

ANIMALS

GENERAL PROHIBITIONS AND REQUIREMENTS

§91.01 CRUELTY TO ANIMALS PROHIBITED.

It shall be unlawful for any person to mistreat any animals or to willfully frighten them, or to attend or stage any animal or fowl fight.

Penalty, see §10.99.

Statutory reference:

Cruelty to animals generally, see G.S. §§14-360 et seq.

Municipal authority to prevent abuse of animals, see G.S. §160A-182

§91.02 DOMESTIC ANIMALS AT LARGE OR IMPROPERLY CONTROLLED PROHIBITED.

Any domestic animal which is found running at large or staked, hitched, or fastened in violation of the provisions of this chapter shall be seized and impounded by the Police Chief or any person finding same. The impounder may demand the payment of fees to cover any costs of seizure and impoundment.

Penalty, see §91.99.

§91.03 FOWL RESTRICTED.

It shall be unlawful for any person to permit ducks, geese, chickens or other fowl to remain on or in any of the streets or public places at night, or to run at large in the daytime.

Penalty, see §91.99

Cross-reference:

Keeping of Hogs, Cows, Horses, Goats, Sheep and other Farm Animals, Livestock and Fowl, see §130.10

It shall be unlawful for any person to keep any pigs or hogs within the corporate limits. Each day's violation of this section shall constitute a separate offense.

Penalty, see §91.99

§91.05 EQUINES ON SIDEWALK PROHIBITED.

(A) It shall be unlawful for any horse, pony, or mule to be ridden, led, or permitted to run at large on the sidewalks within the town corporate limits.

(B) It shall be the duty of the Police Department of the town to notify the owner, keeper, or person in possession of any animal which is in violation of this section to place the animal under proper confinement and control.

Penalty, see §91.99

(Ord. passed 6-11-90)

§91.06 NUISANCE DOGS PROHIBITED.

(A) It shall be unlawful for any person to keep or maintain on any premises or let any dog that, through loud and habitual barking, or in any other manner, constitutes a neighborhood or public nuisance.

(B) Failure to abate this type of nuisance after warning from the Police Chief or his or her authorized representative shall be unlawful and punishable as provided in G.S. §14-4.

Penalty, see §91.99
(Ord. passed 4-11-88)

§91.07 UPKEEP OF STABLES.

Every stable and place where cattle, horses, or other animals may be kept, shall be maintained at all times in a clean and healthful condition.

Penalty, see §91.99

§91.08 SLAUGHTER OF LIVESTOCK PROHIBITED.

It shall be unlawful for any person to slaughter livestock within the town at any time.

Penalty, see §91.99

ANIMALS RUNNING AT LARGE

§91.20 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANIMAL. Any or all animals, domesticated, farm animals, livestock, or pets.

AT LARGE. Freely, without physical constraint.

OWNER. Any person or legal entity that has possessory property rights in the animal.

OWNER'S PROPERTY. The real property owned or leased by the owner of the animal, but does not include any public right-of-way, or common area of a condominium, apartment, office complex, or shopping center.

(Ord. passed 2-18-97)

§91.21 ANIMAL AT LARGE UNLAWFUL.

It shall be unlawful for any person to allow or cause any animal to run at large within the corporate town limits, and on the property of another or on publicly owned property including school grounds, parks, streets, or rights-of-way.

Penalty, see §91.99
(Ord. passed 2-18-97)

§91.22 IMPOUNDMENT AUTHORITY.

(A) For the purpose of this subchapter, law enforcement officers for the town shall have the authority to seize and impound any animal found to be in violation of any section of this subchapter for the purpose of providing temporary remedy to the violation, or for the purpose of determining and contacting the rightful owner of the animal.

(B) The town shall give authority to County Animal Control personnel to seize and impound any animal found to be in violation of any section of this subchapter, upon notification and lawful request from local law enforcement officers empowered to investigate and enforce this subchapter.

(Ord. passed 2-18-97)

§91.23 DISPOSITION OF IMPOUNDED ANIMALS.

(A) Law enforcement officers who authorize the impoundment of an animal will immediately provide notice, in writing, to the rightful owner of the impounded animal. This will be done by use of a form approved by the Police Department. This written notice will provide the date and time of the impoundment, the officer authorizing the impoundment, and the place where the animal is contained.

(B) Release of impounded animals will comply with normal prescribed methods in accordance with County Animal Control procedures and relevant county ordinances, including the payment of fees normally conducted by County Animal Control

personnel, unless otherwise ordered by a district court judge.

- (C) If the rightful owner is not known and can not be determined, the animal will be held for five working days and a notice will be posted in the town bulletin board and at the Police Department, accessible for review by the public, listing the description of the animal, the location, date, and time of the impoundment, and the officer to be contacted for claiming the animal.
- (D) If during the time frame given in division (C) above no person claims the animal, it will be disposed of in accordance with normal practices and procedures used by County Animal Control.

(Ord. passed 2-18-97)

§91.99 PENALTY.

Any person, firm or corporation who violates any provision of this chapter shall be subject to the penalties as set forth in Section 10.99, however, no notice of violation is required to be issued and a civil citation may be issued immediately to the violator.

(Am. Ord. passed 1-24-06)