

Resolution No. 2026-_____

A Resolution Authorizing the Commitment of Matching Funds for the RIA Grant Application

WHEREAS, the City of Liberty has applied for funding through the Rural Infrastructure Authority (RIA) Grant Program for infrastructure improvements on _____; and

WHEREAS, the RIA Grant Program requires a local funding match as a condition of grant award; and

WHEREAS, City Council finds that the proposed improvements will enhance public infrastructure, support economic development, and improve the quality of life for residents and businesses within the project area; and

WHEREAS, City Council desires to demonstrate its commitment to the successful completion of the project by authorizing the required local match should the grant application be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LIBERTY, SOUTH CAROLINA, AS FOLLOWS:

1. The City Council hereby commits \$_____ as the required local match for the Rural Infrastructure Authority (RIA) Grant project for improvements on _____ contingent upon approval and award of the grant.
2. The matching funds shall be appropriated from the City's General Fund Balance and shall only be expended if the RIA Grant is awarded and the project moves forward.
3. The City Administrator, Deputy Administrator, Mayor, or their designee is authorized to execute any documents and take any actions necessary to fulfill the City's obligations associated with the grant award and matching fund requirement.
4. This Resolution shall become effective immediately upon adoption.

ADOPTED this ____ day of _____, 2026.

CITY OF LIBERTY, SOUTH CAROLINA

Andrea Wagner, Mayor

ATTEST:

City Clerk

First Reading: _____

Project Schedule					
Basic/Economic Infrastructure				Regional Planning	
Milestone	Date	Permits	Obtained?	Milestone	Date
Final Design Started	☐ N/A	SCDES	Select	RFP/RFQ Drafted	
Final Design Complete	☐ N/A	SCDOT	Select	RFP/RFQ Advertised	
Permits Acquired	☐ N/A	Railroad	Select	Firm Selected	
Acquisition Complete	☐ N/A	USACE	Select	Contract Executed	
Advertise for Bids		BCM	Select	Data Collection Complete	
Start of Construction		Will this grant fund multiple contracts? No		Draft Report Complete	
Construction Complete		Will design-bid-build procurement be used? No*		Final Report Complete	
Grant Close Out				Grant Close Out	
# of easements/parcels needed:				*Explain in narrative	

Contacts			Contact Information	
	Name	Title		
Chief Elected Official or Board Chair:	Andrea Wagner	Mayor	Phone:	
			Email: Awagner@libertysc.com	
Chief Administrative Official:	Katie Sizemore	Depty Admi	Phone: 864-843-3177 Ext 9	
			Email: ksizemore@libertysc.com	
Local Project Contact:			Phone:	
			Email:	
Local Financial Contact:			Phone:	
			Email:	
Engineer/Consultant: If applicable	Troy D. Rosier	P.E.	Phone: 864-616-8855	
			Email: troy@rosier.group	

Certification

As the Chief Executive Official for the applicant, I certify that the information submitted in this request and the attachments are complete and correct and that the applicant has authorized the submission of this grant application for SC Rural Infrastructure Authority funding to assist in carrying out the project described herein. I concur with the commitments implied and contained in this application and agree to abide by the program requirements as well as any future grant agreements. The applicant certifies that it has complied with state law with respect to the submission and contents of this application and has disclosed any conflicts of interest with regard to the project.

Andrea Wagner	Mayor
Name of Chief Executive Official (Elected or Administrative)	Title
Signature*	Date

**Please save this completed form for electronic submission prior to signing. Do NOT submit a scanned version. The printed form with original, pen-and-ink signature must be mailed or delivered to RIA.*

Attach **narrative and required documentation** as outlined in **instructions** found at ria.sc.gov/how-to-apply.

Applications must be received by 5:00 pm on the deadline.

Applicant Information													
Applicant Name:													
Mailing Address:													
City:		State:		Zip:									
		County:											
☐ Check here if applicant is submitting on behalf of a not-for-profit water/sewer company or other eligible entity. Entity Name: _____													
Project Description													
Project Title:													
Project Summary: <i>2-3 sentences, including the problem to be addressed</i>													
Project Location: <i>Include city & county</i>				Census tract(s):									
Grant Category		Project Benefit											
Choose only one ☐ Basic Infrastructure ☐ Economic Infrastructure ☐ Regional Planning		# of customer accounts/taps directly served by the project		For Economic/Jobs projects only									
			Residential	Business	Economic Impact								
		Existing			Existing jobs: _____								
		New			New jobs: _____								
		Total			New capital investment: \$ _____								
☐ Water ☐ Sewer ☐ Stormwater													
Funding Request & Budget Summary													
Source	Construction Costs		Non-Construction Costs*		Total								
RIA Funds Requested:	\$ _____		\$ _____		\$ _____								
Other: _____	\$ _____	**	\$ _____	**	\$ _____								
Other: _____	\$ _____		\$ _____										
Local Funds:	\$ _____		\$ _____										
Total Project Funding:	\$ _____		\$ _____		\$ _____								
* All Regional Planning costs should be included as non-construction costs. For Basic/Economic Infrastructure grants, non-construction costs are not eligible for RIA funds, but must be included in this section along with the funding source. ** Local investment requirements (the minimum percentage of costs that must be provided by non-RIA funds): <table border="1"> <thead> <tr> <th></th> <th>Basic/Economic Infrastructure</th> <th>Regional Planning</th> </tr> </thead> <tbody> <tr> <td>Tier I & II Counties</td> <td>25% of construction costs & all non-construction costs</td> <td rowspan="2">None</td> </tr> <tr> <td>Tier III & IV Counties</td> <td>All non-construction costs</td> </tr> </tbody> </table>							Basic/Economic Infrastructure	Regional Planning	Tier I & II Counties	25% of construction costs & all non-construction costs	None	Tier III & IV Counties	All non-construction costs
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			Email:
Local Project Contact:			Phone:
			Email:
Local Financial Contact:			Phone:
			Email:
Engineer/Consultant: <i>If applicable</i>			Phone:
			Email:

Certification	
<i>As the Chief Executive Official for the applicant, I certify that the information submitted in this request and the attachments are complete and correct and that the applicant has authorized the submission of this grant application for SC Rural Infrastructure Authority funding to assist in carrying out the project described herein. I concur with the commitments implied and contained in this application and agree to abide by the program requirements as well as any future grant agreements. The applicant certifies that it has complied with state law with respect to the submission and contents of this application and has disclosed any conflicts of interest with regard to the project.</i>	
Name of Chief Executive Official (Elected or Administrative) Title	
Signature* Date	
<i>*Please save this completed form for electronic submission prior to signing. Do NOT submit a scanned version. The printed form with original, pen-and-ink signature must be mailed or delivered to RIA.</i>	

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Applications must be received by 5:00 pm on the deadline.



12-Aug-26

AZALEA STREET STORM DRAINAGE REHABILITATION

STORM SYSTEM IMPROVEMENTS

Preliminary Schematic Attached

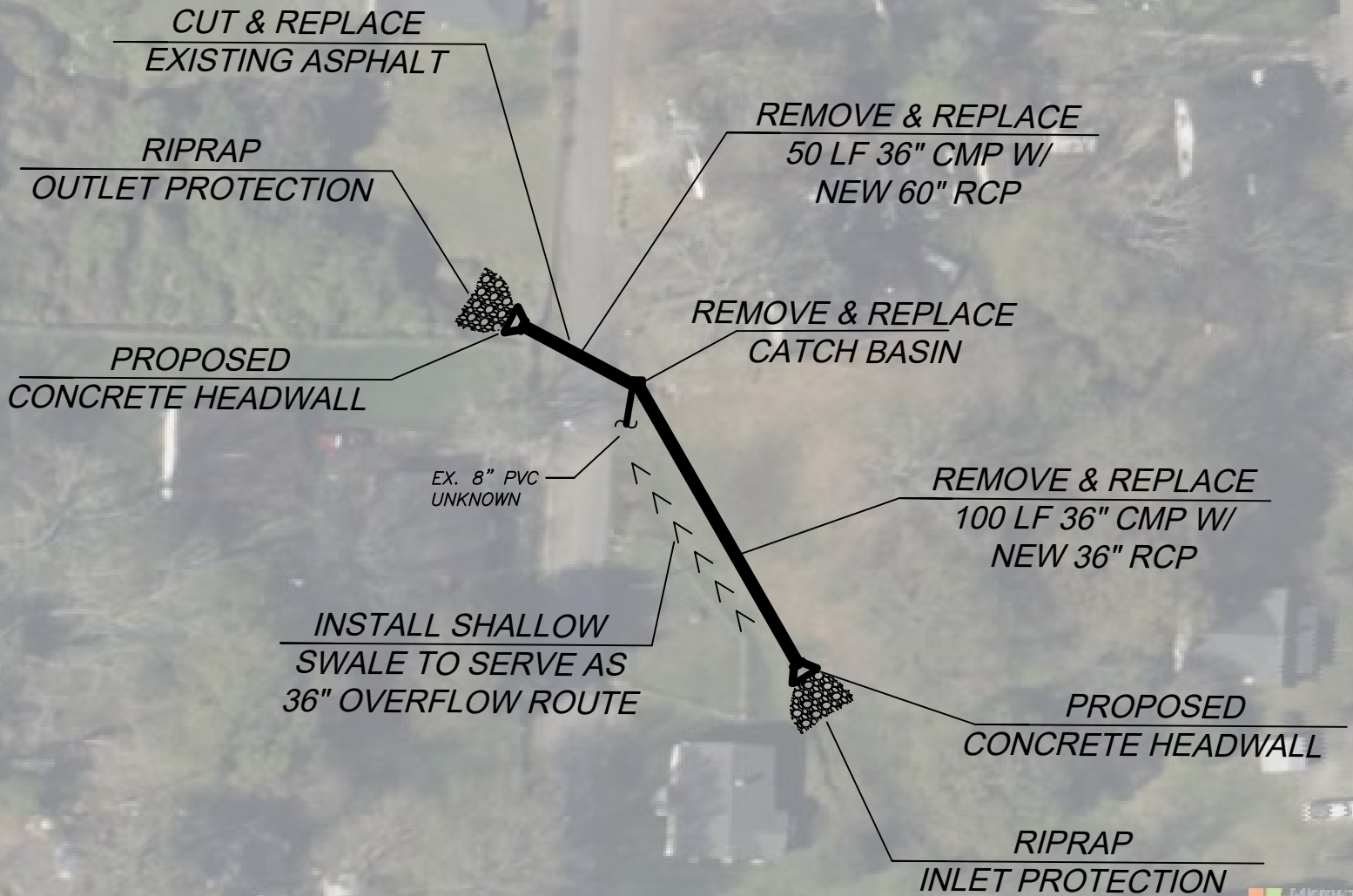
PRELIMINARY OPINION OF COST

ITEM NO:	DESCRIPTION	EST QTY.	UNIT	UNIT PRICE IN PLACE	AMOUNT
1.	MOBILIZATION (MATERIALS & EQUIPMENT)				14,000.00
	DEMOLITION & REMOVAL				
2.	REMOVE EX. 36" CMP		LS		8,500.00
	STORM DRAINAGE REPLACEMENT				
3.	TYPE 9 SCDOT CATCH BASIN (0'-6' Depth) - LEM	1	EA @	16,000.00	16,000.00
4.	60" RCP PIPE - LEM	50	LF @	484.00	24,200.00
5.	36" RCP PIPE - LEM	110	LF @	260.00	28,600.00
6.	CONCRETE HEADWALL - LEM	2	EA @	6,400.00	12,800.00
7.	# 57 WASH STONE BEDDING (IN-PLACE)	100	TON @	75.00	7,500.00
8.	SUITABLE BACKFILL MATERIAL (IN- PLACE/INCLUDES HAUL OFF)	40	TON @	40.00	1,600.00
9.	CUT & REPLACE ASPHALTIC CONCRETE	600	SF @	18.00	10,800.00
10.	RIPRAP INLET & OUTLET PROTECTION/ FABRIC		LS		4,500.00
11.	OVERFLOW SWALE GRADING		LS		3,000.00
12.	SANITARY SEWER RELOCATION		LS		25,000.00
13.	TRAFFIC CONTROL		LS		2,000.00
14.	EROSION CONTROL BMP'S/ PERMANENT GRASSING		LS		2,500.00
15.	CONTINGENCY		LS		16,100.00
	CONSTRUCTION				177,100.00
	Professional Services (Engineering; System Impact Analysis; Supervision; Inspection)				19,481.00
	TOTAL				\$ 196,581.00

NOTE: "LEM" INCLUDES LABOR, EQUIPMENT & MATERIALS

NOTE: WATER AND GAS RELOCATIONS BY CITY OF LIBERTY AND FORT HILL

AZALEA STREET STORM DRAINAGE REHABILITATION PRELIMINARY SCHEMATIC





16-Jun-26

BYRNES STREET STORM DRAIN REHAB

STORM SYSTEM IMPROVEMENTS

Preliminary Schematic Attached

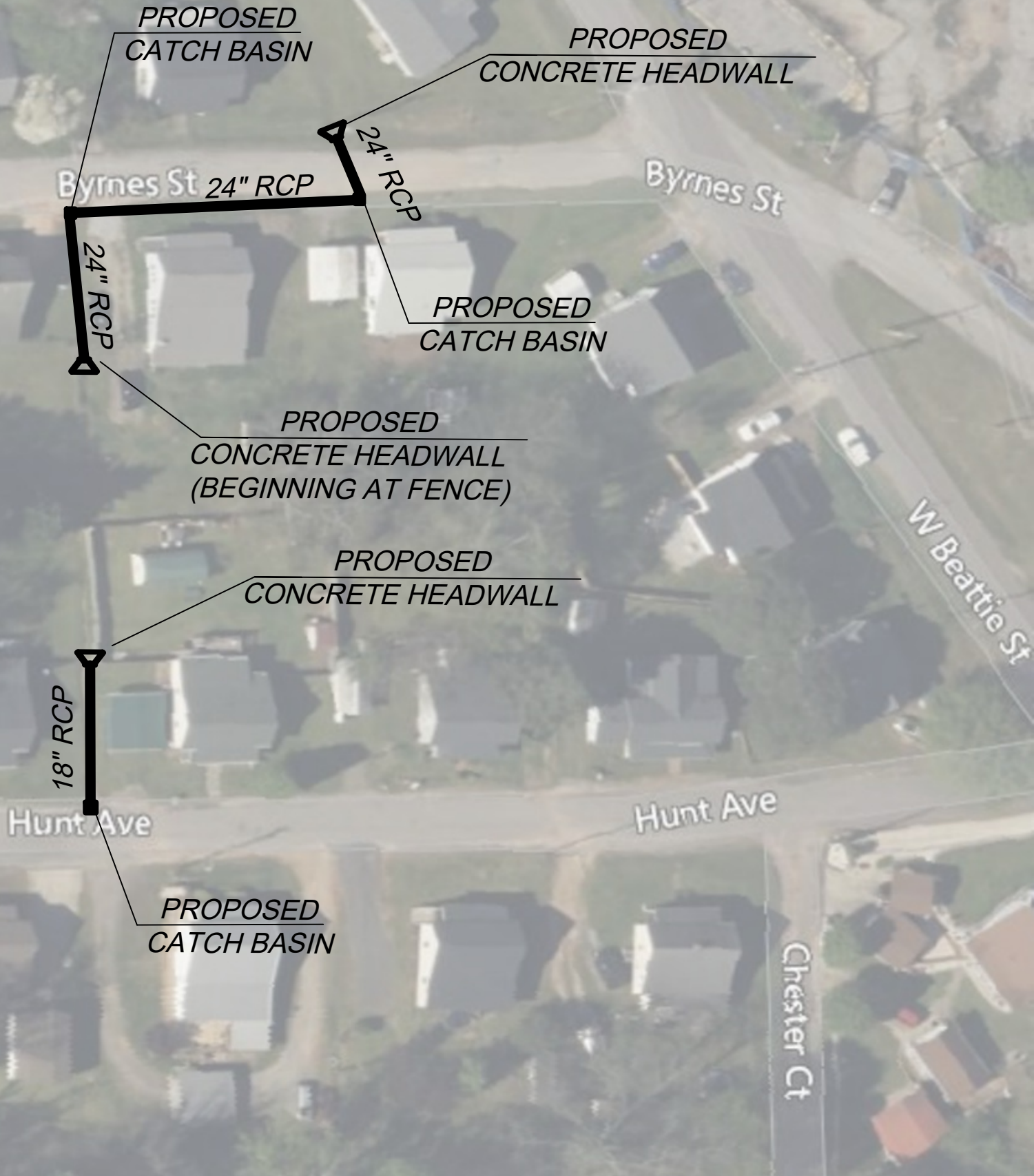
PRELIMINARY OPINION OF COST

ITEM NO:	DESCRIPTION	EST QTY.	UNIT	UNIT PRICE IN PLACE	AMOUNT
1.	MOBILIZATION (MATERIALS & EQUIPMENT)				10,000.00
	DEMOLITION & REMOVAL				
2.	REMOVE EX. 15" RCP		LS		15,000.00
	STORM DRAINAGE REPLACEMENT				
3.	TYPE 9 SCDOT CATCH BASIN (0'-6' Depth) - LEM	3	EA @	16,000.00	48,000.00
4.	24" RCP PIPE - LEM	260	LF @	225.00	58,500.00
5.	CONCRETE HEADWALL - LEM	3	EA @	6,400.00	19,200.00
6.	# 57 WASH STONE BEDDING (IN-PLACE)	100	TON @	75.00	7,500.00
7.	SUITABLE BACKFILL MATERIAL (IN- PLACE/INCLUDES HAUL OFF)	20	TON @	40.00	800.00
8.	CUT & REPLACE ASPHALTIC CONCRETE	190	SF @	18.00	3,420.00
9.	TRAFFIC CONTROL		LS		3,000.00
10.	EROSION CONTROL BMP'S/ PERMANENT GRASSING		LS		5,000.00
11.	CONTINGENCY		LS		17,000.00
	CONSTRUCTION				187,420.00
	Professional Services (Engineering; System Impact Analysis; Supervision; Inspection)				20,616.00
	TOTAL				\$ 208,036.00

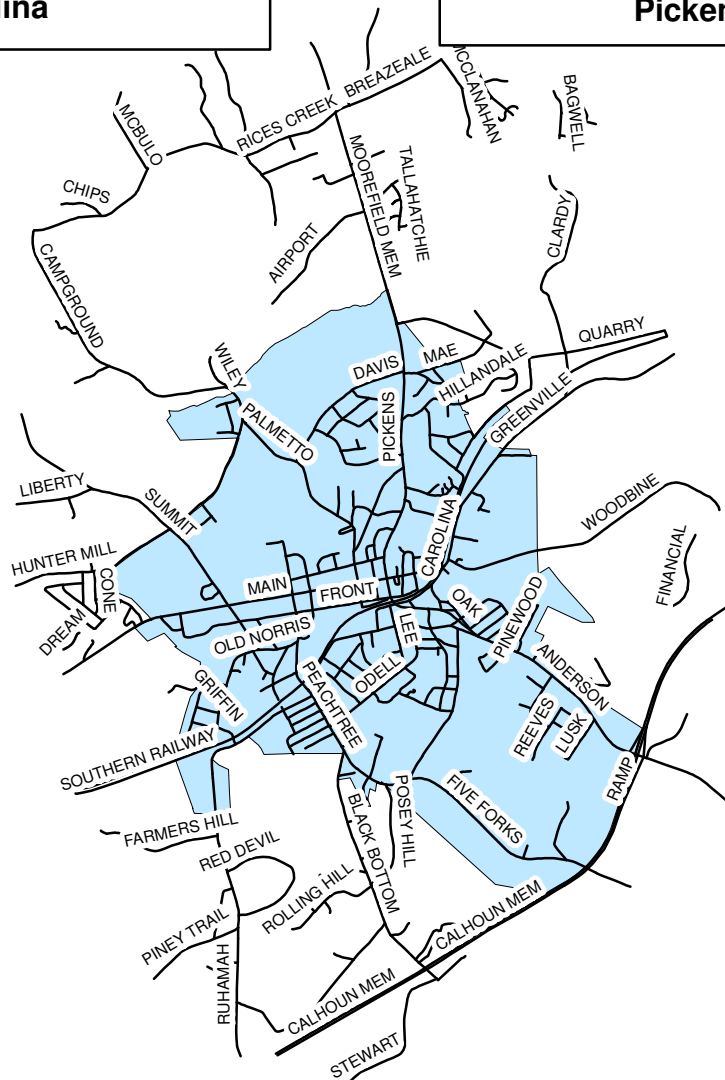
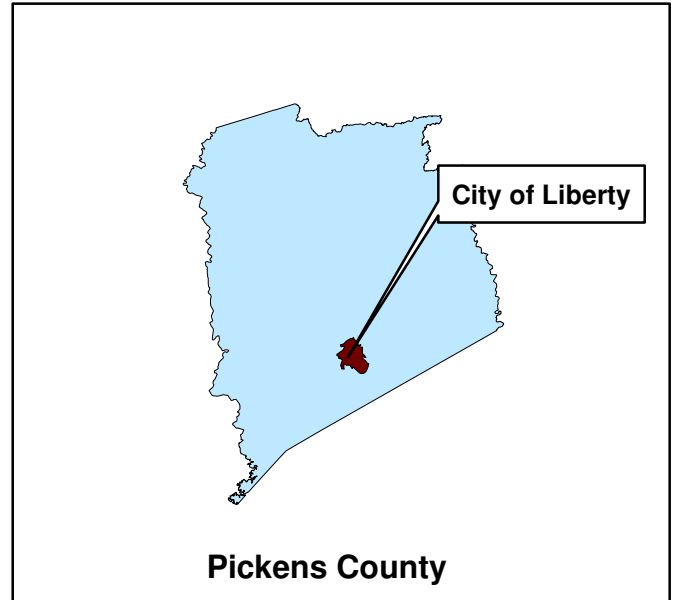
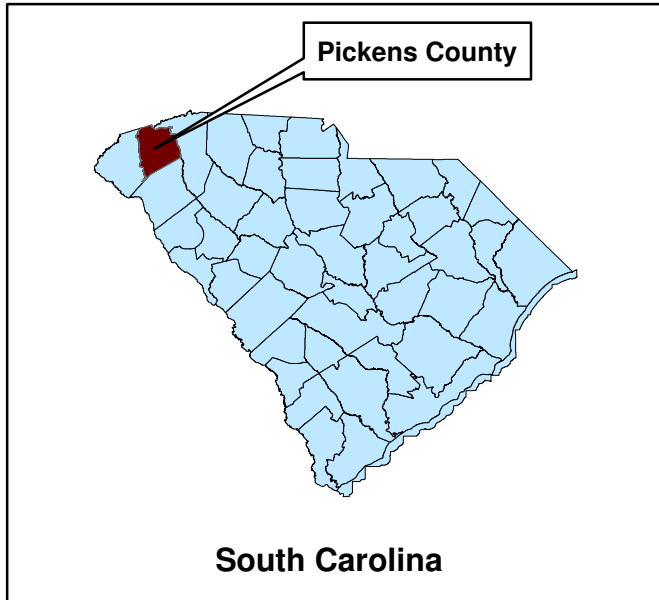
NOTE: LEM INCLUDES LABOR, EQUIPMENT & MATERIALS

BYRNES STREET STORM DRAIN REHAB

PRELIMINARY SCHEMATIC



City of Liberty Location Map



MAP A

1 in = 5,000 ft



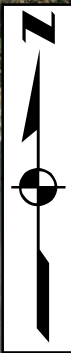
ROSIER GROUP
Consulting Engineers

1.

2.

1 in = 2,000 ft

City of Liberty Azalea Street Storm Drainage Rehabilitation



Map C

HIGHLAND

PICKENS

1.

ROSEWOOD

15 Residences

FERNWOOD

SOUTHERN

AZALEA

HOPE

MAIN

CHAPEL

PICKENS

ANDERSON

Legend

- Liberty_Area_Streams
- Azalea_Street_Drainage
- LibertyRoads
- LibertyCityLimits

1 inch = 100 feet

City of Liberty Byrnes Street Storm Drainage Rehabilitation

Map D

2.

16 Residences

Legend

- Liberty_Area_Streams
- Byrnes_Street_Drainage
- LibertyRoads
- LibertyCityLimits

1 inch = 100 feet

- **Impact fees cannot simply be renamed.**

South Carolina law states that a governmental entity may not impose an impact fee, regardless of how it is designated, except as provided in the Development Impact Fee Act. Source: S.C. Code § 6-1-930(A)(1).

- **Development impact fees generally require statutory compliance.**

Impact fees must be adopted by ordinance and be based on actual costs or reasonable estimates supported by sound engineering studies. Source: S.C. Code § 6-1-930(B).

- **Water and wastewater impact fees are treated differently.**

Water and wastewater impact fees are exempt from most provisions of the Impact Fee Act; however, the municipality must have a capital improvements plan, prepare a public report explaining the fee, and adopt the fee by ordinance. Source: S.C. Code § 6-1-1080.

- **Certain charges are not considered impact fees.**

Examples include administrative permit fees, plan review fees, inspection fees, connection fees, and negotiated developer reimbursements for specific improvements. Source: S.C. Code § 6-1-920 definitions and exclusions.

- **Hospitality tax funding for an impact fee study is questionable.**

Hospitality tax revenues are restricted to tourism-related purposes such as tourism facilities, tourism promotion, roads providing access to tourist destinations, and water and sewer infrastructure serving tourism-related demand. A general impact fee study would likely be difficult to justify unless directly tied to an authorized tourism-related infrastructure purpose.

Estimated Cost of an Impact Fee Study

Based on municipal industry norms, a comprehensive impact fee study for a small municipality often ranges from approximately \$25,000 to \$75,000, with more complex multi-department studies potentially exceeding that amount.

Potential Council Considerations

- Determine whether the desired fee relates to water and sewer infrastructure or to other growth-related services.
- Evaluate whether existing water and sewer capacity fees could be updated using the streamlined statutory process.
- Seek a legal opinion before using hospitality tax funds for an impact fee study.
- If pursuing traditional development impact fees, budget for the planning, engineering, and ordinance requirements imposed by state law.

Primary Legal Authorities Referenced

- S.C. Code § 6-1-930 – Development Impact Fees
- S.C. Code § 6-1-1080 – Water and Wastewater Utility Impact Fee Exemptions
- S.C. Code § 6-1-730 – Authorized Uses of Hospitality Tax Revenue

Impact Fees:

Planning commission role versus council role

The planning commission:

- studies the issue,
- prepares the capital improvements plan,
- develops fee recommendations,
- prepares and recommends the ordinance, and
- sends its recommendations to council.

The council:

- starts the process by resolution,
- may amend or alter the planning commission's recommendations,
- provides required notice,
- holds the public hearing, and
- adopts the ordinance by positive majority.

Impact Fees, Twelve Months Later

How much impact did impact fees have their first year?

In June of 2025, City Council voted unanimously to implement impact fees on new development, paid by developers and builders, which then took effect July 1, 2025. I wrote about impact fees during that time [here](#).

The adoption of impact fees is directly attributed to our residents who made impact fees a priority in our updated [InnVision Comprehensive Plan](#) and asked for us to implement them at nearly every turn.

So, a year in, what kind of impact are impact fees having in Fountain Inn? Let's take a look.

Quick Reminders

Fountain Inn actually collects three (3) impact fees - Fire, Police, and Parks and Recreation. State law is fairly robust when it comes to impact fees, and is fairly inflexible, but here are some basic guardrails:

- Each fee is collected at the time a building permit is issued.
- Fees apply to any new construction. They cannot be waived.
- Fees apply regardless of the applicant and are based on the underlying land use (residential, commercial/retail, industrial, office, or institutional).
- Fees collected must be attached to a capital improvement plan and funds are restricted to that plan, and must be used for their designated purpose.
 - You can't use Fire impact fees to pay for a park, or to pay for roads.

I would encourage folks to read my previous post on this issue for a deep dive.

Fountain Inn Proposed Impact Fees

Residential Fees per Unit				
Development Type	Fire	Parks & Rec	Police	Total
Single-Family	\$ 1,283	\$ 1,333	\$ 521	\$ 3,137
Multi-Family	\$ 1,096	\$ 1,138	\$ 444	\$ 2,678

Nonresidential Fees per 1,000 Square Feet				
Development Type	Fire	Parks & Rec	Police	Total
Industrial	\$ 410	\$ -	\$ 166	\$ 576
Commercial/Retail	\$ 2,055	\$ -	\$ 834	\$ 2,889
Office	\$ 912	\$ -	\$ 370	\$ 1,282
Institutional	\$ 1,254	\$ -	\$ 509	\$ 1,763

Financial Impact:

Projected Impact Fee Revenue (10 Years)				
Impact Fee Type	Fire	Parks & Rec	Police	Total
	\$ 6,474,300	\$ 5,446,951	\$ 2,626,109	\$ 14,547,360

\$1.2 Million in 12 Months

All told, impact fees collected July 1, 2025 - June 30, 2026 totaled \$1,284,833 (unaudited figures). Here's the breakdown by fee:

- Parks & Recreation: \$695,826
- Police*: \$172,628
- Fire*: \$416,379
- Total: \$1,284,833

What's also really important to note - during

Development Ordinance (UDO), rewriting our entire zoning ordinance. While that process was underway, **City Council approved no new major residential developments.** These fees were collected only on developments already approved in years past.

**While the impact fee ordinance went into effect on July 1, 2025, Fountain Inn delayed the collection of Fire and Police impact fees by six months, so those two fees technically kicked in on January 1, 2026 while Parks & Recreation has been in place since July 1, 2025.*

What Impact Fees Are Funding

In the City's budget which took effect July 1 of this year, one major improvement was included that is fully, and solely, funded by impact fees - improvements to PD Terry Park.

Estimated at a little over \$700,000, Phase 1 of improvements to PD Terry Park were approved by City Council with funding coming directly from Parks & Recreation impact fees.

Back in 2024, right around the time we adopted our city's [InnVision Comprehensive Plan](#), we also adopted our first-ever [Parks Master Plan](#) which included estimates and designs on various

upgrades to all of our parks.



PD Terry Park is of course part of that plan. One of the most requested, and one of the most actionable, upgrades right now is the complete renovation of the park's tennis courts, "Phase 1". The court has been resurfaced so many times that another resurfacing is not possible - and so it has to be completely replaced, from the dirt to the paint. We're also taking the opportunity to create one of the top recreation requests we receive from citizens - the addition of pickleball courts. Phase 1

lighting for the court.

Future phases for PD Terry Park are still in the works - including field improvements, playground improvements and more. But most of those items are dependent upon other recreation decisions that will be in front of us in the future - namely more recreation fields, parks, and playgrounds. Until we firm up how, and where, our recreation assets can expand, we're focusing our immediate efforts for PD Terry Park on the tennis courts.

The Police and Fire impact fees have not yet accrued enough revenue to put into action, but future needs such as facilities and equipment are all likely to include impact fees as part of the funding mix.

When paired with our new zoning ordinances, impact fees are a great complementary tool we have deployed to control the growth we are experiencing. By having these impact fees in place, we can ensure that the additional burden that a new home has on our recreation, fire, and police services is minimized for existing residents.

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A PARKS AND RECREATION COMMITTEE FOR THE CITY OF LIBERTY.

WHEREAS, the council of the City of Liberty desires to establish a parks and recreation committee to serve as a resource to council in considering parks, recreation, and related community matters; and

WHEREAS, the council finds that a formally established advisory committee may assist council by reviewing information, conducting preliminary discussions, holding public hearings when directed by council, and making recommendations concerning parks, recreational facilities, programs, and related projects; and

WHEREAS, the council intends that the committee be subordinate to council and exercise no final decision-making authority unless specifically authorized by law;

NOW, THEREFORE, BE IT ORDAINED by the council of the City of Liberty, South Carolina, as follows:

Section 1. Establishment. A Parks and Recreation Committee is hereby established for the City of Liberty.

Section 2. Status. The Parks and Recreation Committee is subordinate to council and exists solely as a resource to assist council in its deliberations. The committee is an advisory body only and shall not be deemed an independent governing authority of the municipality.

Section 3. Purpose. The purpose of the committee is to assist council by reviewing information, conducting preliminary discussions, identifying parks- and recreation-related issues and opportunities, and making recommendations to council concerning parks, recreational facilities, programs, and matters affecting recreational opportunities and the quality of life within the municipality.

Section 4. Authority and Limitations.

- A. The committee shall have advisory authority only.
- B. The committee may review information, discuss matters referred to it by council, and submit recommendations to council.
- C. The committee shall not exercise final decision-making authority on behalf of the municipality.
- D. The committee shall not exercise legislative powers.
- E. The committee shall not take final action on any matter requiring council action, including any matter required by law to be accomplished by ordinance.

F. Any action, recommendation, finding, or report of the committee shall be subject to review, acceptance, modification, or rejection by council.

Section 5. Membership. The committee shall consist of five members appointed by council.

Section 6. Appointment and Terms.

A. Members shall be appointed by the full council.

B. Each member shall serve a term of two years and until a successor is appointed and qualified, unless earlier removed or unless the term otherwise expires under this ordinance.

C. Vacancies shall be filled by appointment of council for the unexpired portion of the term.

D. Members may be reappointed at the discretion of council.

Section 7. Removal. Any member of the committee may be removed by council.

Section 8. Officers and Organization.

A. The committee may organize itself for the orderly conduct of business.

B. The committee may select from its membership such officers as may be necessary for conducting meetings and presenting recommendations to council.

Section 9. Meetings.

A. The committee shall meet as necessary to carry out its advisory duties.

B. The committee shall conduct its business in compliance with the South Carolina Freedom of Information Act.

C. Meetings shall be publicly noticed as required by law and shall be open to the public except as otherwise permitted by law.

D. No vote or formal action shall be taken except in a properly noticed meeting conducted as required by law.

Section 10. Minutes and Records.

Minutes or reports of committee meetings and hearings shall be prepared and retained as public records.

Any minutes or reports of hearings held by the committee shall be filed with the City/Town Clerk as a public record.

Section 11. Hearings. Council may appoint the committee to assist in or hold a public hearing for council upon any matter pending before council. Any minutes or reports of such hearings shall be filed with the City/Town Clerk as a public record.

Section 12. Reporting to Council. The committee shall report its recommendations to council in such form and at such times as council may request or as the committee may determine appropriate within its advisory role.

Section 13. No Delegation of Council Authority. Nothing in this ordinance shall be construed to delegate to the committee any legislative power or any final authority to act for the municipality unless specifically authorized by law. All powers of the municipality that are vested in council remain vested in council.

Section 14. Construction. This ordinance shall be construed so that the committee operates as a formally constituted advisory body established by council and subject to all applicable open-meeting and public-record requirements.

Section 15. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 16. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED this ____ day of ____, 2026.

CITY OF LIBERTY

By: _____

Mayor, Andrea Wagner

ATTEST:

Clerk to Council

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 5-1 OF THE CITY CODE, RELATING TO RESTRICTIONS ON ANIMALS, SO AS TO REPEAL CERTAIN PROVISIONS REGULATING LIVESTOCK AND DOMESTIC FEMALE CHICKENS

WHEREAS, the City Council has reviewed Section 5-1 of the City Code relating to restrictions on animals; and

WHEREAS, City Council desires to amend Section 5-1 by repealing certain provisions relating to livestock and domesticated female chickens; and

WHEREAS, City Council finds it to be in the best interest of the municipality to revise the Code accordingly;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Liberty, South Carolina, in meeting duly assembled, as follows:

Section 1. Amendment to Section 5-1.

Section 5-1 of the City Code, entitled "Restrictions on animals," is hereby amended as follows:

A. Subsections repealed in full.

The following subsections of Section 5-1 are hereby repealed in their entirety:

- Section 5-1(b)(1)
- Section 5-1(b)(2)
- Section 5-1(b)(3)
- Section 5-1(b)(4)
- Section 5-1(b)(6)
- Section 5-1(b)(7)
- Section 5-1(b)(8)
- Section 5-1(b)(9)
- Section 5-1(c)(1)
- Section 5-1(c)(2)
- Section 5-1(c)(3)

- Section 5-1(c)(4)
- Section 5-1(c)(5)

B. Subsection amended in part.

Section 5-1(b)(5) is amended to read as follows:

(5) It shall be unlawful for an owner to allow any livestock to run at large within the corporate limits of the city.

Section 2. Remaining provisions.

All other provisions of Section 5-1 not expressly amended or repealed by this ordinance shall remain in full force and effect.

Section 3. Codification.

Upon adoption, the City Clerk is authorized and directed to cause these amendments to be incorporated into the City Code and maintained in current codified form.

Section 4. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 5. Effective date.

This ordinance shall take effect upon final reading and adoption as provided by law.

ADOPTED this ____ day of _____, 2026.

First Reading: _____

Second Reading: _____

CITY OF LIBERTY

By: _____

Mayor

Attest: _____

Clerk to Council

2025 South Carolina Code of Laws

Title 47 - Animals, Livestock and Poultry

Chapter 4 - State Livestock-poultry Health Commission

Section 47-4-160. Livestock and poultry regulation; local laws and ordinances preempted; exceptions.

Universal Citation: SC Code § 47-4-160 (2025) 

(A) For the purposes of this section, "care and handling" means accepted animal husbandry practices.

(B) Units of local government in this State may not enact ordinances, orders, or other regulations concerning the care and handling of livestock and poultry.

(C) It is the intent of the General Assembly to occupy the field of regulation of care and handling of livestock and poultry. All local laws and ordinances related to the regulation of and the enforcement of the care and handling of livestock and poultry in this State are preempted and superseded by laws enacted by the General Assembly and regulations promulgated by state agencies pursuant to those laws.

(D) The provisions of this section do not apply to Chapter 45, Title 46 concerning nuisance suits related to agricultural operations, commonly referred to as the Right to Farm Act, and do not affect a local unit of government's authority to enact ordinances concerning new swine operations and new slaughterhouse operations.

(E) The provisions of this section do not preclude or limit a unit of local government's right to exercise its land use and zoning authority.

HISTORY: 2009 Act No. 75, SECTION 1, eff June 16, 2009.

Sec. 5-1. Restrictions on animals.

- (a) It shall be unlawful for any person to allow any domestic animal or fowl to run at large.
- (b) *Possession of livestock.*
 - (1) No person, without a permit, shall keep or be permitted to keep on his premises any animal defined as livestock for sale, hire, slaughter or other food source, competition, display or for exhibition purposes whether gratuitously or for a fee unless otherwise allowed by applicable zoning. This section shall not be construed to apply to zoological parks, equestrian parks, performing animal exhibitions, circuses, licensed pet stores or farm supply stores, the raising or keeping of domesticated female chickens, or animals in a legally permitted parade.
 - (2) For the purpose of this section, livestock shall be construed to include cattle, horses, mules, asses, swine, potbelly pigs, sheep and goats, roosters, turkeys, ducks, guineas, pheasants, pigeons or other domestic fowl.
 - (3) This section does not apply to livestock that was present upon property when it was annexed into the city. However, upon permanent removal of the existing livestock, no additional livestock may be placed upon the property unless otherwise allowed by applicable law.
 - (4) Livestock shall be enclosed with adequate fences or barriers that will prevent such livestock from damaging adjacent property. Such fences or barriers shall be sufficient to prevent the livestock from escaping the enclosure. Livestock enclosures shall be kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.
 - (5) It shall be unlawful for an owner to allow any livestock to run at large within the corporate limits of the city. To ensure the public safety and avoid serious traffic accidents, any livestock that is in danger of getting on a public roadway can be tranquilized if possible, or in extreme cases destroyed, by police or animal control officers. The city and its officers will not be held liable for damages to the owner of said livestock.
 - (6) It shall be unlawful to keep livestock on premises within the city without first obtaining a permit. Any permit would be subject to ordinance revisions adopted by council. Should council amend the ordinance to prevent livestock or any other new conditions, such amendment would apply to current permits within 30 days from the date of adoption of council's revisions.
 - (7) *Permit.* The permit to keep livestock is personal to the permittee and may not be assigned. In addition, the permit authorizes the keeping of livestock only upon the property described in the permit. The permittee must occupy the residence on the property where the livestock are kept as the permittee's personal, primary residence. An applicant for a permit must either own the property or have permission from the property owner to be eligible for a permit. Only one permit is allowed per permittee. In the event the permittee is absent from the property for longer than 30 days, the permit automatically shall terminate and become void.

A permit that is issued to a person whose property is subject to private restrictions that prohibit the keeping of livestock is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.
 - (8) *Application for permit.* Every applicant for a permit to keep livestock shall:
 - a. Complete and file an application on a form prescribed by the city.
 - b. The city shall issue a permit if the applicant has demonstrated compliance with the criteria and standards in this section.

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- c. A permit to keep livestock may be suspended or revoked by the city where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of any other applicable ordinance or law. Any denial, revocation or suspension of a permit shall be in writing and shall include notification of the right to and procedure for appeal.
- (9) *Penalty.* A violation of this section shall be punishable by a fine of \$100.00 or 30 days in jail or both together with court costs.
- (c) *Raising or keeping of domestic female chickens.*
- (1) The keeping of domesticated female chickens shall be in compliance with the following, in addition to any zoning and/or building regulations that may be applicable to the construction of coops and:
- No more than six domesticated female chickens shall be kept or maintained on a single premises. It shall be unlawful to keep roosters or more than six domesticated female chickens. It shall be unlawful to keep or maintain domesticated female chickens at a duplex or apartment complex.
 - Such domesticated female chickens must be confined in a coop which is fully enclosed and made of suitable, washable material. The coop shall be cleaned regularly with all droppings and excretions placed in a fly-proof container unless otherwise disposed of in accordance with any federal, state or local health regulations.
 - The chicken coop must be located at least 50 feet from the nearest residence other than that of the owner.
 - No coop shall be placed in a front or side yard.
 - Failure to confine the domesticated female chickens, maintain the coop or manage the droppings and excretions in compliance with this section shall be unlawful.
 - It shall be unlawful to raise domesticated female chickens for commercial purposes within the corporate limits of the city.
 - It shall be unlawful to keep domesticated female chickens on premises within the city without first obtaining a permit. Any permit would be subject to ordinance revisions adopted by council. Should council amend the ordinance to prevent domesticated female chickens or any other new conditions, such amendment would apply to current permits within 30 days from the date of adoption of council's revisions.
- (2) *Permit.* The permit to keep domesticated female chickens is personal to the permittee and may not be assigned. In addition, the permit authorizes the keeping of domesticated female chickens only upon the property described in the permit. The permittee must occupy the residence on the property where the domesticated female chickens are kept as the permittee's personal, primary residence. An applicant for a permit must either own the property or have permission from the property owner to be eligible for a permit. Only one permit is allowed per permittee. In the event the permittee is absent from the property for longer than 30 days, the permit automatically shall terminate and become void.
- A permit that is issued to a person whose property is subject to private restrictions that prohibit the keeping of domesticated female chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.
- (3) *Fenced chicken coop.*
- Domesticated female chickens must be kept in a fenced enclosure at all times. In addition to the fenced enclosure, domesticated female chickens shall be provided with a covered, predator-resistant chicken coop.

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- b. A minimum of two square feet per domesticated female chicken shall be provided for the chicken coop.
 - c. Fenced enclosures and chicken coops must be properly ventilated, clean, dry, and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.
 - d. The chicken coop and fenced enclosure must provide adequate ventilation and adequate sun, shade and must be constructed in a manner to resist access by rodents, wild birds and predators including dogs and cats.
 - e. Chicken coops shall be enclosed on all sides and shall have a roof and doors. Opening windows and vents must be covered with predator- and bird-resistant wire of less than one-inch openings.
 - f. All stored food for the domesticated female chickens must be kept either indoors or in a weather-resistant container designed to prevent access by animals. Uneaten food shall be removed daily.
- (4) *Application for permit.* Every applicant for a permit to keep domesticated female chickens shall:
- a. Complete and file an application on a form prescribed by the city.
 - b. The city shall issue a permit if the applicant has demonstrated compliance with the criteria and standards in this section.
 - c. A permit to keep domesticated female chickens may be suspended or revoked by the city where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of any other applicable ordinance or law. Any denial, revocation or suspension of a permit shall be in writing and shall include notification of the right to and procedure for appeal.
- (5) *Penalty.* A violation of this section shall be punishable by a fine of \$100.00 or 30 days in jail or both together with court costs.
- (d) *Honey bees.*
- (1) A beekeeping permit from the city shall be required for all beekeepers. The beekeeping permit will be valid as long as the permit holder complies with the standards in this section as well as any future amendments.
 - (2) The beekeeper shall live on the premise where bees are kept. Should the beekeeper move off premise, the colonies shall be removed.
 - (3) There shall be a maximum of five colonies.
 - (4) All managed colonies shall be kept in visually pleasing painted hives with removable frames, which shall be kept in sound and useable condition and kept in a neat and sanitary condition at all times, and in a manner that will not adversely impact neighboring properties.
 - (5) No beekeeping equipment shall be placed in front of the front building line(s), and shall be situated at least five feet from all property lines. No managed colony shall be within 40 feet of any main building on an adjacent lot.
 - (6) If a beehive is next to an actively used yard, a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation or combination thereof shall be installed parallel to the property line and must run eight feet from the centerline of the hive(s).
 - (7) All colonies shall be maintained with queens selected from European stock bred for gentleness and non-swarming characteristics. If a hive exhibits unusual defensive characteristics by stinging or

attempting to sting without due provocation the beekeeper shall promptly re-queen the colony.
Africanized honey bees or any hybrid involving the African species shall be prohibited.

- (8) All packages or queens purchased or sold from out of state must be in compliance with state requirements and laws.

(Code 1979, § 5-D-101; Ord. No. 12-0301, 4-12-2012; Ord. No. 18-0212-1, 2-26-2018; Ord. No. 2019-12, § 1, 10-14-2019)