



JASPER COUNTY COUNCIL
COUNCIL MEETING

Jasper County Clementa C. Pinckney Government Bldg.
358 3rd Avenue, Ridgeland, SC 29936
Tuesday, September 2, 2025

Minutes

Officials Present: Chairman John Kemp, Vice Chairman Joey Rowell, Councilman Chris VanGeison, Councilman Joe Arzillo
Absent: Councilman Gene Ceccarelli

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda Giles, Kimberly Burgess, Lisa Wagner, James Iwanicki, Nicole Holt, Chief Russell Wells, and Videographer Jonathan Dunham.

Mr. Fulghum gave an introduction of the workshop items.

Workshop:

- Airport Commission
- General Discussion

Motion to go into executive session before the Workshop: Councilman Arzillo

Second: Chairman Kemp

Vote: Unanimous

The motion passed.

Motion to come out of from executive session: Councilman Rowell

Second: Chairman Kemp

Vote: Unanimous

The motion passed.

After the Executive Session ended and the Council came out of Executive Session, Vice Chairman Rowell noted that after coming out of executive session that council was taking the Airport Commission off of the agenda. They asked the County Administrator to set up a meeting with the FAA, Council and Airport Commission in order to move forward. Mr. Fulghum mentioned that the FAA would not meet with a political body, but that staff would work on this request. Chairman Kemp noted under the General Discussion topic that the Planning Commission would like a workshop with council at some point.

Motion to adjourn the workshop: Councilman Rowell

Second: Councilman VanGeison

Vote: Unanimous

The motion passed.

1. Call to Order of the Jasper County Council Meeting by Chairman Kemp

Chairman Kemp called the meeting to order. The Report of Compliance with the Freedom of Information Act was read for the records as follows: *In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting and the meeting agenda were posted at least 24 hours prior to the meeting on the County Council Building at a publicly accessible place, on the county website, and a copy of the agenda was provided to the local news media and all person's or organizations requesting notification.*

The Pledge to the Flag was given and the Invocation was given by Councilman Rowell.

3. Approval of the Consent Agenda Items:

Approval of Consent Agenda passes all Consent Agenda Items. Consent Agenda Items are not considered separately unless any Councilmember so requests. In the event of such a request the item is placed at the end of the Public Hearings, Ordinances and Action Items.

Motion to approve the Consent Agenda Items: Councilman Rowell

Second: Councilman VanGeison

Vote: Unanimous

The motion passed.

4. Approval of the Regular Agenda:

Motion to approve the Regular Agenda Items with the removal of Item Numbers 5, 7 and 13; and add Item # 7A for an Emergency Ordinance: Councilman Rowell

Second: Councilman VanGeison

Vote: Unanimous

The motion passed.

PRESENTATION

5. *Chief Russell Wells: Award Presentation to Kim Recchia for being selected from Fire News as one of the 2025 Training Officers of the Year. – This item was removed from the Agenda.*

CHAIRMAN KEMP'S COMMENTS:

Chairman Kemp a statement for the record, please see Attachment # 1.

CITIZEN COMMENTS:

Open Floor to the Public per Ordinance Number #08-17 Any citizen of the County may sign to speak in person at the Council Meeting (before the Council Meeting's 6:00PM start time on the Sign-In Sheet on the Podium), to address Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes per person and total public input will be limited to 30 minutes.

- Mayor Williams (City of Hardeeville): Representing the Southern Low Country Advisory Board (SoLoCo), he urged the Council to support a "Tri-Share" childcare program to address the significant economic impact of childcare issues in South Carolina.
- Sally Nielsen to discuss Item # 7 (Resolution # R-2025-47) which had been removed from the agenda and discussed the Airport Commission and the ongoing situation.
- Richard Dean signed up but relinquished his time to speak.
- Denver Gore: Spoke regarding the Airport Commission and his desire for Council to listen to the Airport Commission.
- Brian Hand signed up to speak but was not present.
- Patricia Hicks DuPont: Discussed her complaints of Council Meeting times and asked Council for hybrid/virtual meeting options to improve accessibility for rural residents.
- Hettie Frazier: Inquired about the timeline and point of contact for rebuilding the Coosawhatchie Community Center.
- Lafayette Weber: Discussed concerns regarding law enforcement neglect and public access to county employees.

For more information on this topic please go to our YouTube Channel and see this video at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA .

RESOLUTIONS

6. Andrew Fulghum – Public Hearing and consideration of Resolution #R-2025-49 To Authorize the Jasper County Administrator to Execute a Surrender of Premises, Equipment Use, Transfer and Transition Agreement with its First Addendum by and between Jasper County, Jasper County Sheriff, and Jasper Animal Rescue Mission Regarding Animal Services and Related Matters.

Mr. Fulghum was present to address and review this request and noted a change in the schedule that the Council had. The equipment purchase amount was amended to \$34,740.26 based on a depreciation schedule. The public hearing on this item was opened. Ms. Patricia Hicks Dupont spoke and discussed the care for animals but was concerned about the care for the citizens. There were no other comments, so the public hearing was closed.

Motion to approve with amendment of \$34,740: Councilman VanGeison
Second: Councilman Rowell
Vote: Unanimous
 The motion passed.

7. Andrew Fulghum – Consideration of a Resolution #R-2025-47 Adopting Airport Leasing Policy Principles and Directives to County Staff to Incorporate the Policy Directives Into Lease Documents, Appropriate Ordinances and/or Resolutions Regarding the Ridgeland Claude Dean Airport, and Matters Related Thereto. (Tabled at the 07.21.2025 meeting; Removed from the 08.18.2025 Agenda) – This item was removed from the Agenda.

PUBLIC HEARINGS, ORDINANCES AND ACTION ITEMS

7A. Councilman VanGeison – Consideration of an Emergency Ordinance #O-2025-27A an Emergency Ordinance amending Chapter 3 of the Jasper County Code of Ordinances to establish Designated Breeds, Spay and Neuter Requirements and Breeding Licensure to address the overwhelming Abandoned Animal and Overpopulation Issue.

Councilman VanGeison discussed this Emergency Ordinance which established mandatory spay/neuter and microchipping requirements for pit bull-type dogs due to a shelter crisis. It includes a four-month grace period with free services and a new breeder license requirement. He discussed the issues that had led up to this need for an emergency ordinance and what it entailed. For more information on this topic please go to our YouTube Channel and see this video at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA .

Motion to approve: Councilman VanGeison

Second: Councilman Rowell

Vote: Unanimous

The motion passed.

For a copy of the Emergency Ordinance # O-2025-27A, in its entirety, please see Attachment # 2.

8. Brittany Ward – Consideration of the 2nd Reading of Ordinance #O-2025-20 of Jasper County Council to amend the Jasper County Code Of Ordinances to Establish Penalties, Authorize the Enforcement of the Code, and other matters related thereto by Amending the Following Chapters: Chapter 1 General Provisions; Chapter 3 Animals; Chapter 4 Alcoholic Beverages; Chapter 6 Buildings And Building Regulations; Chapter 8 Businesses; Chapter 9 Civil Emergencies; Chapter 10 Nuisances, Junkyards, Noise, And Litter; Chapter 18 Offenses And Miscellaneous Provisions; And Chapter 25 Streets, Sidewalks, And Public Places. (1st reading 07.21.2025; Public hearing held 08.18.2025)

Ms. Ward was present for the second reading of this ordinance. She noted that prior to the 3rd reading two elements in this ordinance needed to be amended. She mentioned that the discussion previously had been whether or not the administrative citations would apply fully to the building code section. She said that she asked for an amendment to Code Section 6-34 to include Section 1-8(A) which was the Administrative Citation. She noted it was already specifically being adopted in the proposed ordinance and specific code sections. She mentioned that to ensure it was applied uniformly across the entire building codes and not having any impact on the adoption of the International Building Codes (which was required by the State). She asked that Section 6-34 be amended.

Motion to approve with amendment to Section 6-34: Councilman Rowell

Second: Councilman Arzillo

Vote: Unanimous

The motion passed.

9. Lisa Wagner – Consideration of the 3rd Reading of Ordinance #O-2025-21 to amend Article 9:6, Accessory Structures, of the Jasper County Zoning Ordinance, to Allow Increased Building Sizes For Accessory Structures in the Residential, Rural Preservation, and Resource Conservation Zoning Districts. (1st Reading 07.21.2025; Public hearing and 2nd reading 08.18.2025)

Ms. Wagner was present to review and discuss this request. This information was taken from Ms. Wagner's Staff Report that she reviewed on this item. She reviewed her information from her staff report which was attached in the agenda e-packet. She noted that Article 9:6 of the Jasper County Zoning Ordinance, regulates accessory structures, which are defined as any structure over 120 square feet that supports an approved accessory use. Currently, the ordinance has a size limitation for accessory buildings in the Residential, Rural Preservation and Resource Conservation Zoning Districts. While the size limitation for accessory structures was reasonable and appropriate for small lots, properties within subdivisions and near the municipalities, the size limitation creates problems for property owners in the rural areas of the County. Based on August 18, 2025, Council Meeting and the conversations over the past couple of months regarding size limitations for accessory structures, staff had provided three different alternatives (proposed amendments) for the Council Members to consider. Ms. Wagner noted that the proposed ordinance would amend Articles 9:6.1, 9 .6.2 and 9:6.4 of the Jasper County Zoning Ordinance. Below is a summary of each alternative (proposed amendment):

Alternative 1: The red text she noted was the new language that has been previously proposed, red language highlighted in yellow, represents brand new language being proposed, strikethroughs represents language to be deleted.

- Amend Article 4 of the Jasper County Zoning Ordinance to add a definition for agricultural structures.
- Increased size limitations for accessory structures in both Residential and Rural Preservation Zoning Districts from what was previously presented (Referring to Section 9:6.2, 5 and Section 9:6.4 #1).
- Replaced "total ground floor area" with "total square footage of principal structure" in both Residential and Rural Preservation Zoning Districts and increased the percentage of the principal structure that can be used for determining the size of accessory structures (Referring to Section 9:6.2, 5 and Section 9:6.4 # 1).
- Provided an exemption for agricultural structures in both Residential and Rural Preservation Zoning Districts (Referring to Section 9:6.2 #6 and Section 9:6.4 #2).

Alternative 2: The red text she noted was the new language that has been previously proposed and recommended by the Planning Commission. Language which had been highlighted in yellow, represented additional recommendation from Planning Commission when the ordinance was deferred back to them for another review. Strike-throughs represented language to be deleted.

- Is the proposed Ordinance presented at the July 28, 2025, County Council Workshop.
- After the Planning Commission reviewed the Ordinance for the second time, this is the version they recommended along with the "additional recommendations", which included replacing "total ground floor area" with "total square footage" regarding the principal building size when determining the size limitation for accessory structures, and exempting agricultural structures in the Rural Preservation Zoning District.
- The Ordinance for Alternative 2 has been updated to include additional recommendations.
- The square footages presented in this version of the ordinance is smaller than Alternative 1, but larger than what is currently allowed by the Jasper County Zoning Ordinance today.

Alternative 3: The red text she noted was the new language that has been previously proposed and strikethroughs represented language to be deleted.

- Is the proposed ordinance presented at the August 18, 2025, County Council Meeting.
- Removed all size limitations for accessory structures.
- Alternative 3 is not recommended by the Planning Commission or Planning Staff.

Ms. Wagner noted that the Planning Commission Recommendation was after several iterations of a proposed amendment to increase the size limitations for accessory structures. Staff she noted was recommending Alternative # 1 and hoped this option would strike a good balance of allowing accessory structures to be bigger while still providing some limitations to the building size. For more information on this topic please go to our YouTube Channel and see this video at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA .

Motion to approve Alternative # 3 without any size requirements : Councilman Rowell

Second: Councilman VanGeison

Vote: Unanimous

The motion passed.

10. Lisa Wagner - Consideration of the 3rd Reading of Ordinance #O-2025-07 to amend the Official Zoning Map of Jasper County so as to Transfer a Property Located at 139 Hartwell Avenue, Bearing Jasper County Tax Map Number 080-03-00-019 From The Mixed Business Zoning District to the General Commercial Zoning District on the Jasper County Official Zoning Map. (1st Reading 03.03.2025; Public Hearing And 2nd Reading 03.17.2025)

Ms. Wagner was present to review and discuss this information with Council. She reviewed her information from her staff report which was attached in the agenda e-packet. Chairman Kemp expressed his issues and concerns on this item. He noted that he was against this and explained his reasoning for this statement. For more information on this topic please go to our YouTube Channel and see this video at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA .

Motion to approve: Councilman Rowell

Second: Councilman VanGeison

Vote: There were 3 yes votes, and 1 no vote by Chairman Kemp.

The motion passed.

11. Craig Dannegger and Taylor Boykin – Public Hearing and Consideration of the 3rd Reading of Ordinance #O-2025-25 Authorizing the Execution and Delivery of Amended and Restated Fee-In-Lieu Of Tax Agreements by and between CP Hardeeville, LLC, CPH Parcel A Owner, LLC, CPH Parcel B Owner, LLC, CPH Parcel C Owner, LLC, and Jasper County, South Carolina With Respect To Certain Economic Development Property in the County, Whereby Such Property Will Be Subject to Certain Payments In Lieu Of Taxes; and other matters relating thereto. (Project Clarius) (1st Reading 07.21.2025; Public hearing and 2nd reading 08.18.2025)

Mr. Fulghum introduced this item and noted that Item numbers 11 and 12 dealt with economic development incentives. He noted that Item # 11 dealt with the reallocation of a previously approved incentive agreement among multiple parcels. He mentioned that this simply reallocated both the incentive and also the investment requirements among the different parcels. He noted that Item # 12 dealt with a new FILOT Agreement although it is an existing business expanding in Jasper County.

Mr. Boykin noted with Item # 11 which repackages incentives that were already granted to an industrial park in Hardeeville. He noted that this takes the already agreed upon incentive (with nothing changing it) but rather repackages it for the owner and the tenants in Clarius Park. Chairman Kemp noted that this was just separating out the building so they could sell separately.

Mr. Dannegger was also present to address this request. He noted they were grateful for the partnership they had experienced with Jasper County. He noted that the primary purpose of this amended and restated set of agreements was to simply take the initial agreement that covered the agreement that covered the entire master plan park and it broke it down into 4 pieces covering the same land, all the same terms breaking it into pieces. He noted that the other thing it achieved was that it reflected an agreement that the County had entered into with one of their tenants in the park, TS Conductors, and gave them what was agreed to. The public hearing was opened. There were no other comments and the public hearing closed.

Motion to approve: Councilman Rowell

Second: Councilman VanGeison

Vote: Unanimous

The motion passe

12. Taylor Boykin – Public Hearing and Consideration of the 2nd Reading of Ordinance #O-2025-27 Authorizing the Execution and Delivery of a Fee-In-Lieu of *Ad Valorem* Taxes by and between Jasper County, South Carolina and CCBC Operations, LLC, to Provide for Payment of a Fee-In-Lieu of Taxes; and other related matters. (1st Reading 08.18.2025)

Mr. Boykin was present to address and review this request. The public hearing was opened. There was one public hearing comment regarding hiring within the Community by Patricia Hicks Dupont. Since there were no other public comments, the public hearing closed. Blair Belk discussed the current number of positions at this location and noted the number of positions that request would increase.

Motion to approve: Councilman Rowell

Second: Councilman VanGeison

Vote: Unanimous

The motion passed.

13. Kimberly Burgess – Consideration and approval of the transfer of property previously deemed surplus to the Sheriff Department for use as a support vehicle. – This item was removed from the Agenda.

14. Kimberly Burgess – Public Hearing Only for a public hearing concerning an application to be submitted to the SC Dept. of Commerce, Grants Administration on or about September 15, 2025, for a Community Development Block Grant for the Coosawhatchie Fire Station.

This item was for public hearing only and no votes were taken. Ms. Burgess noted that this public hearing was a requirement of the CDBG Grant. The public hearing was opened and Ms. Patricia Hicks Dupont spoke noting that this was good for the fire station, then focused on the Community Center.

15. Jim Iwanicki – Consideration of the approval of the Contract for the Program Manager for the 2024 Transportation Sales Tax.

Mr. Iwanicki was present to review and address this request for approval of the Contract for the Program Manager for the 2024 Transportation Sales Tax. He noted that staff requested that the County Council approve the contract with Infrastructure Consulting & Engineering LLC for the Program Management of the Transportation Sales Program for a not-to-exceed limit of eight million nine hundred eighty-five thousand dollars (\$8,985,000.00). Individual Task Orders may also be executed as part of this contract for specified projects and tasks, in which the Consultant shall be compensated in accordance with mutually agreed upon Task Orders for which the specific scope, schedule and fee for each job order will be individually negotiated. Additionally, staff requested that the Council authorize the County Administrator or his designee to execute all documents necessary to execute the contract and authorize the County Administrator to execute Individual Task Orders as needed as part of this contract with a total not-to-exceed limit of eight million nine hundred eighty-five thousand dollars (\$8,985,000.00) for all parts of the contract.

Motion to approve the \$8,985,000.00 million contract with Infrastructure Consulting and Engineering (ICE) LLC to manage the 1% sales tax projects over 15 years: Councilman Arzillo

Second: Councilman Rowell

Vote: Unanimous

The motion passed.

CONSENT AGENDA

16. Approval of the Minutes 05.05.2025 and 05.07.2025

17. Lisa Wagner – Consideration of the 3rd Reading Of Ordinance #O-2025-24 to amend the Jasper County Code Of Ordinances, Chapter 25 – Article III, Naming And Addressing Of Roads, Section 123 Definitions, (1) County Road And (2) Private Road, So As To Correct Definitions Due To Scrivener Errors Contained In Ordinance Number #O-2025-12. (1st Reading 07.21.2025; Public hearing and 2nd reading 08.18.2025)

18. Lisa Wagner – Consideration of the 3rd Reading of Ordinance #O-2025-22 to amend the Official Zoning Map of Jasper County so as to Transfer Two Properties Located Along Speedway Boulevard and Purrysburg Road, Bearing Jasper County Tax Map Numbers 039-00-01-040 And 039-00-01-041 from the Community Commercial and Residential Zoning District to the Community Commercial Zoning District on the Jasper County Official Zoning Map. (1st Reading 07.21.2025; Public hearing and 2nd reading 08.18.2025)

19. Kimberly Burgess – Consideration of the 3rd Reading of Ordinance #O-2025-26 Amending the Business License Ordinance of the County of Jasper to Update the Class Schedule as Required by Act 176 Of 2020. (1st Reading 07.21.2025 Public hearing and 2nd reading 08.18.2025)

All Consent Agenda Items were approved.

20. Administrator's Report: Mr. Fulghum reviewed the information from his report. There was one Action Items requiring a vote from the Council in the Administrator's Report for Heather Rath.

Ms. Rath reviewed the request and went through her power point that she prepared. This PowerPoint can be viewed by going to https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA. Mr. Fulghum noted that these were all funds that the County has because they were a plaintiff in the class action lawsuit and noted they were asking officially for a motion so they could make application for the funds.

Motion to direct staff to apply to the SC Opioid Recovery Fund for \$62,000 to support year two of the New Life Center Contract for Opioid OD Map Administration : Councilman Rowell

Second: Councilman VanGeison

Vote: Unanimous

The motion passed.

21. Councilmember Comments and Discussion: Councilmember Comments were given but there were no comments that required action.

22. Executive Session SECTION 30-4-70.

(a) A public body may hold a meeting closed to the public for one or more of the following reasons:

**(2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim –
Class Action Regarding Ultra Processed Foods--Litigation**

Motion to go into executive session: Councilman Rowell

Second: Councilman VanGeison

Vote: Unanimous

The motion passed.

Motion to return to regular session: Councilman Rowell

Second: Councilman VanGeison

Vote: Unanimous

The motion passed.

• **22.1 Action coming out of executive session:**

There was no action coming from of Executive Session.

For more information on this meeting please go to our YouTube Channel for the video go to https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA . There are also Closed Captions available for all of our County Council videos. Just click the "CC" button to follow along.

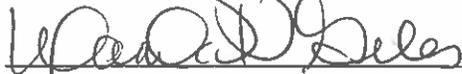
Motion to adjourn: Councilman Rowell

Second: Councilman VanGeison

Vote: Unanimous

The motion passed and the meeting adjourned.

Respectfully submitted:



Wanda H. Giles

Clerk to Council



W.J. Rowell III

Chairman

Over the course of my over 12 years of service to Jasper County, my family has had to share me with the County. On Thursday, a hanger owner threatened me, and it was promised that I would be financially or physically harmed. In our current environment, all threats should be taken seriously. I have been threatened numerous times during my career, and in fact, one of those threats resulted in a stabbing incident. This current incident did not affect me until I felt uneasy about attending a recent funeral. I felt violated and intimidated to the extent it may effect my future decisions. This incident serves as a warning sign of the times.

I had no agenda in running for office except to rectify past issues. However, I now have to reflect on why I do this, how it effects my family, my life, and the time I have left.

To shielded myself and my family, I have to reflect on my future, serving Jasper County. I express my gratitude to Joey Rowell, Chris, Vangeisen, Joe Arzillo, and Gene Ceccarelli for their support.

Threats have no place in any situation. I end with the scripture in Philippians 2:16 which says:

“holding fast the word of life, so that I may rejoice in the day of Christ that I have not run in vain or labored in vain.”

John A. Kemp

**STATE OF SOUTH CAROLINA, COUNTY OF JASPER
ORDINANCE # 2025-27A**

**AN EMERGENCY ORDINANCE AMENDING CHAPTER 3 OF THE JASPER COUNTY
CODE OF ORDINANCES TO ESTABLISH DESIGNATED BREEDS, SPAY AND
NEUTER REQUIREMENTS, AND BREEDING LICENSURE TO ADDRESS THE
OVERWHELMING ABANDONED ANIMAL AND OVERPOPULATION ISSUE**

WHEREAS, pursuant to the authority provided by S.C. Code Section 4-9-130, the Jasper County Council ("**Council**") may adopt emergency ordinances to address public emergencies affecting life, health, safety or the property of the people; and

WHEREAS, Jasper County ("**County**") has identified that there is an unprecedented number of puppies and dogs being abandoned or relinquished, and it is causing an overwhelming overpopulation crisis in the County that is causing an undue burden on both staff and the facilities, and is creating the potential for unsafe conditions within the County facility due to the number of animals required to be held due to an overpopulation issue; and,

WHEREAS, the Jasper County Code ("**Code**") does not currently distinguish Designated Breeds, require spay and neuter of Designated Breeds, nor establishes or regulates breeding and breeding licensure; and,

WHEREAS, the Council has determined that there is a need to identify breeds that are considered a higher risk to community safety than other breeds, as well as those breeds that are most commonly contributing to the overpopulation and unregulated breeding in the County; and,

WHEREAS, Council has determined that an identifiable and ongoing emergency crisis exists, and that accidental or unregulated breeding of Designated Breeds can increase the risk to community safety, as well as add to the overpopulation crisis of puppies and dogs within the County and its animal facilities; and,

WHEREAS, in order to effectively and efficiently address the animal population crisis in the County, the Council has determined that it is in the best interest of the citizens and the property of the County to amend Chapter 3 of the Code to include those terms as shown in "**Exhibit A**" attached hereto and incorporated herein by reference; and,

WHEREAS, pursuant to S.C. Code Section 4-9-130 this emergency ordinance is effective immediately and shall automatically expire as of the sixty-first (61st) day following the date of enactment; and,

WHEREAS, the Council directs the Jasper County Administrator to meet with all related elected officials and County employees to establish a plan to enforce the requirements of the Code as shown in Exhibit A in order to ensure the overpopulation crisis is resolved in an effective and efficient manner; and,


OR BK1197 PG 147 - 153 (7)
Doc No 202500009630
Recorded 08/24/2025 04:48:45 PM
COR Fee Amt: \$0.00
State Tax: \$0.00 Local Tax: \$0.00
Filed for Record in Jasper County, SC ROD
Vanessa Wright, Registrar

WHEREAS, for the reasons set forth above, and in the best interest of community safety and welfare of the citizens as well as to protect the property of the people of Jasper County, the Council hereby declares the existence of an emergency in the County, and directs the County Administrator to take the necessary actions to enforce the Code and resolve the issues described herein.

NOW THEREFORE, BE IT ORDAINED by the Jasper County Council duly assembled and by the authority of the same:

1. Jasper County Council, incorporating the premises as set forth above in the recitals, hereby amends the Jasper County Code of Ordinances by incorporating all of the texts as detailed and set forth in Exhibit "A", attached hereto and incorporated herein by reference.
2. If any section, clause, paragraph, sentence or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such invalid section, clause, paragraph, sentence or phrase is hereby declared to be severable; and any such invalid or unconstitutional section, clause, paragraph, sentence or phrase shall in no way affect the remainder of this ordinance; and it is hereby declared to be the intention of the Jasper County Council that the remainder of this ordinance would have been passed notwithstanding the invalidity or unconstitutionality of any section, clause, paragraph, sentence or phrase thereof.
3. This ordinance shall take effect immediately following approval from Jasper County Council and shall automatically expire as of the sixty-first day following the date of enactment.

Adopted this 2nd day of September, 2025.



John A. Kemp.
Jasper County Council Chairman

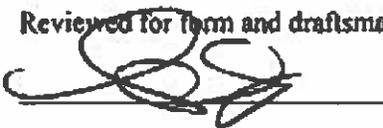
ATTEST:



Wanda H. Giles
Clerk to Council

Emergency Ordinance Reading: Ord # 0-2025-21A
Adopted: 09.02.2025

Reviewed for form and draftsmanship by the Jasper County Attorney.



9/15/25
Date

EXHIBIT A

Sec. 3-4. Designated Breeds.

(a) *Definitions.* For the purposes of this Chapter the following terms, phrases, words, and their derivations shall have the meaning given herein. If a term, phrase, or word is not provided a meaning in this Chapter, then the meaning shall first be defined by S.C Code Title 47 then by its ordinary meaning.

(1) *CEO* shall mean Jasper County Code Enforcement Officer.

(2) *JCSO* shall mean Jasper County Sheriff's Office.

(3) *Owner* shall mean any person who:

(i) Has a property right in an animal;

(ii) Keeps or harbors an animal or who has it in his or her care or acts as its custodian; or,

(iii) Permits an animal to remain on or about any premises occupied by him or her for three(3) or more days.

(4) *Designated Breeds* shall be defined as breeds of dogs that are considered a higher risk to community safety than other breeds of dogs; and shall include any dog that is an American Pit Bull Terrier, American Staffordshire Terrier, 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.

(5) *Unaltered* shall mean an animal which is not spayed or neutered.

(b) *Declaration of Designated Breed*

(1) An Owner of Designated Breeds must have the dog spayed or neutered unless the Owner provides JCSO or CEO written proof that one of the following exemptions applies:

(i) The dog is less than six (6) months of age; or,

(ii) A licensed veterinarian has examined the dog and signed a written certificate stating that at such time spaying or neutering would endanger the dog'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; or,

- (iii) The determination of the dog's breed is under appeal pursuant to subsection (d); or,
- (iv) The Owner has owned or had custody of the dog less than 30 days, in which case the Owner shall have ten (10) calendar days to have the dog spayed or neutered from the date they receive notice of the breed determination from JCSO or CEO in accordance with section (c)(2); or,
- (v) Any dogs used by any Law Enforcement Agency or Code Enforcement Agency in an official capacity; or,
- (vi) The dog is used as a service dog as defined in Title 47 of the South Carolina State Code; or,
- (vii) The dog is used as a hunting dog and the Owner has a valid hunting license, as well as can prove that the dog is capable of tasks related to hunting to the JCSO K9 Unit official; or,
- (viii) A dog which is used for breeding purposes at a breeding kennel licensed by the County.

(c) *Determination of Breed.*

- (1) **Determination.** JCSO or CEO, in their discretion, may make an initial breed determination upon contact with or impoundment of a dog. The determination shall be made by JCSO or CEO in accordance with JCSO's breed determination checklist. Technical deficiency in the dog's conformance to the standards defined in section 3-5(a) for Designated Breeds shall not be construed to indicate the dog is not a Designated Breed under this Section.
- (2) **Initial Notice.** Upon determination of the breed, the JCSO or CEO 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 and state the dog shall be spayed or neutered within ten (10) days of receipt of said notice.
- (3) **Compliance.** The Owner of an unaltered Designated Breed shall comply with this section within ten (10) days after receipt of notice of Designated Breed determination. Upon compliance, the Owner shall submit written documentation to JCSO or CEO confirming compliance.
 - (i) **Change of Ownership.** If ownership of the dog is transferred within the time for compliance, the original Owner must provide JCSO or CEO with the new Owner's name and address. Alternatively, if the Designated Breed has been moved to a location outside Jasper County, within fifteen (15) days of Jasper County mailing the notice of determination, the Owner shall provide Jasper

County with the new location of the dog, the current Owner's name, and the telephone number and address of the Owner.

(4) **Temporary Detainment.** Whenever a dog that is a Designated Breed, at any age, is found within Jasper County, the dog may be temporarily detained or impounded by JCSO or CEO for the purpose of identifying the Designated Breed for enforcement purposes. If Owner is identified, then Owner shall be responsible for the cost of any kenneling fees incurred during the period of temporary detainment or impoundment.

(d) *Appeal of Designated Breed Determination.*

(1) An Owner who receives a notice of a declaration of a Designated Breed determination may appeal the determination to the hearing officer appointed by the county administrator within ten (10) days of receipt of the notice. If appealed, a hearing shall be held by a hearing officer appointed by the County Administrator for a final breed determination. If the hearing officer determines the dog to be a Designated Breed, the County shall require the dog to be spayed or neutered within ten (10) days and require the Owner to provide written verification to JCSO or CEO confirming compliance within the same time period.

(2) If the notice of a declaration of a Designated Breed is not appealed within ten (10) days of receipt of the notice the determination, then the Designated Breed determination shall constitute a final determination.

(e) *Administrative Penalties.* No person may own, keep, or harbor a Designated Breed in violation of this Chapter.

(1) **Noncompliance.** If the Owner of a dog determined to be a Designated Breed under this section fails to comply with requirements of this section, then an administrative citation may be issued by JCSO or CEO, followed by a hearing held by the hearing officer appointed by the County Administrator for a final breed determination. If following a final breed determination by the hearing officer, the hearing officer finds the dog to be a Designated Breed, the County shall require the dog to be spayed or neutered within ten (10) days and require the Owner to provide written verification to JCSO or CEO confirming compliance within the same time period.

(i) **Temporary seizure.** If after a final breed determination, the Owner fails to comply with the Designated Breed requirements, JCSO or CEO shall petition the Jasper County Magistrate Court for any animal pick up order or a search warrant for the temporary seizure of the dog for the purposes of enforcing the requirements of this section. The Owner of the Designated Breed shall be responsible for any and all costs for the dog to be spayed and neutered.

(ii) The penalties assessed for each infraction of this section shall be determined in Section 1-8(a).

- (iii) If the infraction is not corrected, additional administrative citations may be issued for the same infraction. The amount of penalty shall increase at the rate as determined in Section 1-8(a) of the Jasper County Code of Ordinances.
- (iv) Payment of the penalty shall not excuse the failure to correct the infraction nor shall it bar further enforcement action. Failure to pay an administrative penalty may result in prosecution or petition from the original violation(s) in the Jasper County Magistrate Court.
- (v) Where the infraction would otherwise be a violation, the administrative penalty shall not exceed the maximum fine or infraction amount as described in Section 1-8(a).

Sec. 3-5. Pet breeder license, inspection and fees.

It shall be unlawful for a pet breeder to fail to obtain a Jasper 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 Jasper County Sheriff Office.
- (b) Applicants must have a valid county annual pet breeder license and microchip for all pets before applying for the pet breeder license.
- (c) JCSO or CEO shall conduct an inspection of the identified property for the pet breeder 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 that 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 pet breeder 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 (5) years of the date of application.

(f) Any violations found under the provisions of this chapter shall be grounds for the suspension of the pet breeder license if deemed necessary by JCSO or CEO.