforms and shelters under the authority of the Town of West Pelzer; and outdoor playgrounds.

Sect. 6. Where Smoking Is Not Regulated

Notwithstanding any other provision of the Ordinance to the contrary, the following areas shall be exempt from the provisions of Sections 4 and 5:

A. Private residences, unless used as a childcare, adult day care, or health care facility and except as provided in Section 4.

B. Outdoor areas of places of employment except those covered by the provisions of Section 5.

Sect. 7. Posting of Signs and Removal of Ashtrays

A. The prohibition on smoking in any workplace shall be communicated by all employers to existing employees by the effective date of this ordinance and to all prospective employees upon their application for employment.

B. The person having control of the workplace shall place "NO SMOKING" signs in conspicuous areas at the workplace.

C. All ashtrays shall be removed from inside the building and smoking receptacles may be provided outside the building.

Sect. 8. Enforcement

A. This Ordinance shall be enforced by the Town of West Pelzer or an authorized designee.

B. Notice of the provisions of this Ordinance shall be given to all applicants for a business license in the Town of West Pelzer.

C. any citizen who desires to register a complaint under this Ordinance may initiate enforcement with the Town of West Pelzer.

D. The designated enforcement authority shall inspect randomly for compliance with this Ordinance.

E. An owner, manager, operator or employee of an establishment shall inform person violating this Ordinance of the appropriate provisions thereof.

Sect. 9. Violations and Penalties

A. A person who smokes in an area where smoking is prohibited by the provisions of this Ordinance shall be guilty of an infraction, punishable by a fine of up to one hundred dollars (\$100)

B. A person who owns, manages, operates, or otherwise controls a workplace and who fails to comply with the provisions of the Ordinance shall be guilty of an infraction, punishable by a fine of up to one hundred dollars (\$100). In addition, violation of the

Ordinance by a person who owns, manages, operates or otherwise controls a workplace may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.

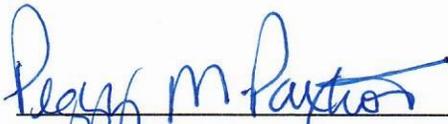
C. Each violation of this Ordinance shall be considered a separate and distinct violation.

Sect. 10. Effective Date

This Ordinance shall be effective thirty (30) days from and after the date of its adoption.

1st Reading 5-12-14

2nd Reading 6-2-14



Peggy Paxton, Mayor



Paula Payton, Town Clerk

TOWN OF WEST PELZER

PROCLAMATION

July 23, 2014 West Pelzer Day of Reading

WHEREAS, A focus on the years from birth to age five helps reap dividends for society and the economy; and

WHEREAS, Efforts to support early education initiatives lead to better achievement in school, more graduates of high school and college, higher salaries, less crime and drug abuse, and fewer people on public assistance; and

WHEREAS, Enriching early experiences is crucial in preparing children for early language development, school readiness, grade progression, on-time graduation, and college attendance; and

WHEREAS, Every dollar spent on high-quality early education returns to society a gain up to \$16 in long-term savings; and

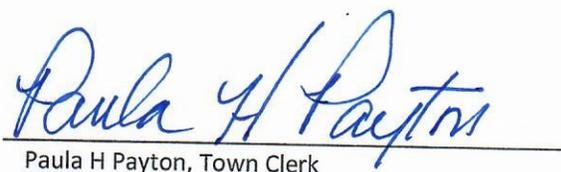
WHEREAS, Vocabulary development and pre-literacy skills of infants, toddlers, and young children pay significant returns that extend beyond kindergarten entry and extend on into reading development across the first years of primary school; and

NOW, THEREFORE, be it proclaimed by the West Pelzer Town Council the day of July 23, 2014 as West Pelzer Day of Reading in West Pelzer, South Carolina and urge all citizens to work together to encourage and support early literacy because every child deserves the opportunity to reach their full potential.

Proclaimed this 23rd day of July 2014.

Attest:


Peggy M Paxton, Mayor


Paula H Payton, Town Clerk

**Town of West Pelzer
IN GOD WE TRUST
Resolution #2014-0714**

A Resolution of the West Pelzer Council of the Town of West Pelzer, Anderson County, in the State of South Carolina, supporting the display of the National Motto "IN GOD WE TRUST" in the West Pelzer Town Hall and Municipal Court.

Whereas, "In God We Trust" became the United States national motto on July 30, 1956, shortly after our nation led the world through the trauma of World War II; and,

Whereas, the words have been used on U.S. currency since 1864; and,

Whereas, the same inspiring slogan is engraved above the entrance to the Senate Chamber as well as above the Speaker's dais in the House of Representatives; and,

Whereas, in both war and peace, these words have been a profound source of strength and guidance to many generations of Americans; and,

Whereas, the Town of West Pelzer desires to display this patriotic motto in the Town Hall and Municipal Court as a way to solemnize public occasions and express confidence in our society.

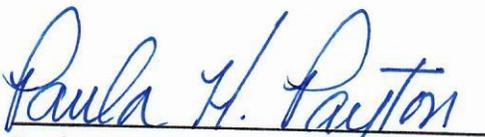
Now, Therefore, Be it Resolved that the West Pelzer Council does hereby resolve as follows:

Section 1. That the Council of the Town of West Pelzer, South Carolina, does hereby determine that the historic and patriotic words of our national motto, "In God We Trust", shall be permanently and prominently displayed in the West Pelzer Town Hall and Municipal Court.

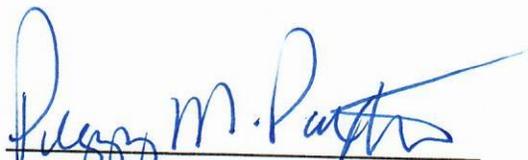
Section 2. The Town Clerk to Council shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Passed, Approved and Adopted at a regular meeting of Council of the Town of West Pelzer, Anderson County, South Carolina held on the 14th day of July 2014.

Attest:



Paula H Payton, Town Clerk



Peggy M Paxton, Mayor