

**COMMITTEE OF THE FLORENCE COUNTY COUNCIL ON  
JUSTICE & PUBLIC SAFETY MEETING, THURSDAY,  
NOVEMBER 16, 2023, IMMEDIATELY AFTER REGULAR  
COUNTY COUNCIL MEETING, COUNCIL CONFERENCE ROOM,  
ROOM 804, COUNTY COMPLEX, FLORENCE, SOUTH  
CAROLINA**

**COMMITTEE MEMBERS PRESENT:**

Jason M. Springs, (Council District 1), Committee Chairman  
Roger M. Poston, (Council District 2), Committee Member  
Jerry W. Yarborough, Jr., (Council District 4), Committee Member

**ALSO PRESENT:**

Kevin Yokim, County Administrator  
D. Malloy McEachin, Jr., County Attorney  
Todd Floyd, Environmental Services  
Steve Allen, Public Works Director  
Hope M. Jones, Clerk to Council

Copies of the meeting Agenda were posted in the lobby of the County Complex, and provided to the media and others requesting copies of meeting agendas, provided to the Florence County Library for posting at the main library as well as all branches, and on the County website at [www.florenceco.org/council](http://www.florenceco.org/council) in compliance with the Freedom of Information Act requirements for notice of meetings.

Committee Chairman Springs called the meeting to order at 11:08 A.M. Councilman Poston provided the invocation and Councilman Yarborough led the Pledge of Allegiance to the American Flag. Chairman Springs welcomed everyone who was in attendance.

**MINUTES APPROVAL**

Councilman Poston made a motion to approve the minutes of the October 19, 2023, Committee meeting. Councilman Yarborough seconded the motion, which was approved unanimously.

**NEW BUSINESS:**

**DOG ORDINANCE (SECTION DANGEROUS DOG)**

Chairman Springs commended Steve Allen and Todd Floyd on the job that they have done with the ordinance.

Committee members had some questions on the Exhibit D section of the ordinance. In Section 6-12(a)(1) Mr. Floyd stated the type of pen for the dog. Mr. Floyd stated his recommendations: six-foot high walls, a cement pad, and a chain link fence to add more security for the pen. Chairman Springs inquired that the first sentence at the end referenced a locked pen. Are we specifically stating it has to have a locking mechanism or just needs to be secured? Mr. Floyd stated favorably a lock that only be accessed with

a key. Chairman Springs stated that a visual sign needs to be added about a "Dangerous Dog".

Section 6-12 (a)(2) Proper size leash: Mr. Floyd recommends a non-retractable six foot leash in length.

Section 6-12(f) Liability insurance. Mr. Floyd recommends that continuous insurance coverage be provided to the Environmental Services Department every three months. Mr. Floyd questions the one million dollars amount for the liability insurance policy. Do we want to have one separate fine and offense for requirements when a dog attacks other domesticated animals or a fine and offense for requirements for when the individual thinks that the dog will attack a human? Chairman Springs stated that there is a difference and maybe have a different designation for a dog that is dangerous to something other than humans and Chairman Springs said that he would accept a lower liability amount if it was for that.

Councilman Yarborough inquired does Environmental Services deem a dog as a dangerous dog. Mr. Floyd stated that a judge has to deem a dog as dangerous. Chairman Springs asked Mr. Floyd realistically if a dog attacks another animal the expense would be over \$150,000. Mr. Floyd believes that it would not and suggests that the first offense equals a \$25,000 liability and a second offense maybe \$75,000 to \$100,000 but it may depend on the type of animal. Chairman Springs asked Mr. Floyd to add guidelines for the liability insurance coverage policy.

Mr. Yokim stated that the Committee will discuss and get a sense of what Environmental Services would like to see and in turn, the staff will draft the revision for Section D and if Environmental Services is okay with the changes, then it will be reported to Council and then we will move to the next section.

Section 6-12(g) An animal that is adjudicated. Mr. Floyd would like to see a larger fine/punishment.

Section 6-12(h) A person who violates this section or who is the owner of an animal adjudicated. Mr. Floyd recommends a higher fine but does not limit it to adjudicated dangerous dogs. Chairman Springs asked how do you prove that they should have known? Mr. Floyd said if there were witnesses who could verify the claim. Mr. Floyd recommends that once a dog is adjudicated as a dangerous dog, he would like for some form of language in the ordinance that states "If you are found guilty of owning a dangerous dog, and the individual cannot provide insurance coverage or a proper pen within twenty-one days then the animal becomes County property, and to include if the dangerous dog runs away or dies to notify Environmental Services immediately."

Councilman Poston suggested every six months rather than three months for the liability insurance coverage policy to provide proof to Environmental Services.

Mr. McEachin said that the County's fine cannot exceed what the State's fine is. He said

he would research to find out the maximum amount of the State's fine and the maximum fee the Magistrate Court can order.

Section 6-12(j) A person found guilty of violating this section shall pay all expenses. Mr. Floyd recommends changing "guilty" to "charged". Mr. Yokim asked what if the court takes eighteen months to hear the case. Mr. Floyd asked can there be charges for boarding. Mr. McEachin stated not if the judge deemed it not to be a dangerous dog.

Section 6-12(k) South Carolina Code 47-3-20. Mr. Floyd references the statement "deemed a dangerous animal", does this mean it has been to court already? Mr. Yokim stated that it means that the animal is not adjudicated yet. Mr. Floyd said that the department needs to provide a reason why the animal is dangerous.

In cases where we house shelter dogs awaiting trials, that are deemed to be a dangerous dog, can we make the dog owners pay boarding fees and vet expenses to cover monthly as basis. Mr. Floyd stated that at the state level, recent legislation called "The Cost of Care" was introduced, to address this issue. The legislation failed. Can it be addressed on the local level? Chairman Springs and Mr. Yokim both agree with the legislation. If the case has the verdict innocent then the County will refund the money. Councilman Yarborough stated that the owner should pay the fee regardless if found guilty or innocent. If the owner refuses to pay then the funds can be retrieved from their taxes. Mr. Yokim stated he would research set off debt but it goes through the South Carolina Association of Counties and DOR.

Last item: Mr. Floyd stated not to allow the dangerous dog to go off the owner's property unless to visit the vet. Mr. Floyd had concerns about the owner securing the dangerous dog in the house. Councilman Poston stated he was not sure how to enforce it. Chairman Springs suggested the type of language added to the ordinance stating "The owner of the dangerous dog takes all necessary precautions from attacking someone". Chairman Springs questions how to enforce it but it can be enforced after the fact.

Mr. Floyd asked if it is possible not to allow a dangerous dog to leave the County, and transfer ownership to another person or entity.

Mr. Yokim said that the staff would draft an ordinance based on the questions. Mr. McEachin will review the draft ordinance and then the ordinance will be sent back to the Committee members.

**ADJOURN:**

There being no further business before the Committee, Councilman Yarborough made a motion to adjourn. Councilman Poston seconded the motion, which was approved unanimously.

**THE MEETING ADJOURNED AT 11:57 A. M.**

Approved by the Committee at its meeting on 1/18/24.



Hope M. Jones  
ATTEST: Hope M. Jones, Clerk to Council

