

ORDINANCE 2013-04

**AN ORDINANCE TO AMEND CHAPTER 5, CONTROL OF PETS, SECTION 16-502
(A) RESTRAINT ON BEACH AND DUNES**

Action: To adopt Ordinance 2013-04 amending Chapter 5, Control of Pets, Section 16-502 (A) Restraint on Beach and Dunes.

Process: First Reading: April 2, 2013
Public Meeting: April 30, 2013 at 10 am
Public Meeting: May 1, 2013 at 2:30 pm
Second Reading: May 7, 2013 at 2 pm

Committee: On March 4, 2013 the Environmental committee unanimously recommended amending the current dog on the leash ordinance to further protect the areas on the beach designated as critical habitat. A similar ordinance, 2009-6 was adopted by Town Council in September 2009.

Amendments: This amendment would prohibit dogs from entering into the posted critical habitat or critical bird habitat areas on both ends of the beach.

Attachment:
Ordinance 2013-04

**TOWN OF KIAWAH ISLAND
ORDINANCE 2013-04**

**AN ORDINANCE TO AMEND CHAPTER 5, CONTROL
OF PETS, SECTION 16-502 (A) RESTRAINT ON BEACH AND DUNES**

WHEREAS, Section 16-502 Restraint on the Beach and Dunes, Subparagraph (a) allows dog owners year round to unleash their dogs during certain times in certain areas and provides for certain prohibited areas, and;

WHEREAS, Subparagraph (b) allows dog owners from November 1 through March 15 during certain hours to unleash their dogs on all areas of the beach and provides for certain prohibited areas, and;

WHEREAS, the Town of Kiawah Island wishes to amend Section 16-502 to provide for additional prohibited areas.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED, BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL.

Section 1. Purpose.

This Ordinance is adopted to amend Chapter 5, Control of Pets, Section 16-502, Restraint on the beach and dunes, subparagraphs (a) and (b)

Section 2. Ordinance.

Chapter 5, Control of Pets, Section 16-502, Restraint on the beach and dunes, Subparagraphs (a) and (b) are hereby repealed and replaced with the following:

(a) Owners may unleash their pets year round (in those areas of the Beach designated as "Dog Use Areas" on the map of Kiawah Island showing proposed location of critical habitat areas and pet restraint requirements which is made a part thereof) if the pets are controlled by voice command. This provision applies only during daylight hours, i.e., from one-half hour after sunrise to one-half hour before sunset. Dogs are prohibited in the areas designated "Critical Habitat Areas" on the referenced maps as well as those areas posted as critical bird habitat areas located on the eastern and western ends of Kiawah's beach.

(b) Owners may unleash their pets from November 1 through March 15 in all areas of the beach except those areas designated as "Critical Habitat Areas" as well as those areas posted as critical bird habitat areas located on the eastern and western ends of Kiawah's beach, if the pets are controlled by voice command and the owners are in possession of a leash for use if requested by other beachgoers. This applies only during daylight hours, as defined in subsection (a) of this section.

(Code 1993, § 16-502; Ord. No. 99-2, 3-9-1991; Ord. No. 2009-06, § 2(1), 9-1-2009; Ord. No. 2001-2, 3-13-2001; Ord. No. 2010-05, § 2, 8-30-2010)

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any persons, property or circumstances.

Section 4. Effective Date and Duration

This Ordinance shall become effective on the date of its enactment.

PASSED, APPROVED AND ADOPTED BY THE COUNCIL FOR THE TOWN OF
KIAWAH ISLAND ON THIS ____ DAY OF _____, 2013.

Charles R. Lipuma, Mayor

Petra Reynolds, Town Clerk

First Reading: April 2, 2013

Second Reading: _____

Map of Kiawah Island showing proposed location of critical habitat areas and pet restraint requirements



LEGEND

	Critical Habitat Area No Dogs Allowed
	Dog Use Area Dogs off leash year round, must be under voice command
	Dog Leash Area (Nov. 1 - March 15) Dogs off leash, under voice command (March 16 - Oct 31) Dogs on leash

