

STATE OF SOUTH CAROLINA

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) TOWN ORDINANCE NUMBER 02-08-10-2

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COUNTY OF ORANGEBURG

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AN ORDINANCE ADOPTING BY REFERENCE THE ORANGEBURG COUNTY ANIMAL CONTROL ORDINANCE AND ANIMAL CONTROL CODE FOR ENFORCEMENT WITHIN THE TOWN OF Elloree

WHEREAS, on December 7, 2009, Orangeburg County Council ("County Council") enacted Ordinance 2009-12-07-12 (the "Ordinance") which implemented an Animal Control Code (the "Code") providing for the regulation and enforcement of the Code within the unincorporated portions and jurisdiction of the County;

WHEREAS, Code Section 2-105 provides a procedure pursuant to which an incorporated municipality within the County may agree to have the County's Animal Control Department enforce the Code within the municipality's corporate boundaries (the "Procedure");

WHEREAS, the Mayor of the Elloree Town Council has notified the County that (1) the Town does not have the resources nor is it equipped to handle animal control within its corporate boundaries and (2) the Town Council is taking action to complete the Procedure so that the County can enforce the Code within the Town's boundaries;

WHEREAS, the County is willing to provide enforcement services for the Town under the terms and conditions set forth in the standard intergovernmental agreement ("Intergovernmental Agreement") that the County has prepared for the purpose of enforcement within one of the County's municipalities;

WHEREAS, the Town and the County councils have found the Intergovernmental Agreement to be fair, reasonable, and necessary to the parties at this time.

WHEREAS, the Town Council finds that it is in the best interest of the citizens of the Town to regulate and enforce the Code within the incorporated limits and jurisdiction of the Town;

NOW, THEREFORE, pursuant to the authority granted to the Town Council under the Constitution, statutes, and laws of the State of South Carolina, **BE IT ENACTED** by the Town Council, in meetings duly assembled, after two readings and a public hearing, the following ordinance:

SECTION I. ADOPTION BY REFERENCE

The Town hereby adopts by reference as a Town ordinance Orangeburg County Ordinance 2009-12-07-12 (the "Ordinance") which implemented an Animal Control Code

(the "Code"), as the Ordinance and Code are now in effect and may, from time-to-time be amended by the County.

SECTION II. CONFLICTS

Any previously enacted Town ordinance that is in conflict with the provisions of this ordinance is hereby repealed from and after the effective date of this ordinance.

SECTION III. SEVERABILITY

If, for any reason, any part of this ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this ordinance shall remain in effect.

SECTION IV. EFFECTIVE DATE

This ordinance shall become effective immediately upon approval at second reading.

ADOPTED and **APPROVED** in meeting duly assembled this 1st day of March, 2010.

Ellore TOWN COUNCIL

By: *Tom A. Stubbins*
In His/Her Capacity as Mayor

ATTEST:

By: *Chasity D. Conaday*
Clerk to Town Council

First Reading: February 8, 2010
Public Hearing: March 1, 2010
Second Reading: March 1, 2010

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I, the undersigned, Clerk to Town Council of the Town of Elloree ("Town Council"), DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by the Town Council. The Ordinance was read and received a favorable vote at two public meetings of the Town Council on two separate days. In addition, a duly noticed public hearing on the Ordinance was held prior to its enactment.

The Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Town Council, South Carolina, as of this 1st day of March, 2010.

Chasidy D. Conaday
Clerk to Elloree Town Council
Orangeburg County, South Carolina