CHAPTER 4

ANIMALS

Article I. In General

Sec. 4-1 Definitions.
Sec. 4-2 Territorial application.
Sec. 4-3 Duties of Animal Control Officer.
Sec. 4-4 Animal Shelter.
Sec. 4-5 Interference or concealment.
Sec. 4-6 Duty of owner to control animals.
Sec. 4-7 Running at large.
Sec. 4-8 Public nuisances.
Sec. 4-9 Mistreatment of animals.
Sec. 4-10 Cruel treatment.
Sec. 4-11 Notice in case of injury.
Sec. 4-12 Destruction of animals that cannot be seized by reasonable means.
Sec. 4-13 Setting humane animal traps
Sec. 4-14 Impoundment.
Sec. 4-15 Humane euthanasia of wounded or diseased animals.
Sec. 4-16 Handling of stray animals by the public.
Sec. 4-17 Relation to hunting laws.
Sec. 4-18 Wild animals.
Sec. 4-19 Penalties.

Article II. Rabies Control

Sec. 4-20 Compliance with state rabies laws supplemental to state rabies laws.
Sec. 4-21 Vaccination of dogs, cats, and other animals.
Sec. 4-22 Wearing of collar, tags.
Sec. 4-23 Reserved.

Article III. Dangerous Dogs

Sec. 4-24 Animal Services Director.
Sec. 4-25 Dangerous Dogs Appeals Board.

Cross reference – G.S.153A, CH 2. Power – Authorities Counties counties Motor vehicles and traffic, CH11(4); parks and recreation, CH12; animals running at large in parks 12-16; catching, killing, etc., animals in park, 12-21 ch.153a- Counties.

State law references - Livestock, G.S. 68-15 outset; animal diseases, (6); authority of county to define and prohibit the abuse of animals.

ARTICLE I. IN GENERAL

Sec. 4-1. Definitions

In the construction of this article, the following definitions shall be observed:
Animal: Living creature, domestic or non-domestic, but does not include humans and does not include invertebrates.
Animal Cruelty Investigator: The person(s) appointed by the Onslow County Board of Commissioners to investigate reports of animal cruelty or abuse pursuant to Article 4, Chapter 19A of the North Carolina General Statutes. Animal cruelty investigator(s) shall attend and satisfactorily complete an Animal Cruelty Investigator course or have experience in animal cruelty investigations.
Animal Services Division: Means the Onslow County Animal Services Division. **Animal Control Officer:** The person or person(s) employed by the Onslow County Animal Services Division as its enforcement officer (s) in the impoundment of animals, controlling of animals running at large, and as otherwise provided or required by this Chapter.
Animal Services Director: The officer or employee in charge of Animal Services Division. In Onslow County the Animal Services Director shall report to the Onslow County Manager or his designee. **Animal Shelter:** The animal shelter operated and maintained by Onslow County for the purpose of impounding animals under the authority of the chapter or the General Statutes of North Carolina for the care, confinement, return to owner, adoption, or humane euthanasia. (G.S. 153A-442)
Cat: A domestic or feral feline of either sex.
Dog: a domestic canine of either sex.
Equine: Horse, mule, donkey, and pony.
Enclosure: Pen, paddock, stall, stable, or pasture with properly hung and marked fence.
Harboring of Animal: An animal shall be deemed to be harbored if it is fed or sheltered seven days or more, unless the animal is being boarded for a fee.
Hazard: Any object above or below ground natural or artificial that could cause harm or injury to the animal.
Impounded: Any animal which is received into custody by the Onslow County Animal Shelter.
Incorporated Area: This term shall apply to the area within the corporate limits of any town or municipality within Onslow County if the governing body of such town or municipality adopts a resolution indicating that it is to be treated as an incorporated area under this chapter.
Neutered Male: Any male dog or cat which has been rendered sterile by a surgical procedure.
Owner: Any person, group of persons, firm, partnership, corporation, organization, or association owning, keeping, having charge of, sheltering,

feeding, harboring, or boarded any animal for a fee. The owner is responsible for the care, actions and behavior of his animal(s).
Keeper: Any person, acting in the capacity of the owner, or at the owner's request, who is responsible for the care, welfare, and maintenance of the animal.
Puppymill: An individual or group of individuals that sell or trade to the general public, puppies and dogs of various breeds from a accumulated stock. The characteristics of a puppy mill are unsanitary conditions, and/ or poor quality or quantity of food, and/or minimal veterinary care, and/or overcrowded condition. The intent of a puppy mill is to make a profit with little regard to the welfare of the animals in their custody.
Pet Kennel: Rescue groups with 501(c)(3) status, someone who fosters animals for a rescue group.
Breeder Kennel: One who breeds more then one breed of animals(s), where by the animals are breed for sale and or profit.
Hunter Kennel: Dog must be used only for the purpose of hunting.
Spayed Female: A female dog or cat which has been rendered sterile by a surgical procedure.
Stray: Any domestic animal that is not under restraint or is not on the property of its owner and is wandering at large, or is lost, or does not have an owner, or does not bear evidence of the identification of any owner.
Vaccination: The administration of rabies vaccine as required by State Law.
Wild Animal: Any animal which can normally be found in the wild state, particularly those feral, exotic, dangerous or non-domestic animals which generally do not live in or about the habitation of humans, including, but not limited to, deer, lions, monkeys, raccoons, skunks, squirrels, tigers and snakes.

Sec. 4-2. Territorial Application.

This chapter shall be effective within the un-incorporated areas of Onslow County and within all Municipalities and Townships which have a standing resolution or ordinance adopting this county ordinance.

Sec. 4-3. Duties of Animal Control Officer.

(a) The animal control officer shall be responsible for the enforcement within respective jurisdictions of all state and local laws pertaining to the ownership and control of animals and shall cooperate with all other law enforcement officers operating within their jurisdiction in fulfilling this responsibility.
(b) The animal control officer shall also serve as Rabies Control Officer. He will implement and enforce the provisions of the state rabies law, including but not limited to the following activities:
  (1) Collect and impound stray animals.
  (2) Canvass area of the county for vaccination of dog/cats.

(G.S. 130A-192)

(3) Assist practicing veterinarians in the county in conducting rabies clinics. (G.S. 130A-187)

(4) Maintain the animal shelter, including records of impounded, destroyed, reclaimed and adopted animals. (G.S. 130A-192)

(5) Provide at the end of each day, upon request, a list containing complete descriptions of all animals impounded.

(6) Upon request of the Onslow County Health Director, investigate reports of animal bites to determine whether, based on the findings, confinement or isolation of the animal is required for the minimum of ten (10) days of observation. (G.S. 130A-196)

(7) Upon request of the Onslow County Animal Cruelty Investigator, assist in investigating reports of animal cruelty or abuse. (Ref: G.S. 19A-45)

(8) Animal control officers shall not be authorized to carry on their person any firearms of any kind unless otherwise authorized by the animal services director. Animal control officers may store at the animal shelter or carry in departmental vehicles firearms approved for use and use such firearms when necessary to enforce sections of this chapter or under applicable laws for the control of wild, dangerous, vicious or diseased animals.

Sec. 4-4. Animal Shelter.

(a) The County shall maintain an animal shelter for the purpose of impounding lost, strayed, abandoned or unwanted animals within the county. These animals are to be held a minimum of five (5) days, unless for specific health reasons the Onslow County Animal Services Director determines it should be reduced to 72 hours, which is the minimum allowed by State Law. The Animal Services Division will use every reasonable effort to locate and inform the owners of these animals. (G.S. 130A-192)

(b) The Animal Shelter may be used for the confinement of an animal following a biting incident or when it becomes vicious or a menace to the public health and the owner does not have a secure place, which is determined by the Onslow County Health Director. The animal will be quarantined for the appropriate time of observation. (G.S. 130A-196 & 153A-442)

Sec. 4-5. Interference or Concealment.

(a) Interference. It shall be unlawful to interfere with, hinder, molest, resist, or obstruct employees of animal control or its agents or veterinarians in the performance of any duty authorized by law or ordinance, including removing animals from traps, cages, or other enclosures, except as specifically provided or authorized by the Animal Services Division.

(b) Concealment of animal. It shall be unlawful for any person to conceal, for the purpose of evading the licensing requirement or rabies vaccination requirement of the law or any applicable ordinance, any unlicensed animal from any employee of the Animal Services Division.

Sec. 4-6. Duty of owner to control animals

All animals within the county jurisdiction shall remain under the immediate control of their owner or keeper. For the purpose of this section, immediate control by owner or keeper shall be construed to mean:

(1) Confined upon the property or leased premises of the owner or keeper or under the actual physical control of the owner or keeper.

(2) While being walked or exercised off the premises or property of the owner or keeper, the animal must be restrained by a leash connected to a collar or harness, sufficient to restrain the animal from breaking loose. Cats shall be exempt from this provision of Section 4-6 (a) (2).

Sec. 4-7. Running at large.

(a) For the purpose of this section running at large shall mean: Any animal while roaming, running or self hunting off the premises or property of its owner or keeper and not under the immediate control of its owner or keeper.

(b) While being walked or exercised off the premises or property of the owner or keeper, the animal must be restrained by a leash connected to a collar or harness, sufficient to restrain the animal from breaking loose. Cats shall be exempt from this provision of Section 4-6 (a) (2).

Sec. 4-8 Public nuisance.

(a) The actions of an animal constitute a public nuisance when an animal disturbs the rights of, threatens the safety of, or damages a member of the general public, or interferes with the ordinary use and enjoyment of another person's property.

(b) It shall be unlawful for any person to own, keep, possess or maintain an animal in such a manner as to constitute a public nuisance. By way of example and not limited to, the following acts or actions by an owner or possessor of an animal are hereby declared to be a public nuisance and are therefore unlawful:

(1) Having an animal that disturbs the rights of, threatens the safety of, or damages a member of the general public, or interferes with

ordinary use and enjoyment of another person's property.

(2) Allowing or permitting an animal to damage the property of anyone other than its owner/keeper, including, but not limited to, turning over garbage containers, or damaging gardens, flowers, or vegetables, or defecating upon the property of another.

(3) Maintaining the animals in an unsanitary environment, which results in offensive odors or is dangerous to the animal or the public health, safety or welfare, or a failure to maintain a condition of good order and cleanliness which reduces the probability of transmission of disease.

(4) Maintaining the owner's or keeper's premises or property in a manner that is offensive, annoying or dangerous to the public health, safety or welfare of the community because of the number, type, variety, density, or location of the animals on the property.

(5) Allowing or permitting an animal to habitually bark, whine, howl, crow, cackle, or make any other noise that might interfere with the reasonable use and enjoyment of neighboring premises between the hours of 10:00pm and 6:00am.

(6) Maintaining an animal that is diseased and dangerous to the public health.

(7) Maintaining an animal that habitually or repeatedly chases, snaps at or attacks, pedestrians, joggers, animals walked on a leash by owners, bicyclists, or other vehicles.

(8) Failing to confine a female dog or cat, while in heat, in a building or secure enclosure in such a manner that she will not be in contact with another dog or cat or attract other animals; provided, this section shall not be construed to prohibit the intentional breeding of animals within an enclosed area. **(G.S. 67-2)**

(9) Upon filing a written statement by a resident for a nuisance described by the complainant, the animal control officer shall endeavor to investigate the complaint within 24 hours. If through investigation these complaints are substantiated, the animal control officer shall request that the nuisance be corrected within a 24 hour period of notifying the owner/keeper. The animal control officer will make a return visit to determine whether the initial cause for complaint has been corrected and may then institute proper legal procedures if the nuisance has not been abated.

(10) Commercial farms are exempt from this Section.

In addition to any other enforcement remedies available under this Chapter, if the animal control officer declares an animal to be a nuisance under this Section, then the animal control officer has the authority to order the owner to confine the animal in accordance with the animal control officer's instruction. It shall be unlawful for the owner to fail to comply with such an order or with the instructions in the order.

Sec. 4-9. Mistreatment of animals prohibited.

It shall be unlawful for any person to subject or cause to be subjected any animal to cruel treatment or to deprive or cause to be deprived any animal of adequate food and water, necessary medical attention, proper shelter, protection from the weather or humanely clean conditions.

(a) Adequate food and water. No person owning or responsible for any animal may fail to supply the animal with sufficient supply of food and water as prescribed in this Section. (G.S. 19A-23)

(1) Adequate food. The provision at suitable intervals, not to exceed 24 hours, of a quantity of wholesome foodstuff suitable for the species and age, sufficient to maintain a reasonable level of nutrients for each animal. Such foodstuff shall be served in a receptacle, dish, or container that is physically clean.

(2) Adequate water. A constant access to a supply of clean, fresh water provided in a sanitary manner.

(b) Reasonable medical attention. No person owning or responsible for any animal shall fail to provide the animal with reasonable medical attention when the animal is or has been suffering from illness, injury, disease, excessive parasitism, or malformed or overgrown hoof.

(c) Proper shelter, protection from the weather and humanely clean conditions. No person owning or responsible for any animal shall fail to provide the animal with proper shelter, protection from the weather or humanely clean conditions as prescribed in this Section.

(1) Outdoor Standards. Minimum outdoor standards of shelter shall be as follows:

a. When sunlight is likely to cause heat exhaustion of an animal tied or confined outside, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight.

b. If a dog is tied or confined unattended outdoors for longer

than 60 minutes, an artificial shelter with a minimum of four solid sides, with one side having an adequate opening to allow the animal to enter and exit the shelter safely, and firmly attached to a waterproof roof with a floor above ground with sufficient space to allow for normal sitting, standing, turning, stretching and sleeping positions, and appropriate to the local climate conditions for the species concerned, manufactured for the sole purpose of sheltering dogs shall be provided for the health of the animal. All vehicles/vessels are excluded for the use of shelter for all animals. Barrels, transport cages, airline crates are not acceptable for use as shelter for animals.

(2) When confinement prohibited. No animal may be confined in a building, enclosure, car, boat, vehicle, or vessel of any kind when extreme heat or extreme cold will be harmful to its health.

(3) Space standards. Minimum space requirements for outdoor enclosures shall include the following:

a. The shelter shall be structurally sound and maintained in good repair to protect the animal from injury and to contain the animal.

b. Enclosures shall be constructed and maintained to provide sufficient space to allow each animal adequate freedom of movement. (Inadequate space may be indicated by evidence of overcrowding, debility, stress, or abnormal behavior patterns.)

c. Equine-See definitions on "Enclosure" and "Hazard".

(4) Humanely clean conditions. Minimum standards of sanitation necessary to provide humanely clean conditions for outdoor enclosures shall include periodic cleaning to remove excretions and other waste materials, dirt and trash to minimize health hazards.

(5) Properly fitted collars required. An owner or keeper of any animal shall not permit injury to or infliction of pain upon such animal from an improperly fitting or embedded collar, harness, or halter.

(6) It shall be unlawful for any person(s) to operate and/or maintain a puppy mill.

Sec. 4-10. Cruel treatment prohibited.

(a) Molestation, torture, etc. prohibited. It shall be unlawful for any person

to molest, torture, torment, deprive of necessary sustenance, cruelly beat or treat, needlessly mutilate or kill, wound, injure, poison, abandon or subject to conditions detrimental to its health or general welfare any animal or to cause or procure such action. The words "torture" and "torment" and the term "cruelly beat or treat" shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted; but such terms shall not be construed to prohibit an animal control officer, his agents or veterinarians from euthanizing dangerous, unwanted, or injured animals in a humane manner.

(b) Luring, enticing, seizing, molesting, or teasing an animal. It shall be unlawful for any person to entice or lure any animal out of an enclosure or off the property or leased premises of its owner or keeper, or to seize, molest, or tease any animal while the animal is held or controlled by its owner or keeper or while the animal is on the property or leased premises of its owner or keeper for the purpose of causing harm to the animal; but such actions of luring, enticing and seizing shall not be construed to prohibit lawful taking of animals under the jurisdiction and regulations of this Chapter by duly authorized animal control officers. (G.S. 14-360.seq)

(c) Abandonment. It shall be unlawful for any owner or keeper of any animal to drop or leave such animal on a street, road, highway, or in a public place or on private property with intent to abandon without provision for its continuous care, sustenance, and shelter. No owner or keeper of an animal shall abandon such animal except to relinquish the animal to the animal shelter. If the animal services division finds that an animal has been abandoned, the animal may be impounded. When it has been suspected the animal has been abandoned in a house or within a fenced area, the Animal Services Division must make a reasonable effort to locate the owner or manager of the property or leased premises. The property or leased premises will be posted for 72 hours at which time the animal will be removed from the property or leased premises. If the owner or keeper contacts the Animal Services Division to reclaim the animal, an explanation for the animal's abandonment must be provided to the satisfaction of the animal services supervisor before the animal is reclaimed by the owner. (G.S. 14-361.1)

(d) Performing animal exhibitions. No person may sponsor, promote, or train a wild or domestic animal to participate in unnatural behavior in which the animal is wrestled, fought, harassed, or displayed in such a way that the animal is abused. This prohibition applies to events and activities taking place in either public or private facilities or property and applies regardless of the purpose of the event or activities and whether or not a fee is charged to spectators.

(e) Confinement of animals in motor vehicle. No person may place or

confine an animal or allow an animal to be placed or confined in a motor vehicle for such a period of time as to endanger the health or well-being of such animal due to temperature, lack of food, or water, and such other conditions as may reasonably be expected to cause suffering, disability or death.

(1) After making a reasonable effort to find the driver of a vehicle in which an animal is confined, an animal control officer may assist a sworn law enforcement officer who enters the vehicle, in removing the animal where reasonable cause exists to believe that the animal is in the vehicle in violation of this Subsection. (Motor Vehicle and Traffic Laws Chap.12)

(2) The animal control officer removing the animal shall then impound the animal and leave in a prominent place on the motor vehicle a written notice of the animal's impoundment, a brief description of the animal, and where and when the animal may be reclaimed. The animal control officer may also issue a warning citation for violation of this Subsection.

(f) Intentionally striking animals with motor vehicle. It shall be unlawful for any person to intentionally strike an animal with an automobile or other vehicle causing injury or death.

(g) Authority to use force against animals. Nothing in this Section shall prohibit use of force against an animal which is in the act of causing severe injury to a human being or a domestic animal.

Sec. 4-11. Notice in case of injury.

It shall be unlawful for any person who causes injury to an animal, including but not limited to, running over or hitting a domesticated animal with any vehicle to fail to notify immediately at least one of the following: the owner(s) or keeper(s) of the animal (if known or ascertainable with reasonable efforts made to locate the owner or keeper), an animal control officer, the appropriate police or sheriff's department, or the animal services division.

Sec. 4-12. Destruction of animals that cannot be seized by reasonable means.

Not withstanding any other provision of this Chapter, an animal that cannot be seized by reasonable and normal means, retrieved by an animal control officer, trapped in a humane, live-capture animal trap, or tranquilized by an animal control officer, may be humanely destroyed in the field upon the authorization of the animal services director.

Sec. 4-13. Setting humane animal traps and authority to receive trapped animals.

Animal control is authorized to place, upon request, live animal traps on private or public property to trap and remove stray, at large, unwanted, or nuisance animals, including cats. It is unlawful for any person other than an animal control officer to remove any animal from the trap, or to damage, destroy, move or tamper with the trap. The Animal Services Division is authorized to receive and impound animals that are trapped by other agencies or persons within Onslow County.

Sec. 4-14. Impoundment.

It shall be the duty of the animal services division to seize and impound, subject to the provisions of this Chapter, all animals, whether domesticated or non-domesticated, found in violation of the provisions of this Chapter whether such animal shall be in the immediate custody of its owner or otherwise.

a) Each animal impounded shall be identified by permanent records which indicate: date of impoundment, reason for impoundment, sex, color, general description, breed, method of acquisition, identification marks, and note the presence of tattoos or microchips.

(b) Any animal impounded which can be traced to its legal owner. The owner will be notified that the animal is in custody of the animal services division. Upon payment of the current impoundment fee and daily maintenance fee, the animal shall be returned to its owner unless otherwise so provided for by the owner in writing. However, the payment of such impoundment fees shall not bar the imposition of any fine, which may be imposed for the violations of this Chapter. (Ref: G.S 130A-192)

(c) Any animal which cannot be traced to its legal owner may, after a minimum detainment of five (5) days, be placed in an adoptive status. No live animal may be released from the shelter either for sale or for donation, to research laboratories or related facilities, as breeding stock for puppy mills or wholesales for further resale for use in any illegal entrapment or fighting, or for human consumption. A permanent record describing the final disposition of an animal, date, names, and addresses where applicable, and subsequent fees paid shall be kept at all times. Monies received from fines, fees, or adoptive placement will be turned over to County in accordance with County Finance policies. (G.S. 130A-192)

(d) When an animal is presented by an animal services employee to an attending veterinarian and when in the professional judgment of that attending veterinarian the animal should be humanely euthanized

because it is suffering from disease and or injury, then the attending veterinarian in taking action to euthanize the animal shall be acting as an agent for the county and shall not be held professionally liable for his/her decision to euthanize.

(e) If the owner of any animal impounded under this Article shall fail to redeem his/her animal within the time allowed for redemption, any other person may, upon complying with all provisions of this Article adopt the animal from the shelter and be the lawful owner of the animal thereafter. (Ref.: G.S. 67-1 et seq)

Sec. 4-15. Humane euthanasia of injured or diseased animals.

Not withstanding any other provision of this Chapter, any animal impounded which is badly injured/wounded or diseased (not rabies suspect) and has no identification shall be destroyed immediately in a humane manner. If the animal has identification, the animal shelter shall attempt expeditiously to notify the owner or keeper before euthanizing such animal, but if the owner or keeper cannot be reached readily and the animal is suffering, the animal services director or his designee may cause the animal to be euthanized at his/her discretion in a humane manner. The Animal Services Division shall have no liability for euthanizing injured/wounded or diseased animals.

Sec. 4-16. Handling of stray animals by the Public.

It shall be unlawful for any person, without the consent of the owner or keeper, knowingly and intentionally to harbor, keep in possession by confinement or otherwise, any animal that does not belong to him/her. Any person in possession of a stray animal shall contact the animal services division within 72 hours to arrange for impoundment or provide notification of the stray animal's description and location, and it shall be unlawful for any person, other than the owner or keeper of an animal, to remove the collar, license tag or rabies tag from around the neck of the animal

Sec. 4-17 Relation to hunting laws.

Nothing in this chapter is intended to be in conflict with the laws of the State of North Carolina regulating, restricting, authorizing or otherwise affecting dogs while used in hunting, but this exception applies while the dogs are under the control of the owner or keeper, or competent person and are actually lawfully being used for hunting or training in compliance with applicable statutes, regulations, or ordinances. This Chapter should be read and enforced consistent with any such law.

Sec. 4-18. Wild animals.

No person shall keep or permit to be kept on his premises any dangerous wild animal. This section shall not be construed to apply to zoological parks, performing animal exhibitions, or circuses.

Sec. 4-19. Penalties.

A. Any violation of this Article shall be a misdemeanor and any person convicted of such violation shall be punishable as provided in the General Statutes. Each day's violation of this Article is a separate offense. In addition, enforcement of this Article may be by appropriate equitable remedy, injunction, or order of abatement issuing from a court of competent jurisdiction, or other remedy provided for in section 153A-123 of the General Statutes.

B. Citations assessing civil penalties. The Animal Services Director or any Animal Control Officer shall have the authority to investigate alleged or suspected violations of this Article and upon the determination by such person, based on observation or other evidence, that a violation has occurred, each such person shall have the authority to issue a written citation for violation of this Article and assess a civil penalty in the amount due. Such citation shall be mailed to the violator by an Animal Services Division personnel, by certified mail, return receipt requested, addressed to the last known address of the violator, or shall be personally delivered to the violator or to some responsible person at the violator's residence. Service shall be complete upon personal delivery as provided herein or upon execution of receipt for the certified mail by the violator or his agent in the event of such service. If a civil penalty duly assessed is not paid within seven (7) days, the Animal Services Division shall initiate an action in court of competent jurisdiction to collect such amount due.

C. Other remedies. In addition to assessment of civil penalties, this Article may be enforced by any one or more of the remedies set forth in Chapter 160A or 153A, as applicable, of the North Carolina General Statutes.

ARTICLE II. RABIES CONTROL

Sec. 4-20. Compliance with state rabies laws; chapter supplemental to state rabies laws.

(a) It shall be unlawful for any animal owner or other person to fail to comply with the state laws relating to the control of rabies. (Ref.: G.S. 130A, Art 6, Pt 6)

(b) It is the purpose of this Chapter to supplement the state law by providing procedure for the enforcement of state laws relating to rabies control, in addition to the criminal penalties provided by state law.

Sec. 4-21. Vaccination of dogs, cats and other pets.

(a) It shall be unlawful for any person to keep, harbor or have in his custody or control for longer than fourteen (14) days a dog/cat four (4) months old or older unless such dog/cat has been vaccinated with rabies vaccine, approved by the United States Department of Agriculture. A certificate must be signed by a licensed veterinarian specifying the vaccine used, the rabies tag number, the sex and breed of the dog/cat and name of owner. (Ref.: 130A-185)

(b) Should it be deemed necessary by the County Health Director or the County Board of Health that other animals be vaccinated in order to prevent a threatened epidemic or to control an existing epidemic, it shall be unlawful for any owner or keeper to fail to provide current vaccination against rabies for the dog/cat and for the animal designated.

(c) All rabies vaccines shall be administered by a licensed veterinarian or a certified rabies vaccinator who may be appointed by the County. (G.S. 130A-185)

(d) The owner of a dog or cat not having an attached current rabies vaccination tag must produce a valid and current rabies vaccination tag or form within 72 hours of demand by any animal control officer or law enforcement officer. Failure to produce the tag or form under this subparagraph is a separate offense for each animal owned by such owner. (Ref.: 130A-192)

Sec. 4-22. Wearing of collar and tags.

(a) It shall be unlawful for any dog owner or keeper to fail to provide the dog with a collar or harness to which a current rabies tag issued under this section is securely attached. The collar or harness, with attached tag, must be worn at all times, except during the time the dogs are performing at show, obedience trials, tracking test, field trials, training school or hunting or other event sanctioned and supervised by a recognized organization. Cats are exempt from wearing collars under this Chapter. (Ref.: 130A-190)

(b) Impoundment for not wearing tag. In addition to all other penalties as prescribed by law, a dog is subject to impoundment in accordance with the provision of this chapter if the dog or cat is not wearing a current rabies tag or if the owner of the animal cannot produce sufficient

written evidence of current rabies vaccination.

(c) Use of another animal's tag prohibited. It shall be unlawful for any person to use for any animal a rabies vaccination tag or form issued to another animal. (Ref.: 130A-192)

Sec. 4-23. Reserved.

ARTICLE III. DANGEROUS DOGS

Sec. 4-24. Animal Services Director.

The Animal Services Director is the person designated by the County Board of Commissioners to be responsible for determining whether a dog is a "potentially dangerous dog" or "dangerous dog" pursuant to Article 1A, Chapter 67 of the North Carolina General Statutes.

Sec. 4-25. Dangerous Dogs Appeals Board.

The Dangerous Dogs Appeals Board means a maximum of five (5) persons appointed and designated by the Onslow County Board of Commissioners to review and affirm or reverse potentially dangerous dog or dangerous dog determinations by the Animal Services Director pursuant to this Article and Article 1A, Chapter 67 of the North Carolina General Statutes.

Amended this 3rd day of October, 2005. This Ordinance supersedes all other Onslow County Animal Control Ordinances.

ONSLOW COUNTY
BOARD OF COMMISSIONERS

_____
Lionell Midgett, Chairman

ATTEST:

_____
Letitia M. Black, Clerk to the Board

Amended this the ____ day of _____ 2011, with an effective date of _____, 2011.

ONSLOW COUNTY
BOARD OF COMMISSIONERS

_____
W. C. Jarman, Chairman

ATTEST:

_____
Clerk to the Board

Amended this 3rd day of October, 2005. This Ordinance supersedes all other Onslow County Animal Control Ordinances.

ONSLOW COUNTY
BOARD OF COMMISSIONERS

Lionell Midgett, Chairman

ATTEST:

Letitia M. Black, Clerk to the Board

Amended this the 21 day of February, 2011, with an effective date of 22 February, 2011.

ONSLOW COUNTY
BOARD OF COMMISSIONERS

W. C. Jarman, Chairman

ATTEST:

Clerk to the Board