

**CITY OF SIMPSONVILLE, SOUTH CAROLINA**

**AN ORDINANCE TO AMEND THE DEFINITION OF “ANIMAL CONTROL OFFICER” AS CONTAINED IN CHAPTER 6 “ANIMALS”, ARTICLE III “ANIMAL CONTROL”, SECTION 6-81 “DEFINITIONS” OF THE SIMPSONVILLE CODE OF ORDINANCES; AND TO MAKE OTHER PROVISIONS RELATED THERETO.**

**WHEREAS**, the City of Simpsonville has adopted an animal control ordinance; and

**WHEREAS**, the City of Simpsonville employs an officer charged with the enforcement of the animal control ordinance and other state statutes pertaining to dogs and other animals; and

**WHEREAS**, the animal control officer is currently employed in the Simpsonville Police Department;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, AS FOLLOWS:**

SECTION 1. That Section 6-81 of the Code of Ordinances of the City of Simpsonville is hereby amended to read as follows:

NOTE: *Language in this ordinance that is ~~struck through~~ is language proposed to be deleted and underlined language is language proposed to be added.*

**Sec. 6-81. Definitions**

\*\*\*

*Animal Control Officer* means ~~the person designated by the Public Works Director with such powers and duties to supervise and direct the enforcement of this article~~ the person appointed by the City Administrator to be the animal control officer who shall be vested with the authority to enforce and otherwise administer the provisions of the Animal Control Ordinance and state laws pertaining thereto.

\*\*\*

SECTION 2. REPEALER: All ordinances, orders, resolutions and parts thereof in conflict herewith are, but only to the extent of such conflict, are hereby REPEALED and this Ordinance shall take effect and be in full force from and after its passage and approval.

SECTION 3. PROVISION SEVERAGE: If any section, subsection, sentence, clause or phrase of this

ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The CITY COUNCIL hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. SAVINGS CLAUSE: Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as stated in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 5. The CITY CLERK is hereby ordered and directed to cause this ordinance to be published according to law.

SECTION 6. EFFECTIVE DATE: This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and signature by the Mayor.

SIGNATURE OF MAYOR:

\_\_\_\_\_  
Janice S. Curtis

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Phyllis Long  
City Clerk

\_\_\_\_\_  
David W. Holmes  
City Attorney

FIRST READING: September 13, 2016

SECOND READING: October 11, 2016