Animal Operations
Moore County
North Carolina

RABIES CLINICS

The cost is only $5 for a one-year vaccination, and Moore County residency is not required.

The Animal Center of Moore County
5235 Highway 15-501, Carthage, NC 28387
Tuesday–Saturday, 1–4 p.m.

Crain's Creek Fire Department
4525 Lobelia Road, Vass, NC 28394
Quarterly, call 910.245.4331 for dates.

Aberdeen Fire Department
800 Holly Street, Aberdeen, NC 28315
4th Friday of the month, 2–4 p.m.

Robin's Nest
130 N. Middleton Street, Robbins, NC 27325
Quarterly, call 910.947.2858 for dates.

ANIMAL SERVICES

The Animal Center of Moore County **910.947.2858**
www.moorecountync.gov/index.php/en/mnu-animal
5235 Highway 15-501, Carthage, NC 28387
Call or check website for hours of operation

Adoption: Dogs: $85; Cats: $65
Includes shots / worming / spay or neuter / microchip
Facebook: Animal Center of Moore County
Petfinder: www.petfinder.com/shelters/NC107.html

Animal Control Officers, responsible for enforcing State laws and County ordinances pertaining to animals, dispatched through The Animal Center. Monday–Friday, 8 a.m.–5 p.m.
For emergencies after hours or on weekends/holidays, dial 911 to reach the Animal Control Officer on call.

Disaster In the event of a local disaster, shelter information for you and your pet will be available at the Moore County Animal Response Team (CART) website:
http://moore.ces.ncsu.edu/animalresponse

Volunteer Opportunities are available at The Animal Center and at off-site events. Examples: Adoption "meet & greet" counselor, dog walker, cat socializer, front desk helper, foster parent for dogs or cats, adoption event helper.

Wish List Looking for a specific breed or size of pet? Place your request by calling **910.315.0333** or go online to:
mcprc.org/Adoption_Wish_List_Form.2.html
Volunteers will search for that perfect pet and notify you when one becomes available.

PET EMERGENCY

Small Animal Emergency Services **910.246.0405**
5091 U.S. Highway 1, Vass, NC 28394
Weekdays 6 p.m.–8 a.m.
Weekends and Holidays open 24 hours

SPAY/NEUTER

Spay Neuter Veterinary Clinic of the Sandhills **910.692.3499**
www.companionanimalclinic.com
5071 Hwy 1, Vass, NC 38294
Monday–Thursday 7 a.m.–5 p.m.

Moore County offers subsidized fees at the Clinic for those on government assistance. Pet transportation is available to and from Robbins once a month.

LOST/FOUND PETS

The Southern Pines newspaper ***The Pilot*** offers assistance when a pet has been lost or found. Free ads can be placed by going online to **thepilot.com.** Click on *Submit*, then choose "Lost Pet" or "Found Pet." Photos can be uploaded. Local animal welfare organizations are also notified. If you've lost a pet, please visit The Animal Center frequently to look for your missing dog or cat. Make sure your pet has a microchip—only $10 at The Animal Center.

Moore County Animal Operations Ordinance

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ARTICLE I. IN GENERAL

Sec. 4-1. Definitions.

The following words, terms and phrases, when used in this Ordinance shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandonment means the willful discarding or deserting of a live animal, leaving an animal for a period in excess of 12 hours without providing adequate food, water or shelter for the duration of the absence or releasing or dumping an animal from a vehicle without demonstrating intent to recover the animal.

Animal means every living creature, domestic or non domestic, but does not include humans.

Animal shelter means any premises designated by the animal operations director for the purpose of impounding and caring for animals.

At large means an animal that is off the property of its owner or keeper and not under physical restraint.

Boarding means providing for profit land and/or structure for the care of an animal.

Commercial animal establishment means any for profit pet shop, grooming shop, riding school, stable, zoological park, circus, animal exhibition/show or kennel.

Commercial breeder means one who breeds animals for the primary purpose of offering their offspring for sale to other breeders, pet shops, laboratories, or individuals. [By contrast, a hobby breeder is one who breeds purebred animals occasionally to justifiably improve the breed and not primarily for the purposes of income].

Commission means the North Carolina Health Services Commission.

Confinement means restricted interaction.

Domestic animal means any of various animals, such as dogs, cats, equine, sheep, cattle, goats, hogs, poultry, ferrets, llamas, emus, and/or other animals domesticated by man so as to live and/or breed in a tame condition.

Exotic animal means any living animal, which is strikingly or excitingly different or unusual and not ordinarily kept as a pet or domesticated animal. By way of example, exotic animals shall include, but are not limited to, lions, tigers, apes, monkeys,

poisonous reptiles, and poisonous spiders. A hybrid of any animal listed in the example above, regardless of genetic percentages, shall be deemed exotic.

Exotic mammal means any mammal designated by the Centers for Disease Control and Prevention, Department of Agriculture or other National or State public health protection agencies as embargoed or prohibited under legal protection orders.

Exotic reptile means any reptile not native to North Carolina.

Exposed to rabies means an animal that has been bitten by, or been in the presence of, any animal known or suspected to have been infected with rabies.

Feral cat means a cat that is unsocialized to humans and has a temperament of extreme fear of and resistance to contact with humans.

Feral cat caregiver means any person who, in accordance with a trap neuter return program, will trap neuter and return, vaccinate for rabies, ear tip, provide care, including food and water, or has temporary custody of a feral cat(s).

Grooming shop means any establishment, whether operated separately or in connection with another business enterprise that provides hair and nail clipping, bathing and other cosmetic services for animals.

Health department means the Moore County Health Department.

Health director means the Health Director of the Moore County Health Department.

Humanely destroyed means that destruction of an animal must comply with guidelines set forth by American Veterinary Medical Association (AVMA), the Humane Society of the Unites States (HSUS) or the American Humane Association (AHA).

Impoundment means any animal in custody of a person or animal shelter duly authorized by the animal operations director.

Keeper means a person having custody of an animal, who keeps or harbors an animal, or who knowingly permits an animal to remain on or about any premises occupied or controlled by such person. Keeper does not include a person keeping a feral cat as a feral cat caregiver.

Kennel means any premises wherein a person boards, lets for hire, trains/hunts for a fee, breeds, buys or sells dogs or cats. This shall not include the ownership of dogs/cats which are part of the household or which are maintained adjoining a private residence for commercial hunting.

Law enforcement dog means any dog used by a law enforcement agency in the investigation of crimes or as otherwise necessary in the enforcement of the law. These

animals are excluded from general requirements of this chapter with the exception that they are regulated by the provisions of sections 4-31 through 4-39 and 4-61.

Nonprofit animal establishment means therapeutic facility, humane society, animal shelter, The American Society for the Prevention of Cruelty to Animals (ASPCA), animal rescue or welfare groups or assistance animal training facilities. *(Recognized by federal or state law as nonprofit.)*

Non domestic animal means any carnivore, primate, bird, reptile or other venomous animals, regardless of whether it is indigenous to this State, and not included in the definition of domestic animal, and shall include any hybrid animal.

Nuisance means an animal or group of animals which:

1. Damages, soils, or defiles private or public property; or

2. Interferes with, molests, or attacks persons or other animals; or

3. Is/are repeatedly at large, with the exception of feral cats; or

4. Causes unsanitary, dangerous or offensive conditions; or

5. Chases, snaps at, harasses or impedes pedestrians, bicyclists or vehicles; or

6. By virtue of number of assertive tendencies is offensive or dangerous to the public health, safety, or welfare; or

7. Is diseased or dangerous to the public health; or

8. Habitually makes disturbing noises, including but not limited to, continued and repeated howling, barking, whining or other utterances causing unreasonable annoyance, disturbance or discomfort to reasonable persons of ordinary sensibilities in close proximity to the premises where the animal is kept or harbored.

Owner means any person, group of persons, firm, partnership, corporation, organization or association that keeps or harbors an animal, assumes care of an animal or acts as a custodian of an animal, unless the animal is being boarded for a fee. The owner has the right of property in the animal and is responsible for the care, actions and behavior of his/her animal(s) at all times. Owner does not include a person keeping a feral cat as a feral cat caregiver.

Patrol dog means a dog that is trained or conditioned to attack or otherwise respond aggressively, but only upon command from a handler either off or on lead.

Person means any individual, corporation, partnership, organization, or institution

commonly recognized by law as a unit.

Pet means any domestic animal kept for pleasure rather than utility.

Pet shop means any commercial establishment whether operated separately or in connection with another business enterprise, except for a licensed kennel, that buys, sells or boards any species of animal.

Restraint means that the condition or behavior of an animal is:

1. Controlled by means of a leash or other like device; or
2. Sufficiently near the owner or handler to be under his/her direct control and is obedient to that person's commands; or
3. Within a vehicle being driven or parked; or
4. Within a secure enclosure; or
5. Within the property limits of its owner or keeper.

Riding school or stable means any place which has available for hire, boarding and/or riding/driving instruction for any horse, pony, donkey or burro.

Security dog means any dog used, kept or maintained within the county for the purpose of protecting any person or property. Any such dog may be further classified as a patrol dog, sentry dog or watch dog, as defined in this section.

Sentry dog means a dog that is trained or conditioned to attack or otherwise respond aggressively without command.

Stray means any domestic animal without identification and rabies tags, that is not under restraint, nor on the property of its owner or keeper.

Suspected of having rabies means an animal which is unvaccinated against rabies, has bitten a person or is known or believed to have been exposed to rabies.

Trap Neuter Return (TNR) is a feral cat program that is viewed as a viable alternative to euthanasia.

Veterinary hospital means any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis, treatment of injuries and prevention of diseases in animals.

Vicious dog or other animal means a dog or other animal that constitutes a physical threat to humans, domestic animals or livestock, or that approaches any person in an attitude of attack off the owner's property without being teased, molested, provoked, beaten, tortured or otherwise harmed, or that has a known tendency of unprovoked attack, or that

is trained or being trained for fighting.

Watch dog means a dog that barks and/or threatens to bite any intruder and that has been specially trained or conditioned for that purpose.

Sec. 4-2. Agency authority and responsibility.

A. The Board of Commissioners shall be responsible for an animal shelter or the designation of an organization to operate a shelter.

B. Authority is hereby granted to the Moore County Animal Operations Department to establish and maintain an animal control program, to employ animal control officers and such other employees as shall be determined necessary by the Board of Commissioners and to appoint and compensate animal control officers and such other employees in accordance with Moore County policy.

C. The employees of the animal control program shall:

1. Have the responsibility along with law enforcement agencies to enforce all laws of the state and all ordinances of the county pertaining to animals and shall cooperate with all law enforcement officers within the county in fulfilling this duty; and

2. Enforce and carry out all laws of the state and all ordinances of the county pertaining to rabies control; and

3. Be responsible for the investigation of all reported animal bites, the quarantine of any domestic animal involved and suspected of having rabies, for a period of not less than ten days, and for reporting to the health director as soon as practical, the occurrence of any such animal bite and the condition of any quarantined animal; and

4. Be responsible for the seizure and impoundment, where deemed necessary, of any dog or other animal in the county involved in a violation of this chapter or any other county ordinance or state law; and

5. Investigate cruelty or abuse with regard to animals; and

6. Make such canvasses of the county, including homes within the county, as necessary for the purpose of ascertaining compliance with this chapter or state statute; and

7. Keep, or cause to be kept, accurate and detailed records of the following:

a. Seizure, impoundment, and disposition of all animals coming into the custody of the animal control program; and

b. Bite cases, violations, complaints and investigations of same; and

c. All money belonging to the animal operations department and/or county which were derived from fees, penalties, license tags, the sale of animals or sources other than taxes; and

d. Any other matters deemed necessary by the animal operations director.

8. Be empowered to issue notices of violation of this chapter in such form as the animal operations director may prescribe.

Sec. 4-3. Cruelty to animals.

A. It shall be unlawful for any person to maliciously molest, torture, torment, deprive of necessary sustenance, cruelly beat in any manner, mutilate, kill, wound, maim, disfigure, injure, poison, burn or scald with any substance, drown, 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" 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 the lawful taking of animals under the jurisdiction and regulation of the North Carolina Wildlife Resources Commission, nor to prohibit the animal control officers, or persons duly authorized by the animal operations director or veterinarians from destroying dangerous, unwanted or injured animals in a humane manner, nor to prohibit the lawful use of animals for scientific research.

B. It shall be unlawful for any person to in any manner tease, annoy, disturb, molest, or irritate an animal that is confined to the owner's premises.

C. It shall be unlawful for any owner or keeper to fail to provide his/her animal(s), or an animal entrusted to his/her care, with proper shelter and protection from the weather, sufficient and wholesome food and water to keep his/her animals, or an animal entrusted to his/her care, in good health and comfort, with the opportunity for vigorous daily exercise, humane care, veterinary treatment and care when needed to prevent the spread of infectious diseases, injury or suffering.

D. Proper food, drink, shade, shelter and care shall require:

1. That each animal shall, at suitable intervals, and at least once every 24 hours, receive a quantity of wholesome foodstuff suitable for the species' physical condition and age, and sufficient to maintain an adequate level of nutrition for

the animal; and

2. That each animal shall have continuous access to a supply of clean, fresh, potable water, and such water shall be either free-flowing or in a receptacle. If water pans or dishes are used, such pans or dishes shall have weighted bottoms or be mounted or secured in a manner that prevents tipping; and

3. That each animal shall have convenient access to shelter appropriate to the species throughout the year. Any artificial shelter shall be structurally sound and maintained in good repair to protect the animal from injury and from the elements, and shall be of sufficient size to permit the animal to enter, stand, turn around and lie down in a natural manner. (See section 4-3 subsection G for details on shelter size requirements.) Any shelter which does not protect the animal from temperature extremes or precipitation, or which does not provide adequate ventilation or drainage, does not comply with this section. The shelter and any other spaces accessible to the animal and all bedding for the animal shall be dry and maintained in a manner which minimizes the risk of the animal contracting diseases, being injured or becoming infested with parasites. Examples of unacceptable shelter include, but are not limited to, the following: underneath outside steps; decks or stoops; underneath houses; inside or underneath motor vehicles; inside cardboard boxes; inside metal barrels; inside temporary animal carriers or crates; shelters located in flood-prone areas; or shelters surrounded by waste, debris, obstructions or impediments that may endanger an animal. Acceptable adequate shelter means an enclosure having at least three solid sides, a roof and a solid floor; and

4. That each animal shall receive care and medical treatment for debilitating injuries, parasites and disease, sufficient to maintain the animal in good health and to minimize suffering; and

5. That the living area for each animal being kept confined or restrained shall have adequate drainage such that the animal shall be free to walk or lie down without coming in contact with standing water.

E. It shall be unlawful for any person to tether, chain or fasten any animal in such a manner as to permit it to be upon any public sidewalk or street, or to leave it unattended while tethered, chained or fastened on public property. It shall be unlawful to tether, chain or fasten an animal in such a manner as to cause it injury or pain, or not permit it to reach shelter, food and water.

Tethers shall be fastened to a collar (not choke chain or pinch collar) or harness on the animal and snapped to a D-Ring on the collar or harness. The tether must have a swivel at the collar to prevent entanglement and shall be of appropriate

length and weight for the size of the animal, as determined by the animal operations director or his/her designee.

F. Declawed cats (cats with front and/or hind claws removed) shall not be permitted as outdoor pets and shall be kept strictly indoors.

G. An animal's primary enclosure shall be constructed of such material, and in such a manner as to minimize the risk of injury to the animal, and shall encompass sufficient usable space to keep the animal in good condition. When an animal is confined, the following minimum space requirements shall be used:

SIZE OF DOG	PEN SIZE (Square feet)
EXTRA LARGE > 26" @ Withers or > 75 lbs.	48
LARGE > 20" Up to 26" @ Withers or Not > 75 lbs.	40
MEDIUM > 12" Up to 20" @ Withers or Not > 50 lbs.	32
SMALL 12" or Less @ Withers or Not > 20 lbs.	24

Primary enclosures for cats shall be structurally sound, maintained in good repair and in a manner to prevent injury to cats and to keep other animals out. Each feline older than six months housed in any primary enclosure shall be provided a minimum of four square feet of floor space which may include elevated resting surfaces. Each feline younger than six months shall be provided one and one half square feet. In all cat enclosures, a receptacle containing clean litter shall be provided for waste. A minimum of one receptacle per three cats is required. No more than 12 cats shall be housed in the same primary enclosure.

H. Equine:

1. Housing.
   Each animal shall have reasonable access to shelter appropriate for its state of health. Animals in a normal state of health, as determined by the animal operations director or his/her designee, may be maintained in a pasture environment where natural shelter provides sufficient protection from sun, wind, rain and other inclement weather. Where this is not available, or for animals in a debilitated state of health, access to a man-made shelter is required. These shelters are to be maintained so as to minimize the opportunity for injury.

Outdoor shelters shall have a minimum of three sides and a waterproof roof sufficient to allow two feet of clearance from the animal's head in an erect position. Space requirements are 150 square feet per horse. Drainage must be sufficient to maintain the animal's feet in a dry condition.

2. Fencing.
   Fencing is to be maintained to ensure that the animal is securely enclosed at all times and that the opportunity for injury is minimized.

3. Food and Water.
   Each animal shall have unlimited access to a source of clean water. Each animal shall have sufficient hay, grain, pasture or other feedstuff available on a continuous basis to maintain its normal body weight as determined by the animal operations director or his/her designee.

4. Preventative Care.
   a. Each animal's hooves shall be maintained on a regular basis to avoid malformation. Animals with specific hoof conditions requiring specialized treatment shall be provided that service on a regular basis.

   b. Each animal shall receive deworming products sufficient to avoid malnourishment as a result of parasite infestation.

   c. Minimum vaccination requirements shall include but are not limited to, rabies vaccination.

   d. Animals in a debilitated state shall have access to appropriate veterinary care and treatment in order to minimize pain and suffering.

   e. In the event that it is determined that the animal can no longer live a productive pain free life, it is the responsibility of the owner to ensure that the animal is disposed of, or euthanized, in a humane manner.

   f. If the animal is euthanized on the owner's property, it is the responsibility of the owner to see that the animal is buried within 24 hours of its death, at least 100 feet away from any water source, and that the carcass is covered with at least three feet of earth.

   g. If the owner of the animal is not able to euthanize and/or dispose of the carcass, Moore County Animal Operations may make those arrangements for the owner and bill the owner for expenses incurred.

   h. The driver of any vehicle which injures or kills an equine domestic animal should inform the owner of the animal or, failing that, should inform local law enforcement or Moore County Animal Operations.

I. When an animal is transported in a motor vehicle, the owner or driver is responsible for maintaining control of the animal at all times during transport, which shall include having the animal under the owner's or driver's restraint when released from the vehicle in a public place, with the exception of law enforcement dogs or hunting dogs being released on Public Game Lands.

J. It shall be unlawful for any person to place or confine or allow such animal to be confined in such a manner that it must remain in a motor vehicle or trailer under such conditions or for such periods of time as may endanger the health or well-being of the animal due to heat, lack of food or water, or any circumstance which might cause suffering, disability or death.

K. An animal found confined in a motor vehicle in a public place under weather conditions that endanger its life, as determined by the supervisor of animal operations, an animal control officer, an animal cruelty officer or law enforcement officer, is a violation of this section. Any law enforcement or animal control officer is hereby authorized to enter such vehicle and rescue such animal and impound it in accordance with section 4-61. A prominent written notice shall be left on or in the vehicle advising that the animal has been removed under the authority of this section and impounded in accordance with section 4-61 at the animal shelter.

L. The driver of any vehicle which injures or kills a domestic animal should inform the owner of the animal or, failing that, should inform local law enforcement or Moore County Animal Operations.

M. It shall be unlawful for any person to tether any fowl. Fowl used in the training or demonstration of hunting dogs are exempt from this provision.

N. If any person, firm or corporation shall sell, or offer for sale, barter or give away as premiums living baby chicks, ducklings, or other fowl or rabbits under eight weeks of age as pets or novelties, such person, firm or corporation shall be guilty of a Class 3 misdemeanor, pursuant to N.C.G.S. 14-363.1. However, this section shall not be construed to prohibit the sale of non-domesticated species of chicks, ducklings, or other fowl, or of other fowl from proper brooder facilities by hatcheries or stores engaged in the business of selling them for purposes other than for pets or novelties.

O. It shall be unlawful to color, dye, stain or otherwise change the natural color of baby chickens, other fowl or rabbits.

P. Trapping:

1. It shall be unlawful to set traps such as Leg Hold, Soft Leg Hold, Offset Leg Hold, Conibear, and Spring Wire Traps within a residential community or

within 1,000 feet of a rural residence where domestic animals might run loose, without the permission of the property owner. The owner of such trap shall have his/her name and contact information permanently affixed to the trap.

2. It shall be unlawful for any person to willfully set a trap for the sole purpose of trapping domestic animals (dogs, cats, puppies, kittens) with the exception of live, humane traps.

Sec. 4-4. Confinement and control of vicious or dangerous domestic animals.

A. It shall be unlawful for any person to keep any vicious, fierce or dangerous domestic animal within the county unless it is confined within a secure building or enclosure, or is restrained by means of a leash or other like device and firmly under control at all times.

B. A dog is determined to be vicious at the discretion of the animal operations director or his/her designee as defined in section 4-1, "vicious dog."

C. If a dog is determined to be vicious, its owner is required to:

1. Keep the animal in a secure enclosure with a fence at least six feet high, with an enclosed top and a concrete bottom with wire set in concrete and a secure, lockable door or gate; and

2. Post a warning sign with international symbols that is visible on all four sides of the property when there is a vicious dog on the premises; and

3. Notify the animal control officer immediately if the vicious dog gets loose or attacks a person or another animal.

Sec. 4-5. Animals creating nuisance prohibited.

A. It shall be unlawful for an owner or keeper to permit an animal or animals in his/her care to create a nuisance.

B. Compliance shall be required as follows:

1. When an animal control officer, law enforcement officer or person duly authorized by the animal operations director observes a violation, the owner or keeper will be provided written notification of such violation and be given 48 hours from the time of notification to abate the nuisance.

2. Upon receipt of a written detailed and signed complaint being made to the animal operations director or the animal operations office by any person, that

any other person is maintaining an animal which is creating a nuisance as defined in this chapter, the animal operations director shall cause the owner or keeper of the animal in question to be notified that a complaint has been received, and shall investigate the complaint, and a report and findings thereon shall be reduced to writing.

3. If the written findings indicate that the complaint is justified, then the animal operations director, or his/her designee, shall notify in writing the owner or keeper of the animal or animals in question, and said owner or keeper shall be ordered to abate such nuisance within 48 hours.

4. In the event the owner or keeper of the animal or animals is unknown and cannot be identified, the animal(s) will be impounded.

C. It shall be unlawful for a person to fail or refuse to abate the nuisance as required by this chapter. Such person will be subject to penalty as stated in section 4-10.

Sec. 4-6. Luring, enticing, and seizing an animal.

It shall be unlawful for any person to entice or lure any animal out of an enclosure or off the property of its owner or keeper, or to seize any animal while the animal is held or controlled by its owner or keeper or while the animal is on the property of its owner or keeper.

Sec. 4-7. Immediate placement for adoption or destruction of animals surrendered by owner.

A. Any animal surrendered by its owner to Moore County Animal Operations or Moore County Animal Shelter, or its designee, may be immediately placed for adoption or humanely destroyed when:

1. The owner affirmatively represents in writing that he/she is in fact the legal owner of such animal; and

2. The owner directs in writing that the animal may be placed for adoption or humanely destroyed; and

3. The owner agrees to hold the animal control officer, the animal operations director, Moore County Animal Operations Department, and Moore County, its designee or animal shelter harmless from any loss or damage it may sustain, including attorney's fees, by reason of the destruction or placement for adoption of such animal; and

4. The owner transfers ownership of such animal to animal operations or its designee or animal shelter, and the owner releases animal operations, its

designee, or animal shelter from any and all future claims with respect to the animal; and

5. The owner shall certify in writing that the animal has not bitten any person within the preceding ten days.

B. Upon receiving such assurances, the animal shelter may rely on the same and place such animal for adoption, or destroy such animal, as it sees fit. The waiting periods provided in sections 4-62 through 4-64 shall not apply to immediate adoption or destruction as provided for in this section.

Sec. 4-8 Nondomestic animals prohibited.

A. No person shall possess or harbor any non-domestic animal that is dangerous to persons or property or which has the potential for being dangerous to persons or property. This section shall not apply to bona fide circuses or petting zoos.

B. No person shall possess a wolf or wolf hybrid or a coyote or coyote hybrid except as permitted by the North Carolina Wildlife Resources Commission.

C. All animals under our dominion, whether kept as household pets or service companions or as animals raised for food, work or sport, shall be maintained in accordance with the requirements of this chapter for each species regarding sufficient food, water, shelter and space; and in such instances in which this chapter does not address a specific species, shall be maintained in accordance with accepted veterinary standards for that species.

Sec. 4-9. Interference with enforcement.

It shall be unlawful for any person to interfere with, hinder or molest the employees of the animal operations department or persons duly authorized by this chapter in performing their duties, or to release any animal in the custody of such persons.

Sec. 4-10. Penalty for violation.

A. The violation of any provision of this chapter shall be a misdemeanor and any such violation shall be punishable as provided in N.C.G.S. 14-4. Each day's violation of this chapter shall be a separate offense. Payment of a fine imposed in criminal proceedings pursuant to this subsection does not relieve a person of liability for taxes or fees imposed under this chapter.

B. In addition, enforcement of this chapter may be by appropriate equitable remedy, injunction or order of abatement issuing from a court of competent jurisdiction pursuant to N.C.G.S. 153A-123(d) and (e).

C. In addition to, and not in lieu of, the criminal penalties and other sanctions provided in this chapter, a violation of this chapter may also subject the offender to the civil penalties hereinafter set forth.

1. Such civil penalties may be recovered by the county in a civil action in the nature of a debt or may be collected in such other amounts as prescribed herein within the prescribed time following the issuance of notice for such violation.

2. Such notice shall, among other things:

   a. State upon its face the amount of the penalty and any fines that may accrue.

   b. Notify such offender that a failure to pay the penalties within the prescribed time shall subject such offender to a civil action in the nature of debt for stated penalty plus an additional penalty in the amount of $25.00 together with the cost of the action to be taxed by the Court.

   c. Provide that such offender may answer the notice by mailing the notice and stated penalty to the animal operations director, Moore County Animal Operations Department at its mailing address, or by making payment to the animal operations director, Moore County Animal Operations Department at the appropriate address, and that upon payment, such case or claim and right of action by the county will be deemed compromised and settled.

   d. State that such penalties must be paid within 72 hours from issuance of such notice. Such notice shall further state that if such notice of violation is not paid within 72 hours, a civil complaint for collection of such penalty may be filed by the county.

3 The animal operations director or his/her designee is authorized to accept such payments in full and as final settlement of the claim or claims, right or rights of action which the county may utilize to enforce such penalty by civil action in the nature of a debt. Acceptance of such penalty shall be deemed a full and final release of any and all such claims, or rights of action arising out of such alleged violation or violations.

4. The civil penalty for any offense in violation of this chapter is:

First Offense	$25.00
Second offense	$50.00
Third Offense and thereafter	$75.00

Such penalty shall be paid within 72 hours from the issuance of the notice referred to above. After the 72 hour period, the civil penalty will increase by $25.00 and an additional $25.00 for every five work day period in which the fine is not paid, not to exceed $1,000.00.

5. The notice of violation referred to herein may be delivered to the person violating the provisions of this chapter in person, or may be mailed to such person at his/her last known address.

6. All penalties paid to the animal operations director or recovered in a civil action in the nature of a debt, as herein provided, shall be paid into the general fund of the county.

Sec. 4-11. Feral cats colonies.

A. Caregivers of feral cat colonies shall implement proper management to include as follows:

1. Neuter adult cats; and
2. Vaccinate cats against rabies; and
3. Notch left ear of all vaccinated cats; and
4. Manage the health of the colony.

B. Animal operations will notify a feral cat caregiver prior to removal of any feral cat(s) and caregiver will be given a reasonable period of time to resolve any complaint.

C. Animal operations will notify a feral cat caregiver of any feral cat trapped by animal operations that has a notched ear prior to euthanasia, with the exception of the provisions set forth by Section 4-66 of this chapter.

Secs. 4-12. - 4-30. Reserved.

ARTICLE II. RABIES CONTROL

Sec. 4-31. Compliance with state laws; article is 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.

B. The purpose of this Article is to supplement the state laws by providing Moore County a procedure for the enforcement of state laws relating to rabies control, in addition to the criminal penalties also provided by state law.

Sec. 4-32. Vaccination of dogs, cats and equine.

A. It shall be unlawful for an owner or keeper to fail to provide current vaccination against rabies for any dog or cat four months of age or older and equine six months of age or older. Should it be deemed necessary by the health director that other animals be vaccinated in order to prevent a threatened epidemic or to control an existing epidemic, it shall be unlawful for an owner or keeper to fail to provide current vaccination against rabies for that animal. The time or times of vaccination shall be established by the Commission for Public Health. Rabies vaccine shall be administered only by a licensed veterinarian or by a certified rabies vaccinator.

B. Only animal rabies vaccine licensed by the United States Department of Agriculture and approved by the Commission for Public Health shall be used on animals in this State.

Sec. 4-33. Rabies tag and certificate.

A. Upon complying with the provisions of section 4-32, a rabies tag shall be issued to the owner or keeper of the dog or cat vaccinated pursuant to N.C.G.S. 130A-190. An owner or keeper of equine shall be issued a rabies vaccination certificate.

B. It shall be unlawful for any dog or cat owner or keeper to fail to provide the animal with a collar or harness to which are securely attached a current rabies tag as issued under this section and identification tag bearing owner's name and/or telephone number. The collar or harness, with attached tag, must be worn at all times. Cats and equine shall not be required to wear the metallic tag, but the owner of the cat or equine shall maintain the rabies vaccination certificate, with a physical description of the animal, as written evidence to prove that the animal has a current rabies vaccination.

C. Any equine residing in or entering Moore County shall be required to show proof of current rabies vaccination.

D. In addition to all other penalties for violations as prescribed by law, the animal is subject to impoundment in accordance with the provisions of this chapter. If an animal control officer can identify the owner of an animal not wearing a rabies tag, he/she may provide the owner with a written notification of such violation and the owner shall be given 48 hours from the time of notification to obtain and/or show proof of current vaccination. Failure to show proof of current vaccination may result in fines and penalties reflected in section 4-10 and/or the impoundment of the animal.

E. If an animal control officer can identify the owner of an animal not wearing a rabies tag, he/she may provide the owner with a warning citation to show proof of

current vaccination within 48 hours without automatically impounding the animal.

F. It shall be unlawful for any person to use for any animal a rabies vaccination tag/certificate issued for any other animal.

Sec. 4-34. Notice to health director or designated representative when person bitten; confinement of animal.

A. When a person has been bitten by an animal, it shall be the duty of such person, or his/her parent, guardian or person standing in loco parentis of such person if such person is a minor, and the person owning such animal or having the same in his/her possession or under his/her control, to notify the health director or person duly authorized by the health director immediately and give their name, address and phone number, age and sex of the person bitten; and the owner or person having such animal in his/her possession or under his/her control shall immediately securely confine the animal for ten days at the expense of the owner in such place as may be designated by the health director. It shall be the duty of every physician, after his/her first professional attendance upon a person bitten by any animal having rabies or suspected of having rabies, to report to the health director the name, age and sex of the person bitten, and precise location of the bite wound, within 24 hours after first having knowledge that the person was bitten. If the owner of, or a person who has in his/her possession or under his/her control, an animal having rabies or suspected of having rabies refuses to confine the animal as required by this chapter or by N.C.G.S. 130A-196 and 130A-198, the health director may order seizure of the animal and its confinement for ten days in such place as the health director designates.

B. Law enforcement agencies investigating animal bites shall report such bites immediately to the health director or his/her designee and give the names and addresses of persons bitten and owner of animal.

C. Animals confined pursuant to subsection A of this section shall not be released from confinement except after a visual inspection of the animal by an animal control officer following a ten day period of confinement or by permission from the health director or his/her designee.

D. Animals confined pursuant to subsection A of this section shall be confined at the expense of the owner or keeper.

E. In the case of an animal whose owner or keeper is not known or cannot be identified, the animal shall be kept for the supervised confinement period of ten days at a place designated and authorized by the health director.

F. Badly wounded, diseased, or suffering animals which are suspected of having rabies may be humanely destroyed immediately and the head forwarded for

examination in accordance with the latest guidelines set forth by the State of North Carolina Department of Health and Human Services, Division of Laboratory Services for rabies diagnosis.

Sec. 4-35. Destruction or confinement of animal bitten by a known rabid animal.

Animals not vaccinated against rabies which are bitten by a known rabid animal, or by an animal suspected of having rabies, shall be immediately destroyed unless the owner or keeper agrees to strict isolation of the animal at a veterinary hospital for a period of six months at the owner's or keeper's expense. If the animal has a current rabies vaccination, it shall be revaccinated within 72 hours and returned to the owner or keeper within seven calendar days.

Sec. 4-36. Area-wide emergency quarantine.

A. When reports indicate a positive diagnosis of rabies to the extent that lives of persons are endangered, the health director may declare an area-wide quarantine for such period as he/she deems necessary. Upon invoking such emergency quarantine, no dog, cat or equine may be taken or shipped from the county without written permission of the health director. During such quarantine, the health director, law enforcement officers, or persons duly authorized by the health director, may seize and impound any dog, cat or equine found running at large in the county. During the quarantine period, the health director shall be empowered to provide for a program of mass immunization by the establishment of temporary emergency rabies vaccination facilities strategically located throughout the county.

B. In the event there are additional positive cases of rabies occurring during the period of quarantine, such period of quarantine may be extended at the discretion of the health director.

Sec. 4-37. Postmortem diagnosis.

A. If an animal dies while under observation for rabies, the head of such animal shall be submitted to the animal operations office for shipment to the state laboratory in accordance with the latest guidelines set forth by the North Carolina Department of Health and Human Services, Division of Laboratory Services for rabies diagnosis.

B. The head of any animal suspected of dying of rabies or showing neurological signs consistent with rabies shall be surrendered to the animal operations office for shipment to the state laboratory in accordance with the latest guidelines set forth by the North Carolina Department of Health and Human Services, Division of Laboratory Services for rabies diagnosis.

Sec. 4-38. Unlawful killing or releasing of certain animals.

It shall be unlawful for any person to kill or release any animal under observation for rabies, or any animal under observation for biting a human, or to remove such animal from the county without written permission from the health director, provided that a licensed veterinarian, or the health director, or persons duly authorized by the health director, may authorize any animal to be destroyed for rabies diagnosis.

Sec. 4-39. Failure to surrender animal for confinement or destruction.

It shall be unlawful for any person to fail or refuse to surrender any animal for confinement or destruction as required in this chapter when such demand is made by the health director.

Sec. 4-40. Failure to report/submit suspected rabies cases for evaluation

It shall be unlawful for any person to fail to report/submit to a licensed veterinarian or animal control officer any domestic or wild animal with symptoms compatible with rabies. Failure to comply with this provision may result in the said person being liable for financial expenses incurred as a result of his/her negligence.

Secs. 4-41. - 4-60. Reserved.

ARTICLE III. IMPOUNDMENT AND REDEMPTION

Sec. 4-61. Impoundment.

A. Any animal which appears to be lost, stray or abandoned, rescued from a manner of care considered to be cruel (See section 4-3 Cruelty to Animals) or not wearing a currently valid rabies vaccination tag, as required by State law or this chapter, or not under restraint in violation of this chapter, may be seized, impounded and confined in a humane manner in an animal shelter.

B. Impoundment of such an animal shall not relieve the owner or keeper thereof from any penalty which may be imposed for violation of this chapter.

Sec. 4-62. Notice to owner or keeper.

A. Upon impounding an animal, notice of such impoundment shall be posted at the end of the workday on which the animal enters the animal shelter, and until the animal is redeemed, adopted or disposed of. Reasonable efforts shall be made to

identify the owner or keeper and inform such owner or keeper of the conditions under which the animal may be redeemed.

B. Such notice shall be prominently displayed with public access or by other public means at the animal shelter, and shall include a physical description (species, breed, color, sex, weight, age and any distinguishing features) and the time and place of the taking of such animal, together with the time and date of posting.

C. Such notice for livestock shall be prominently displayed with public access or by other public means in addition to the county courthouse, and shall include a physical description (species, breed, color, sex, weight, approximate age and other distinguishing features) and the time and place of the taking of such animal, together with the time and date of posting.

Sec. 4-63. Redemption by owner or keeper generally.

A. The owner or keeper of an animal impounded pursuant to sections 4-61 and 4-62 of this chapter may redeem the animal and regain possession thereof within 72 hours after notice of impoundment is posted as required by this chapter and complying with all applicable provisions of this chapter by paying any applicable fees as determined by the board of commissioners.

B. Any animal held or impounded in the animal shelter because of being found running at large shall be released to its owner by the animal operations director or his/her designee, upon presentation of the following:

(1) Proof of ownership of such animal; and
(2) Proof of current rabies vaccination; and
(3) Payment of the daily boarding cost plus the impoundment fee, as set forth as follows:

First violation per animal:

If the animal is not microchipped it shall be microchipped at the owner's expense prior to return.

Second violation per animal:

If the animal is intact, the animal shall be spayed/neutered at the owner's expense prior to return.

Third and each ensuing violation per animal: $75.00

C. Any animal held or impounded in the animal shelter because of violation of any provision of this chapter, except running at large, shall be released to its owner thereof by the animal operations director or his/her designee upon proof of

ownership of such animal. The owner of such animal shall remain liable for payment of the daily boarding cost plus the impoundment fee as set forth above.

D. Payment of the daily boarding cost and impoundment fee shall not relieve the owner from the responsibility for all penalties which may be imposed for a violation of any of the provisions of this chapter.

E. All animals with proper identification shall be held a minimum of seven days and all exhaustive measures will be taken to reunite the animal with its owner.

F. The owner or keeper of an animal or livestock impounded pursuant to sections 4-61 and 4-62 of this chapter may redeem the animal and regain possession thereof within 3 days after notice of impoundment is posted.

G. The provisions of this section shall have no application with respect to animals surrendered by the owner or keeper to animal operations or to an animal shelter for immediate adoption or destruction as provided for in section 4-7.

Sec. 4-64. Destruction or adoption of unredeemed animal generally.

A. If an impounded animal is not redeemed by the owner or his/her designee within the period prescribed in section 4-63, it may be destroyed in a humane manner as approved by the American Veterinary Medical Association, the Humane Society of the United States or the American Humane Association, or it shall become the property of the animal shelter.

B. No animal which has been impounded for being a stray or unclaimed by its owner may be adopted from the animal shelter during a period of emergency rabies quarantine invoked pursuant to this chapter, except by special authorization of the health director or his/her designee.

Sec. 4-65. Procedure for redemption or adoption of unvaccinated dog or cat.

A. Unless proof of a current rabies vaccination can be furnished, every animal will be vaccinated for rabies if it is at least four months of age or older. Every person who either adopts or redeems a dog or cat at the animal shelter will be given a "proof of rabies vaccination notice" at the time of the redemption or adoption. For animals less than four months of age, a notice will be stamped with a date stating the maximum time limit allowed to take the dog or cat to a veterinarian for rabies vaccination.

B. The "proof of rabies vaccination notice" will be completed by the veterinarian and returned to the shelter issuing the notice.

C. Payment for rabies vaccination provided for in this section will be the responsibility of the person redeeming or adopting the animal.

Sec. 4-66. Destruction of wounded, diseased or unweaned animals.

Notwithstanding any other provision of this chapter, any animal seized and impounded which is badly wounded or diseased (and not a rabies suspect), and has no identification may be destroyed immediately in a humane manner. Unweaned animals may be humanely destroyed after significant attempts to contact local animal shelters and/or individual rescuers have failed. If the animal has identification, the animal shelter and/or animal operations shall attempt to notify the owner before disposing of such animal. If the owner cannot be reached readily, and the animal is suffering, the animal shelter, animal operations or any law enforcement officer may destroy the animal at its discretion in a humane manner.

Sec. 4-67. Destruction of animals which cannot be seized by reasonable means.

Notwithstanding any other provision of this chapter, an animal which cannot be seized by reasonable means may be humanely destroyed by order of the animal operations director or person duly authorized by the animal operations director.

Sec. 4-68. Keeping stray animals; requirements; failure to surrender.

A. It shall be unlawful for any person in the county knowingly and intentionally to harbor, feed, keep in possession by confinement or otherwise allow to remain on his/her property, any animal which does not belong to him/her, unless he/she has, within 72 hours from the time such animal came into his/her possession, notified the animal operations department. Upon receiving such notice, the animal operations staff may take such animal and place it in an animal shelter and shall deal with it as provided by the animal shelter policy.

B. It shall be unlawful for any person to refuse to surrender any such stray animal to animal control or any person duly authorized by the animal operations director or his/her designee upon demand.

C. Any person or organization who fails to notify the county animal operations officer, or any person designated by the animal operations director, within 72 hours of coming into possession of an animal that does not belong to him, shall be deemed the temporary custodian of said animal, and shall be subject to compliance with all provisions of this chapter.

Sec. 4-69. - 4-85. Reserved.

ARTICLE IV. PERMITS*

*Cross reference to the Moore County Code of Ordinances, Chapter 9 entitled Licenses, Permits and Miscellaneous Business Regulations.

Sec. 4-86. Security dogs.

A. It shall be unlawful to keep, maintain or use any dog in the county for the purpose of protecting any commercial or industrial property, or person on such property, unless a permit has first been obtained from the animal operations director, in accordance with the provisions of this section, and unless such permit shall remain unsuspended and unrevoked. A warning sign shall be posted near entrances and exits to property declaring a security dog is present.

B. It shall be unlawful to keep, maintain or use any patrol or security dog in the county for the purpose of protecting any residential property, or person on such property, unless a permit has first been obtained from the animal operations director, in accordance with the provisions of this section, and unless such permit shall remain unsuspended and unrevoked.

C. The animal operations director may revoke any permit if the person holding the permit refuses or fails to comply with this chapter, or any other applicable law.

D. The animal must be kept in an enclosure with a fence six feet high, or higher, if the animal control officer, considering the history, size and strength of the dog, determines a higher fence is necessary.

E. A warning sign (i.e., "Security Dog On Premises") must be posted, which must be visible from 20 feet on all sides of the fence. The owner is required to notify the animal control officer immediately if the dog gets loose or attacks a person or another animal.

Sec. 4-87. Repealed.

Sec. 4-88. Mandatory spay/neuter of adopted animals.

Any group, organization or entity offering animals for adoption in Moore County must provide proof of sterilization for every animal, six months of age or over, and prior to adoption, or make prepaid arrangements for a spay/neuter surgery prior to the animal being placed into a home.

Notes:

State law references-Authority of county to levy taxes to provide animal protection and control programs, N.C.G.S. § 153A-149(c)(6); animal license tax, N.C.G.S. § 153A-153; animal shelters, N.C.G.S. § 153A-442; dogs, N.C.G.S. Ch. 67; power to define and prohibit animal abuse, N.C.G.S. § 153A-127; power of county to regulate, restrict or prohibit the possession or harboring of dangerous animals, N.C.G.S. §153A-131; wildlife resources commission, N.C.G.S. § 143-237 *et seq.*; rabies, N.C.G.S. §130A-184 *et. seq.*; ordinance making power, N.C.G.S. §153A-121.

Moore County Animal Control Ordinance Adopted 5/2/88 Repealed.
Moore County Animal Control Ordinance Revision Adopted by Board of Commissioners 10/6/08.
Moore County Animal Control Ordinance Effective 12/1/08
Moore County Animal Control Ordinance Amended 3/2/09