

ANIMAL CONTROL ORDINANCE FOR CHOWAN COUNTY

This ORDINANCE is a revision of Chowan County's codified ordinances, regulations, and procedures adopted and effective prior to the effective date below and supersedes all previous ordinance versions. Authority for the adoption, implementation, administration, and enforcement of the provisions of this Ordinance is pursuant to North Carolina General Statutes (NCGS) §153A-121, §153A-123, §153A-131, and §67-1 through §67-36.

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Section 1. DUTIES:

The Chowan County Animal Control Supervisor or any of his / her duly appointed assistant officers shall be charged with the responsibility of:

- a. Enforcing in Chowan County all State or County laws, ordinance, and resolutions relating to animal or to the care, custody and control of animals;
- b. Cooperating with the Health Director and assisting in the enforcement of the laws of State of North Carolina with regard to animals and especially with regard to dog{s} and cat{s} and the confinement or leashing of vicious and destructive animals;
- c. Making such canvasses of County, including homes in the County, as deemed necessary for the purpose of ascertaining the existence of animals;

d. Operating pursuant to the policies of the Board of County Commissioners of Chowan County.

Section 2. DEFINITIONS:

The following definitions will be applicable to this ordinance:

a) “Dangerous dog” is:

1. Any dog, which without provocation, has killed or inflicted severe injury or done bodily harm to a person on public or private property; or
2. Any unprovoked or unrestrained dog, which has a history of being a habitual biter; or
3. Any dog owned or harbored primarily, or in part, for the purpose of dog fighting or any dog trained for dog fighting; or
4. Is determined by the Supervisor of the Animal Control Department to be Potentially Dangerous because the dog has engaged in one or more of the behaviors listed in subsection 2.d) of this subsection; or
5. A vicious dog.

b) Exotic Animal(s): any non-domesticated coyote or wolf, or any mix thereof , or any feline which is not a typical “house cat” species. Exotic felines include but are not limited to lions, tigers, leopards, and cougars, cheetah or any mix thereof etc.

c) Owner: any person, group of persons, firm, partnership or corporation owning, keeping, having charge of sheltering, feeding, harboring, possession, or taking care of any animal {s}. The owner is responsible for the care, actions and behavior of any animal {s} vicious and /or destructive animal{s}.

d) “Potentially dangerous dog” means a dog that meets one of the following criteria:

- (1) All dogs classified under one of the following breeds:
 - (a) The bull terrier breed of dog;
 - (b) The Staffordshire bull terrier breed of dog;
 - (c) The American pit bull terrier breed of dog;
 - (d) The American Staffordshire terrier breed of dog;
 - (e) The Rottweiler breed of dog;

(f) The Chow Chow breed of dog;

(g) Any dog breed or mixed breed known by a commonly accepted derivative name of the above listed breeds, including without limitation, pit bulls, pit bull dogs, and pit bull terriers.

(h) Any dog that has the appearance or physical characteristics of being predominantly one of breeds of dogs listed above; or any combination thereof.

(i) Any owner, keeper, harbinger or possessor of a dog, who is unsure whether it meets the definition of a potentially dangerous dog as defined herein, shall follow provisions set forth in division (B)(10) to determine whether the dog must be registered.

(2) Any dog with a known propensity, tendency or disposition to initiate attack, to cause injury to, or to otherwise endanger the safety of, humans or other domestic animals; or

(3) Any dog that bites (to the extent of severely bruising or puncturing the skin), attacks, assaults, inflicts injury or otherwise harms, a human being or a domestic animal without provocation. *Provocation* shall be defined to include: a person or domestic animal who, at the time of injury or damage, was committing a trespass or other tort upon the premises occupied by the owner, keeper, harbinger or possessor of the dog; or a person was teasing, tormenting, abusing or assaulting the dog. *Provocation* does not include a dog protecting or defending the premises occupied by the owner, keeper, harbinger or possessor of the dog; or a dog protecting or defending a person within the immediate vicinity of the dog from an attack or assault.

e) Public Nuisance Animals: Any animal{s} that habitually or repeatedly runs at large, chases, snaps at or attacks pedestrians, bicyclists or vehicles, or repeatedly turns over garbage pails, or repeatedly damages the property of others in such a manner or fashion as to create a public nuisance; or any animal{s} that habitually or repeatedly makes noises or sounds (without provocation) that tend to annoy, disturb, or frighten the citizens so as to create a public nuisance; or any female animal running at large during the erotic stage of copulation shall be designated a public nuisance.

f) Severe injury – A physical trauma resulting in a broken bone or disfiguring laceration requiring multiple sutures or cosmetic surgery

g) Stray animals: Any animal that is wandering at large or lost and does not have an owner or one who appears to be wandering at large and is not claimed by any person.

h) Supervisor – Chowan County Animal Control Department Supervisor, or duly appointed assistant officer.

i) Unprovoked Attack – Occurs when a dog attacks, bites, or inflicts injury upon a person without being teased, molested, provoked, beaten, tortured or otherwise harmed.

j) Vicious Animal{s}: any animal(s) that has made an unprovoked attack on any human whether it be by biting or otherwise, or one which has in any manner caused abrasions or cuts of the skin on a human; or, one which habitually or repeatedly attacks humans or farm stock or other animal{s}. Vicious animals include, but are not limited to, any animal(s) that have been bred for aggression: Tasa Inu or Dogo Canario, Elevage Doguedes Canaries, Presa Canario or any mix thereof.

k) Wild Animal{s}: any game or non-game animals, fur-bearing animals, and any other wild mammals as those terms are defined without exception or exclusion by NCGS 113-129(15), and any large reptiles, large amphibians, and large invertebrates including larger snakes, alligator, crocodile or any mix thereof etc., unless legally permitted by the North Carolina State Wildlife Resources Commission and/or the U.S. Fish and Wildlife Service.

Section 3. POSSESSION OF EXOTIC OR WILD ANIMALS:

It shall be unlawful for any person or group or persons to own, harbor, or possess in Chowan County any exotic animal or wild animal. Any exotic animal owned, harbored, or possessed in Chowan County, pursuant to a North Carolina State Wildlife Resources Commission or U.S. Fish and Wildlife Service permit as of the effective date of this ordinance rewrite adoption may continue to be possessed pursuant to such permit but subject to all other provisions of this ordinance.

Section 4. KEEPING STRAY ANIMALS:

It shall be unlawful for any person to knowingly and intentionally harbor, feed, or keep in possession by confinement or otherwise, any animal which does not belong to him/her, without permission of the owner, unless he/she has within twenty-four hours from the time such animal came onto his/her possession, notified the Animal Control Supervisor or his/her duly appointed Officer(s).

Section 5. ANIMALS ON WHICH TAGS ARE REQUIRED:

When any animal has on any occasion been a vicious animal, is classified as a Potentially Dangerous Dog, or an animal that is a public nuisance as defined herein, the owner of such animal shall at all times, have the animal tagged. The tagging of such animal can be by ear tags or collar tags, and or micro chipping which identifies the owner.

Section 6. RABIES VACCINATION AND CONTROL:

DUTIES OF OWNER FOR VACCINATION: The purpose is to supplement the state laws by providing a procedure for the enforcement of state laws relating to rabies control of animals.

(A) It shall be unlawful for an owner to fail to provide current vaccination against rabies for any dog or cat four (4) months of age or older. Should it be deemed necessary by the District Health Director or the Board of County Commissioners that other pets be vaccinated in order to prevent

a threatened epidemic or to control an existing epidemic, it shall be unlawful for owner to fail to provide current vaccination against rabies for that pet.

(B) Upon complying with provisions A-Duties of owner for Vaccination of this ordinance, there shall be issued to the owner of dog or cat vaccinated a rabies tag, stamped with a number and the year of which issued, and a rabies vaccination certificate.

(C) It shall be unlawful for any dog or cat owner to fail to provide the dog or cat with a collar or harness to which a current rabies tag issued is securely attached. The collar or harness, with attached tag, must be worn at all times

(D) It shall be unlawful for any person to use for any animal a rabies vaccination tag for any animal other than the one using the tag.

DUTIES OF OWNER IN CASE OF BITE: Every animal which has bitten anyone or shows symptoms of rabies shall be confined and such facts immediately shall be properly reported to the Animal Control Supervisor or his/her duly appointed Officer(s). Owner or person having the animal in charge, and there upon shall be securely quarantined at the direction of the Animal Control Supervisor or his/her duly appointed Officer(s) for a period of ten days, and shall not be released from such quarantine except by written permission of the Animal Control Supervisor or his/her duly appointed

Officer(s). The Animal Control Supervisor or his/her duly appointed Officer(s) who will then observe the following policy shall inspect the biting animal and its records of vaccination and registration:

a. A properly vaccinated and registered animal may be confined on the owner's premises provided, however, that the Animal Control Supervisor or his/her duly appointed Officer(s) determines that the owner has an adequate means of confinement upon his own premises and the animal is subject to observation by the Supervisor or his/her duly appointed Officer(s) at any time during the ten day period.

b. An animal not properly vaccinated or registered, belonging to an owner, shall immediately be confined in the County Animal Shelter, or an Animal Hospital, in which case the expense shall be borne by the owner for the ten day period of confinement. The animal shall not be vaccinated during confinement or receive any type of medication without approval from Animal Control Supervisor or his/her duly appointed Officer(s) at any time during the ten day period.

c. A stray animal shall be immediately confined to the County Animal Shelter for a ten-day period.

SURRENDER FOR QUARANTINE REQUIRED ON DEMAND

Except as provided above, when any animal(s) has bitten, scratched, or saliva exchange from animal that may have been exposed to a possible rabies animal, it shall be unlawful for the owner of the animal to refuse an investigation by the Animal Control Supervisor or duly appointed Officer(s); and said Animal Control Supervisor or duly appointed Officer(s) shall have the

authority to place the said animal in supervision quarantine at a place or places of his/her choosing. If rabies does not develop within ten days, the animal may be reclaimed upon payment of any impound and rabies violation fees (see redemption procedure and Section 5), and upon the owner(s) having the animal properly vaccinated.

RABIES DIAGNOSED:

If an animal dies while under observation for rabies, then the head of such animal shall be submitted to the Chowan County Health Department or Veterinarian for shipment to the State Laboratory of Hygiene for diagnosis.

d. It shall be unlawful for any person to kill or release any animal under observation for rabies, any animal suspected of having been exposed to rabies, or any animal biting, scratching, or saliva exchanged from any animal to a human that may have been exposed to a possible rabid animal; or remove such an animal from the County without written permission from the Animal Control Supervisor.

e. The carcass of any dead animal exposed to rabies shall be surrendered to the Animal Control Supervisor or his/her duly appointed Officer(s). The head of such animal shall be submitted to the Chowan County Health Department for shipment to the State Laboratory of Hygiene for diagnosis.

f. It shall be unlawful for any person to fail or refuse to surrender any animal for quarantine or destruction as required herein when the Animal Control Supervisor makes demand therefore or duly appointed Officer(s).

Section 7. VICIOUS ANIMALS OR DANGEROUS DOGS:

It shall be unlawful for any person to permit his/her animal(s) to run at large if such animal(s) is vicious or dangerous or has in the past, been vicious. In such cases the owner of such animal(s) or person harboring such animal(s), shall not permit such animal(s) to leave the premises on which it is kept unless it is on leash or in the care of a responsible person. In the event of injuries caused by the vicious or dangerous animal(s), the animal's owner shall be liable.

Section 8. DECLARATION OF POTENTIALLY DANGEROUS DOGS:

All dogs defined as a Potentially Dangerous Dog as defined under Section 2.D of this ordinance shall be deemed a Potentially Dangerous Dog as of (insert adoption date). All Potentially Dangerous Dogs must be housed and handled in accordance with the standards outlined under Section 13 of this ordinance.

Section 9. ANIMALS THAT ARE A PUBLIC NUISANCE:

It shall be unlawful for a person to permit an animal or animals to create a public nuisance or to maintain an animal creating a nuisance. Further, it shall be unlawful for any person to permit an animal(s) to run at large if such animal(s) has been a public nuisance. The owner (or care taker)

will be notified in writing that said animal(s) has been declared a public nuisance. In such cases, the Owner (or care taker) must keep the animal(s) on property at all times, by means of: Leash, Cord, Chain, or Pen.

Section 10: INJURING OF ANIMALS, NOTICE REQUIRED:

It shall be unlawful for any person injuring a domestic animal by running over, or into same, or coming into contact with same, by automobile, motorcycle, bicycle, or other vehicle, to fail to make reasonable effort to promptly notify the owner of said injured animal.

Section 11: SEIZURE AND IMPOUNDING OF ANIMALS:

Any animal, which appears to be lost, or strayed, shall be confined to the Animal Shelter in a humane manner for a period of not less than five working days (excluding Saturdays, Sundays and holidays) for redemption by the owner, {With the exception of feral cats/kittens, owner surrender and any animal deemed sick by the Animal Control / Shelter supervisor.}

(a) PLACEMENT OR DESTRUCTION: If an impound animal {s} is not redeemed by the owner {s} within said period, it may be taken by any responsible adult not associated with the shelter who is willing to comply with these animal control laws. Animal{s} not redeemed within five days, custody, may be place in a new home or destroyed in a humane manner by the Animal Control/ Shelter Supervisor or his/her duly appointed Officer {s}.

(b) NOTIFYING OWNER: Immediately upon impounding an animal, the Animal Control/Shelter supervisor or his/her duly appointed Officer{s} shall make a reasonable effort to notify the owner{s}, and inform such owner{s} of the conditions whereby the animal{s} may be redeemed. If the owner{s} of the dog{s} or cat{s}, etc, is unknown, written notice shall be posted for five days on the Animal Shelter bulletin board describing the dog{s} or cat{s} etc., and the place and time of taking.

(c) SUSPECTED RABIES: Animals impounded which have been bitten, scratched, or saliva exchange from another animal that may have been exposed to a possible rabid animal or appear to be suffering from rabies shall not be redeemed or sold, but shall be dealt with as provided herein.

(d) OTHER DISEASED OR INJURED ANIMALS: Any animal impounded which is badly wounded or diseased (not a rabies suspect) and has no identification shall be destroyed immediately in a humane manner. If the animal has identification, the Animal Control Supervisor or his/her duly appointed Officer(s) shall attempt to notify the owner before disposing of such animal; but if the owner cannot be reached readily, and the animal is suffering, the Animal Control Supervisor or his/her duly appointed Officer(s) may destroy the animal at his/her discretion in a humane manner.

(e) VICIOUS ANIMALS OR ONES THAT ARE A PUBLIC NUISANCE: The Animal Control Supervisor or his/her duly appointed Officer(s) may destroy any vicious animal or one that is a public nuisance after he has made a reasonable attempt to place the animal in his/her control.

(f) FAILURE OF ANIMAL WEARING RABIES TAG: A dog or cat is subject to impoundment in accordance with the provisions of this ordinance if the dog or cat is found not to be wearing a currently valid rabies tag.

(g) EXOTIC ANIMAL(S): An owner of any exotic and /or wild animal discovered in Chowan County shall, upon directive of the Animal Control Supervisor, immediately remove the exotic animal from Chowan County. If, no later than three days after such directive, the owner has failed to remove the exotic animal from Chowan County, the animal may be picked up by the Animal Control Department and may be disposed of and/or destroyed.

Section 12: Enforcement and Fines

A. The Animal Control Supervisor or any other person duly authorized to commence legal action on behalf of the county may take necessary legal steps to enforce this chapter and collect any amount for outstanding costs, fees or penalties assessed pursuant to this chapter. This chapter shall be enforced by imposing the specific sanctions, penalties, fines and remedies described herein, by seeking injunctive relief, orders of abatement, orders of custody and any other means prescribed by statute or common law. Any violation of this chapter which does not carry a specific sanction, penalty or fine shall be punishable as a general criminal misdemeanor as defined by state law. Pursuant to NCGS 14-4, any violation of any provision of this ordinance shall constitute a misdemeanor punishable by a fine of not more than \$50.00 or imprisonment for not more than 30 days. Each violation of this chapter shall be a separate and distinct offense and shall be punished as hereinabove provided. In addition to any criminal penalties or injunctive relief allowed by law, a violation of this section of the county animal control ordinance shall subject the person violating the section to a civil penalty in the amount of \$50.00 per day for every violation.

B. (a) *Civil penalties.* Unless otherwise provided for in a particular section, animal control is authorized to assess civil penalties in the following manner:

(1) A civil penalty of \$50.00 shall be assessed for the first violation of any provision of this ordinance.

(2) A civil penalty of \$100.00 shall be assessed for each second or subsequent violation of this ordinance.

(3) A civil penalty of \$500.00 shall be assessed for violation of any provision of this ordinance by a dangerous or vicious dog. A civil penalty is due and owing upon assessment. Surrender of an animal or failure to redeem an animal shall not relieve the owner of responsibility for payment of any outstanding civil penalty that was assessed prior to the animal being surrendered or as a result of the animal being impounded. If payment of a civil penalty is not received within five working days of issuance, animal control may initiate legal proceedings to recover the amount of the penalty.

(b) *Seizure/impoundment.* In addition to criminal or civil penalties, animal control is authorized to seize or impound an animal for violation of specific provisions of this chapter as set forth herein.

C. Interference with officers.

(a) It shall be unlawful for any person to interfere with, hinder or molest an animal control officer while in the performance of duty and such conduct is punishable as a Class 1 misdemeanor pursuant to G.S. § 19A-48.

(b) It shall also be unlawful for any person to seek to release, attempt to release, or to release any animal in the custody of the animal control division, except as otherwise specifically provided in this chapter.

Section 13 CONFINEMENT AND REGISTRATION RESTRICTIONS AND REGULATIONS

Keeping of registered potentially dangerous dogs. Notwithstanding the provisions of Section 2, no resident of the county shall be prohibited from keeping, harboring, owning or possessing a potentially dangerous dog, subject to the following conditions:

(a) *Leash.*

(1) No owner, keeper, harbinger or possessor of a potentially dangerous dog shall fail to confine such dog in a manner required by division (b)(2), unless such dog is secured by a leash not more than four feet in length.

(2) No person shall permit a potentially dangerous dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless the person is in physical control of the leash and the dog is adequately restrained.

(3) Any person in control of a leashed and registered potentially dangerous dog must be physically able to control/restrain the dog.

(4) No potentially dangerous dog may be leashed to a stationary object, including without limitation, any tree, post or building.

(b) *Confinement.*

(1) *General requirement.* All potentially dangerous dogs shall be confined indoors and within the residence or house, or in a securely enclosed and locked pen or kennel, except as leashed in conformance with the requirements of division (a)(1).

(2) *Pen, kennel or structure.*

- a. Any pen, kennel or structure in compliance with this division shall consist of four secure sides with a height of at least six feet, or if shorter, have an enclosed top.
- b. All structures used to confine registered potentially dangerous dogs shall be locked with a key or combination lock during any time such animals are confined within the pen or kennel.
- c. Such pen or kennel shall have a secure bottom or floor attached to the sides of the pen or kennel, or in the alternative, each side of the pen must be embedded in the ground to a depth of no less than two feet.
- d. All pens or kennels shall adequately contain the dog and prevent escape.
- e. All pens or kennels erected to house potentially dangerous dogs shall comply with all zoning and buildings regulations of the County.
- f. All pens or kennels shall be adequately lighted, ventilated and kept in a clean and sanitary condition.

(3) *Confinement indoors.*

- a. A potentially dangerous dog may be kept indoors, but may not be kept in a house or structure in which open windows or screen doors may provide the dog exit from the structure by the dog's own volition.
- b. No registered potentially dangerous dog may be kept in/on any structure attached to the house, such as a porch or patio, that allows a dog, by its own volition, an exit, and such structure must be secured by a locked gate or door suitable to prevent the dog from escaping.

(4) *Signs.*

- a. All owners, keepers, harborers or possessors of a potentially dangerous dog within the County shall display in a prominent place on their premises, where anyone seeking to enter the property will see it, a sign easily readable by the public, displaying the words "Beware of Dog".
- b. The sign shall also be posted on the pen or kennel of such animal.

(5) *Registration of Potentially Dangerous Dogs.*

All owners, keepers, harborers or possessors of potentially dangerous dogs **and** located within a defined dog registration zone (see attachment A) must register their dog or dogs with the County Animal Control Officer in accordance with the following procedures:

- a. Provide to the County Animal Control Officer two color photographs of the registered animal, clearly demonstrating the animal's color and approximate size.
- b. The owner, keeper, harborer or possessor of any potentially dangerous dog shall also provide satisfactory evidence to the County Animal Control Officer that the dog has been implanted with a microchip identification marking.
- c. The owner, keeper, harborer or possessor of any potentially dangerous dog shall complete a Potentially Dangerous Dog registration form and a fee as established under Section (13)(14).

(6) *Reporting requirements.* All owners, keepers, harborers or possessors of registered potentially dangerous dogs must report the following information, in writing, to the County Animal Control Officer within ten days of its occurrence:

- a. The death or removal from the County of a registered potentially dangerous dog;
- b. The birth or offspring of a registered potentially dangerous dog;
- c. The change of address of a registered potentially dangerous dog moved to any location within the County;
- d. Any attack involving a registered potentially dangerous dog upon a human, which inflicts injury, including but not limited to, bruising, scratches and bites;
- e. Any attack involving the registered potentially dangerous dog upon a domestic animal or pet.

(7) *Sale or transfer of ownership prohibited.* No person shall sell, barter or in any other way convey a potentially dangerous dog to any person within the County, unless the recipient resides permanently in the same household and on the same premises as the owner of the dog; provided that the owner of a potentially dangerous dog may sell, barter or otherwise convey a potentially dangerous dog, or the offspring of a potentially dangerous dog, to persons not residing within the County.

(8) *Animals born of registered dogs.* There shall be an irrebuttable presumption that any offspring born of a potentially dangerous dog is, in fact, a potentially dangerous dog that must be registered and kept in accordance with this section.

(9) *Spay or neuter requirement.*

- a. Any potentially dangerous dog shall be spayed or neutered at the appropriate age as determined by a licensed veterinarian.
- b. The owner, keeper, harborer or possessor shall provide satisfactory evidence to the County Animal Control Officer that any potentially dangerous dog has been spayed or neutered.

c. The Chowan County Animal Control Officer may authorize the non-spaying or non-neutering of a registered potentially dangerous dog for the purpose of breeding for the American Kennel Club, if such breeding takes place outside the County.

(10) *Irrebuttable presumption.*

a. There shall be an irrebuttable presumption that any dog within the County defined as a potentially dangerous dog is in fact a dog subject to the requirements of this section.

b. Any registered potentially dangerous dog that has been certified as a “seeing eye dog” or other human-handicapped-assistance dog, shall be exempt from the standards of this section, as long as such dog is being used for the certified assistance purposes.

(11) *Application of section.*

a. If an owner, keeper, harbinger or possessor of a dog is unsure if their dog meets the definition of a potentially dangerous dog under Section 2, they may make a formal request in writing to the County Animal Control Officer for a determination on the classification of their dog.

b. No action shall be taken against the owner, keeper, harbinger or possessor of the dog while a determination is being made as to its classification.

c. A written response shall be provided no later than three weeks after the request has been submitted to the County Animal Control Officer.

(12) *Failure to comply.*

a. It shall be unlawful for the owner, keeper, harbinger or possessor of a potentially dangerous dog located within the County to fail to comply with the requirements and conditions set forth in this section.

b. Any dog so kept may be subject to immediate seizure and impoundment, at the cost of the owner, keeper, harbinger or possessor.

c. Failure to comply with the requirements of this section will result in the revocation of any registration of such animal(s) and the immediate removal of the animal from the County.

(13) *Violations and penalties.* Any person violating or permitting the violating of any provision of this section shall be subject to all enforcement remedies as provided by G.S. § 14-4.

(14) *Registration and fee.*

a. Registration of potentially dangerous dogs will be conducted at the Chowan County Sheriff’s Department.

b. The fee for registering a potentially dangerous dog will be \$25, to be paid at the time of registration.

c. All registrations will be kept on file with the Chowan County Sheriff's Department, with copies sent to the Chowan County Animal Control.

Section 14 CONFLICTS

Where another applicable rule, regulation, ordinance or statute imposes more restrictive regulations than these contained herein, the more restrictive regulations shall govern.

Section 15 STRICT LIABILITY

Pursuant to G.S. 67-4.4 the owner of a dangerous dog shall be strictly liable in civil damages for any injuries or property damage the dog inflicts upon a person, his/her property, or another animal.

Section 16 NOTICE OF GENERAL STATUTE

Owners are subject to the provisions of this ordinance as well as enforcement of any of the more stringent state provisions of NCGS Chapter 12, Chapter 14, and Chapter 67.

Section 17 REDEMPTION PROCEDURE FOR IMPOUNDED ANIMALS:

When any animal has been impounded at the animal shelter, notice thereof shall be given to the owner. The Owner shall be entitled to resume possession of the animal, except with the provisions of this ordinance and the payment of shelter fees incurred. The shelter fees shall be as follows: Redemption by Owner - \$25.00, Plus \$10.00 per day the animal is kept. If two or more violations occur within one year, the owner redemption fee shall increase to \$50.00. In addition to other fees set out herein, a boarding fee at the rate of \$10.00 per day must be paid before animals may be redeemed.

Section 18 ABANDONMENT OF ANIMALS:

It shall be a violation of this Ordinance for any person to abandon any animal in Chowan County.

Section 19 EXEMPTIONS:

1. Hospitals, Clinics and other premises operated by licensed Veterinarians for the care and treatment of animals are exempt from the provisions of this ordinance.
2. Any dog used by public law enforcement agencies for law enforcement purposes is exempt from the provisions of this ordinance.

Section 20 SEVERABILITY:

If any section or part of this Ordinance should be held invalid for any reason, such determination shall not affect the remaining parts or sections, and to that end, the provisions of this ordinance are severable.

Section 21. EFFECTIVE DATE:

This Ordinance as rewritten shall become effective on the date of adoption and shall supersede and repeal all previous ordinances applicable to animal control.

Adopted this the ___ day of _____, 2012

County Clerk: _____