**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑13‑205 SO AS TO REQUIRE OWNERS OR TENANTS OF PROPERTY ADJACENT TO A LICENSED CHILDCARE FACILITY TO MAINTAIN OUTDOOR SPACE FREE OF CERTAIN HAZARDS DANGEROUS TO CHILDREN AND TO CREATE A CIVIL PENALTY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 13, Title 63 of the 1976 Code is amended by adding:

“Section 63‑13‑205. (A) An owner or tenant of any lot or property adjacent to a licensed childcare facility must maintain outdoor space free from hazards, litter, and noxious odors including, but not limited to, livestock, feral animals, and animal waste, that could pose a danger to the health and safety of children. Any livestock, including chickens, maintained on the premises in accordance with a municipal or county ordinance must be confined in a coop, pen, or other secure cage at least fifty feet from the property line of the childcare facility.

(B) The failure of an owner or tenant of any lot or property adjacent to a licensed childcare facility to maintain outdoor space in accordance with the provisions of this section constitutes a public nuisance and may be enjoined by a magistrate or by a municipal authority pursuant to a local public nuisance ordinance. A person who violates this provision is liable for a civil penalty not to exceed five thousand dollars per day for each day of violation.”

SECTION 2. This act takes effect upon approval by the Governor.

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