

Proposed changes to the Iredell County Animal Ordinance Chapter 3.

Proposed Change:

Adequate shelter means that shelter or portion of an outside enclosure which will keep a non-aquatic animal dry and out of the direct sun, at a temperature level that is healthful for the animal. For dogs, cats and other small animals, the shelter shall be a wind and moisture resistant structure of suitable size to accommodate the animal. It shall include four walls, a roof and a solid floor constructed of wood, concrete, or other similar building materials, with an opening entrance large enough to allow access to the animal. The animal must have access to shaded areas other than the shelter during warm or hot days. During cold days and days and/or nights the structure shall be provided with a sufficient quantity of suitable bedding material consisting of hay, straw, cedar shaving, blankets, or an equivalent. Owners are allowed to utilize plastic barrels in shaded areas only. For all animals, the containment area shall be free of accumulated waste and debris so that the animal shall be free to walk or lie down without coming in contact with any such waste or debris, and drainage shall be provided to eliminate excess water or moisture. Aquatic or semiaquatic animals shall have an adequate amount of clean water in which to move.

Animals housed under the following conditions shall not constitute adequate shelter:

Underneath outside steps, decks and stoops

Inside vehicles

Underneath vehicles

Buildings without proper ventilation

Metal barrel

Tethering ordinance change:

Proposed Change

No household pet shall be tethered except as follows:

- i) Any tethering device shall be designed and placed to prevent choking or strangulation (choke chains, rope, and/or wire are not acceptable).
- ii) Such chain or restraint shall not be less than 10 feet in length nor less than 4 times the animal's body length, must not exceed 1/8 of the animal's body weight, and must have swivel hardware at each end to prevent tangling.
- iii) The radius area of the tether area shall be a minimum of 150 square feet, and large enough for the animal to assume any normal body position including standing, sitting, lying and walking. The area shall be free of accumulated waste and debris so that the animal shall be free to walk or lie down without coming in contact with any such waste or debris, and drainage shall be provided to eliminate excess water or moisture.
- iv) A tethered animal must have access to water and adequate shelter.

- v) A tethered household pet must be currently vaccinated against rabies, and must wear current rabies vaccination tags when tethered.
- vi) No person shall tether a sick, injured and/or diseased household pet, nor any household pet less than 6 months of age, unless a responsible adult **remains outdoors** in the immediate area and within sight of the animal at all times.
- vii) **No household pet shall be tethered and left unattended without adequate for longer than 30 minutes at any given time.**

State law reference: Restraining dogs in a cruel manner, G.S. §14-362.3; North Carolina Rabies Control Laws, G.S. §130A-185.

Community Cat Initiative

Definitions:

COMMUNITY CAT. A cat that is abandoned, stray, lost, or feral and cared for by a community cat caregiver pursuant to this chapter.

COMMUNITY CAT CAREGIVER.

(1) A person who, in accordance with the Trap-Neuter-Return Program defined in this chapter:

(a) Provides care, including food, shelter, or medical care to a community cat; or

(b) Has temporary custody over a community cat.

(2) A **COMMUNITY CAT CAREGIVER** shall not be considered the owner or keeper of a community cat.

Sec. 3-8 Offenses *Change*

1) Animals at large. An animal, **excluding cats,** not under direct control of its owner and determined to be at large by the Animal Control Officer can be picked up by such officer, and the owner may be subject to a fine as outlined in section 3-19. **This section shall not apply to a community cat caregiver.** State law reference: Domestic fowls running at large after notice, G.S. § 68-25; Allowing livestock to run at large forbidden. G.S. §68-16; Permitting bitch at large, G.S. §67-2; Permitting dogs to run at large at night; penalty; liability for damage, G.S. §67-12.

§ 91.40 COMMUNITY CATS.

The County of Iredell adopts this community cat initiative subchapter.

§ 91.41 TRAP-NEUTER-RETURN PROGRAMS.

- (A) Organizations or individuals that engage in Trap-Neuter-Return are encouraged to register through a sponsoring organization. Organizations performing or supporting Trap-Neuter-Return in Iredell County shall identify and nominate a community cat sponsoring organization, which shall be recognized by the Iredell County Animal Services Director or his/her designee.
- (B) The community cat sponsoring organization shall make available to the public information about Trap-Neuter-Return and feral cats, shall attempt to notify the appropriate community cat caregiver when notified by the Animal Services Department about an impounded eartipped cat, and shall provide a single point of contact to the Animal Services Department for the coordination of Trap-Neuter-Return, calls about at large cats, and calls about complaints related to community cats.
- (C) Responsibilities of the community cat caregiver:
- (1) Cats must be trapped using humane trapping techniques;
 - (2) Cats must be assessed by a veterinarian and deemed healthy at the time of spay/neuter surgery;
 - (3) Cats must be spayed or neutered;
 - (4) Cats must be vaccinated for rabies
 - (5) Cats must be eartipped;
 - (6) Cat bites must be reported to Iredell County Animal Control.
 - (7) Every colony will be posted with identifying information that animal services can contact the caretaker.
- (D) Responsibilities of Iredell County Animal Services Division.
- (1) Persons that contact Iredell County Animal Services about stray or community cats shall be provided information about Trap-Neuter-Return and referred to the community cat sponsoring organization.
 - (2) When a person contacts Iredell County Animal Services with a complaint about an eartipped community cat, county staff will contact the community cat sponsoring organization for assistance in resolving the complaint.

Rabies Control Sec. 3-9(h)

Proposed change

2) Bites.

685 a. Bites that are inflicted by animals upon human beings shall be reported immediately to Animal
686 Services and Control by the person who has been bitten, or in the case of a child, his or her
687 parents or guardian or other responsible party. Every physician treating a bite wound shall
688 report the incident to Animal Services and Control immediately. Animal Services and Control 689
will notify the health director or his/her designee immediately following the bite incident 690
investigation.

691 b. Every dog, cat or ferret that bites a human being and does not have a valid rabies vaccination
692 shall be delivered within eight (8) hours of the bite incident by the owner to the animal service
693 and control shelter or to a licensed veterinary hospital, at the choice of the owner, where the
694 animal shall be confined for observation for not less than ten (10) days. The owner shall be
695 responsible for the cost of such confinement. **Under the Health Director's discretion he/she may
authorize home confinement or other alternate accommodations for the confinement period.**

696 c. Every dog, cat or ferret that bites a human being and has a valid rabies vaccination shall be
697 delivered within eight (8) hours of the bite incident by the owner to the county Animal Services
698 and Control shelter or to a licensed veterinary hospital, where the animal shall be confined for
699 observation for not less than ten (10) days. The owner shall be responsible for the cost of such
700 confinement. An Animal Control Officer may, under authority designated by the local health
701 director, permit the animal to be confined on the premises of the owner only when, after 702
personal inspection, it is determined there is a suitable secure enclosure on the premises and 703
that other circumstances warrant such action.

704 d. In the case of stray animals whose ownership is not known, the supervised confinement 705 required by this section shall be at the Animal Services and Control shelter unless an interested 706 party pays to board at a veterinarian's office.

707 e. If rabies does not develop within ten (10) days after an animal is confined under this section, the 708 animal may be released from confinement with the written permission of the Animal Services 709 and Control shelter. If the animal has been confined in the county Animal Services and Control 710 shelter, the owner shall pay a fee as set by the Iredell County Board of Commissioners for each

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711 day for dogs, cats or ferrets for confinement to defray the cost of feeding upon reclaiming the 712 animal.

713 f. Every hybrid dog or hybrid cat that bites a human being shall be delivered within eight (8) hours 714 of the bite incident by the owner to the Animal Services and Control shelter or to a licensed 715 veterinary hospital, at the choice of the owner, where the animal shall be humanely euthanized 716 and its head sent to the State Laboratory of Public Health for rabies testing.

717 g. Every primate that bites a person shall be delivered within eight (8) hours to a properly licensed 718 veterinarian for medical evaluation as judged appropriate by the veterinarian. The animal will 719 be evaluated and held at the owner's expense until such time as a bite investigation is 720 completed by Animal Services and Control. Any bite inflicted by a primate will be considered a 721 "severe injury" as defined in this ordinance, and will follow the same protocol as described in 722 article 3-8(6) "Dangerous Dogs".

723 h. Animals bitten by rabid animals. Any dog, cat and or ferret reasonably suspected to have been 724 exposed by another animal which is known or reasonably known of having rabies shall follow all 725 state laws regarding the confinement related to the control of rabies. Any currently vaccinated 726 animal known or reasonably

724 suspected to have been bitten by another animal which is known or reasonably suspected of 725 having rabies shall be revaccinated within five (5) days of the exposure. All other animals 726 without proof of current rabies vaccinations will be given the option of quarantine at a facility 727 approved by the local health director for six (6) months or immediate euthanasia by a licensed 728 veterinarian at the owner's expense if transported by Animal Services and Control or euthanized 729 at the Animal Services and Control shelter. If the animal develops rabies as determined by a

730 licensed veterinarian, it shall be the duty of the owner to have such animal euthanized and 731
properly disposed of, subject to the provisions of G.S. § 130A-197, providing for the euthanasia
732 of rabid animals and the laboratory examination of the heads of such animals.

733 (Ord. of 5-6-86, § VIII; Ord. of 4-4-89, § VIII; Ord. of 9-17-96; Ord. of 3-4-03)

734 State law references: Rabies, G.S. § 130A-184 et seq.; vaccination of all dogs and cats, G.S. §
130A185;

735 rabies vaccination tags, G.S. § 130A-190; biting dogs and cats, procedures, G.S. § 130A-196; infected
736 dogs and cats, procedures, G.S. § 130A-197; animals suspected of having rabies, procedures,
G.S. §

737 130A-198.

Adoptions Fee Sec. 3-17 (2) Fee

Proposed Reading

880 (2) Fee. a. Any person adopting an animal from the animal shelter shall be required to pay adoption
fees as approved by the Iredell County Board of Commissioners or during special events designated by
the Director of Animal Services and/or his/her designee.

Potentially Dangerous Dog

Proposed Change

(6) Dangerous dogs.

a. Dangerous dog means a dog that:

i) Without provocation has killed or inflicted severe injury on a person; or ii) Has
been deemed dangerous in another county or state; or

iii) Any dog owned or harbored primarily or in part for the purpose of dog fighting, or
any dog trained for dog fighting.

b. Potentially dangerous dog means:

i) Any dog which, when unprovoked and not on the Owner's real property, on two separate occasions within the prior 24 month period, engages in any behavior that requires a defensive action by any person to prevent bodily injury; or

ii) any dog which, when unprovoked and not on the Owner's real property, bites a person causing physical injury; or

iii) any dog which, when unprovoked not on the Owner's real property, that has killed or inflicted severe injury upon a domestic animal; or iv) Any dog that has been deemed potentially dangerous in another county or state.

c. A Potentially Dangerous Dog that does not have any reported violations for 36 consecutive months can have the label of Potentially Dangerous Dog removed. It is the responsibility of the Owner to submit a request for designation removal to the Animal Services Director after 36 consecutive months. The Potentially Dangerous Dog designation remains in effect until the Owner receives written notification from the Animal Services Director that it has been removed.

d. The Chief Animal Control Officer has the authority to determine whether a dog is dangerous or potentially dangerous and must notify the dog's owner in writing giving reasons for the determination. Upon notification, a dog which has been declared dangerous shall be immediately surrendered to Animal Services & Control. If the owner does not appeal a Dangerous Dog determination within three (3) days, the animal may be euthanized. See 38(6)(e) for Potentially Dangerous Dog requirements.