

ANIMALS

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ARTICLE I. GENERAL

Sec. 1-1 Definitions

In the construction of this article, the following definitions shall be observed:

Animal: Living creature, domestic or non-domestic, does not include humans or invertebrates not including wild animals as defined herein.

Animal Control Officers: An enforcement officer employed by Duplin County in regard to animal control.

Animal Cruelty Investigator: An enforcement officer sworn by the Duplin County Board of Commissioners pursuant to N.C. Gen. Stat. §19A-41.

Animal Control Supervisor: The officer or employee placed in supervision of the Animal Control Department.

Animal Shelter: The animal shelter operated and maintained by Duplin 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.

Cat: A domestic or feral feline of either sex.

Commercial Farms: Large scale producer of crops, livestock or poultry for widespread distribution, not including equine.

Dog: A domestic canine of either sex.

Equine: Horse, mule, donkey, and pony.

Equine Activity: Any activity involving an equine.

Equine Activity Sponsor: Means any individual, group, club, partnership, or corporation, whether the sponsor is operating for profit or nonprofit, which sponsor, organizes or provides the facilities for an equine activity. The term includes operators and promoters of equine facilities.

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 (7) 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.

Humanely Clean Conditions: Minimum standards of sanitation wherein an animal would not need to lie in his own waste.

Immediate Control: An animal is under the immediate control of the owner in that the owner can direct the animal through voice commands, hand controls or the like.

Impounded: Any animal which is received into custody by the Duplin County Animal Shelter.

Incorporated Area: This term shall apply to the area within the corporate limits of any town or municipality within Duplin 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 boarding 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.

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. 1-2. Territorial Application

This chapter shall be effective within the un-incorporated areas of Duplin County.

Sec. 1-3. Duties of Animal Control Officer/ Animal Cruelty Investigator

(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 there 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,
- (3) Assist practicing veterinarians in the county in conducting rabies clinics,
- (4) Maintain the animal shelter including records of impounded destroyed, reclaimed and adopted animals,
- (5) Provide at the end of each day, upon request, a list containing complete description of all animals impounded.
- (6) 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.

(c) The Animal Cruelty Investigator shall investigate reports of animal cruelty or abuse. Any Animal Control Officer who has attended and satisfactorily completed an Animal Cruelty Investigator course shall be appointed as an animal cruelty investigator by the County on a yearly basis as required by statute.

Sec. 1-4.

Animal Shelter

(a) The Duplin County Animal Control Department shall maintain the Duplin County 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 Duplin County Health Director determines it should be reduced to three (3) days which is the minimum allowed by State Law. The Animal Control office will use every reasonable effort to locate and inform the owners of these animals.

(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, as defined by the Health Director. The animal will be quarantined for the appropriate time of observation.

Sec. 1-5.

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 Animal Control.

(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 Animal Control.

Sec. 1-6 Duty of Owner to Control Animals

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

(1) Restrained upon the property of the owner or keeper of the animal either by being tied, chained, within the confines of a fence designed to restrain the animal; or in electronically operated fence sufficient to restrain the animal upon the property; or in the presence 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 1-6 (a) (2).

(3) A hunting dog while training, during a hunt, or returning from a hunt or training, whose owner has a valid North Carolina Hunter's License, shall be exempt from Section 1-6(a)(1) &(2).

Sec. 1-7. Running at large

Animals shall not be allowed to run at large by their owners or keepers.

(a) For the purpose of this section running at large shall mean any animal that roams, runs, or self-hunts off the property of its owner or keeper and that is not under the immediate control of its owner or keeper.

(b) A hunting dog while training, during a hunt, or returning from a hunt or training, whose owner has a valid North Carolina Hunter's License, shall be exempt from Section 1-7.

Sec. 1-8 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, possessor, including but not limited to, turning over garbage containers, or damaging gardens, flowers, or vegetables or defecating upon the property of another. Owners shall remove any fecal waste deposited by their animals on public property or the property of others.

(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 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) Maintaining an animal that is diseased and dangerous to the public health and not obtaining appropriate medical treatment for the animal.

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

(7) 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.

(c) Upon filing a written Complaint in regard to an above-referenced nuisance, an animal control officer shall endeavor to investigate the complaint within 24 hours. If through investigation the complaint is substantiated, the animal control officer shall request that the nuisance be corrected within a twenty-four (24) hour period after 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. In the event that the owner/keeper cannot be located within a twenty-four (24) hour period of time, the animal control officer may file a civil or criminal action against the owner and obtain a court order to seize the animal(s).

(d) Commercial farms are exempt from Section 1-8.

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. 1-9 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.
 - (1) Adequate food. The provision of 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.
- (d) Humanely clean conditions. Minimum standards of sanitation necessary to provide humanely clean conditions for outdoor or indoor enclosures shall include periodic cleaning to remove excretions and other waste materials, dirt and trash to minimize health hazards. Commercial farms shall meet the requirements of any federal and state regulations as to minimum standards.
 - (1) 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.

Sec. 1-10

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, Animal Cruelty Investigator, 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 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 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 or Animal Cruelty Investigator.

(c) Abandonment. It shall be unlawful for any owner or person responsible for 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 of an animal shall abandon such animal except to relinquish the animal to the Animal Shelter. If the Animal Control Department 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 Control Office must make a reasonable effort to locate the owner or manager of the property. The property will be posted for seventy-two (72) hours at which time the animal will be removed from the property. If the owner contacts the Animal Control Office to reclaim the animal, an explanation for the animals abandonment must be provided to the satisfaction of the Animal Control Supervisor before the animal is reclaimed by the owner. Owner shall reimburse Animal Control for costs incurred in keeping the animal.

(d) Confinement of animals in the interior of a 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, lack of adequate ventilation or water, and such other conditions as may reasonably be expected to cause suffering, disability or death. Interior of a motor vehicle includes but is not limited to the passenger area, trunks, camper shells and truck cabs.

(1) After making a reasonable effort to find the driver of a vehicle in which an animal is confined, an Animal Control Officer shall obtain a search warrant to enter the vehicle to obtain the animal if reasonable cause exists that the animal is suffering and/or a violation of this Ordinance has occurred. In the event the vehicle is locked, the Animal Control Officer shall contact local law enforcement. The law enforcement officer shall endeavor to open the vehicle for the Animal Control Officer.

(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 officer may also issue a warning citation for violation of this subsection.

(e) 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.

(f) 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 on a human being or a domestic animal.

Sec. 1-11. Destruction of animals that cannot be seized by reasonable means

Notwithstanding 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 of a nuisance animal, or tranquilized by animal control, may be humanely destroyed in the field upon the authorization of the animal control supervisor.

Sec. 1-12. 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. Animal Control is authorized to receive and impound animals that are trapped by other agencies or persons within Duplin County.

Sec. 1-13. Impoundment & Adoption

It shall be the duty of Animal Control 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;

(b) Any animal impounded which can be traced to its legal owner: the owner will be notified that the animal is in custody of Animal Control. Upon notice to the Owner, the Owner has seventy-two (72) hours to pick up the animal. If an animal is picked up by its owner within seventy-two (72) hours, then the animal can be released to the Owner without any fees. Said fees shall be waived for an Owner a maximum of one (1) time total. In the event an Owner's animal is impounded two (2) times or more, or held for more than seventy-two (72) hours, then the Owner shall pay the current impoundment fee and maintenance fees, including boarding, transportation, and veterinarian fees, before the animal shall be returned to its owner. In the event the owner does not want the animal returned the owner shall so state in writing and the animal can then be put for adoption. However, the payment or waiver of such impoundment fees shall not bar the imposition of any fine, which may be imposed for the violations of this chapter;

(c) Animal Control Officers are hereby authorized to enter upon any unfenced/fenced lot, tract, or parcel of land for the purpose of seizing and impounding any animal found thereon in violation of this Ordinance once obtaining a valid Search Warrant;

(d) 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 for a period of three (3) years from the date of adoption. Monies received from fines, fees, or adoptive placement will be turned over to Duplin County in accordance with County Finance policies.

(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.

(f) The impoundment fees of this section are hereby waived for hunting dogs that are claimed by their owners who have a valid North Carolina Hunting License.

(g) Adoption Status – after seventy-two hours (72) of impoundment

an animal may be placed for adoption by Animal Control. A person applying to adopt an animal shall fill out any and all appropriate documentation required by Animal Control in addition to paying the County's adoption fee currently in effect. Animal Control hereby reserves the right to reject any and all applications for adoption. Upon adopting an impounded animal Section 4 – Spay/Neutering shall apply.

Sec. 1-14. Humane euthanasia of injured or diseased animals

Notwithstanding 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 cannot be reached readily and the animal is suffering, the Animal Control Supervisor or his designee may cause the animal to be euthanized at his/her discretion in a humane manner. The Animal Shelter and Animal Control section shall have no liability for euthanizing injured/wounded or diseased animals.

Sec. 1-15. 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 Control section within seventy-two (72) hours to arrange for impoundment or provide notification of the stray animal's description and location. 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. 1-16. 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 hunting dogs while training, during a hunt, or returning from a hunt or training, provided the owner has a valid North Carolina Hunter's License. This chapter should be read and enforced consistent with any such law.

Sec. 1-17 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. 1-18 Equine

- (a) Equine Activity Warning Notice – every Equine professional and every Equine activity sponsor shall post and maintain signs with the following warning notice in a clear visible location on or near stables, corrals and trailers:

WARNING

Under North Carolina law, an equine activity sponsor or equine professional is not liable for an injury to or the death of a participant in equine activities resulting exclusively from the inherent risks of equine activities. Chapter 99E of the North Carolina General Statutes.

- (b) Coggins test – a negative Coggins test is required within the past twelve (12) months on all equine over six (6) months of age when being sold or ownership transferred. A negative Coggins test (within the past 12 months) is also required for all equine brought to or kept at any public stable or other public place for exhibition, recreation or assembly. Upon request by Animal Control and/or Animal Cruelty Investigator, an equine owner shall provide proof of Coggins test.

- (c) All articles of this Ordinance shall apply to equine.

Sec. 1-19 Reserved.

ARTICLE II. RABIES CONTROL

Sec. 2-1 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.

(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. 2-2 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.

(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 Health Director.

(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 seventy-two (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.

Sec. 2-3

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.

(b) In addition to all other penalties as prescribed by law, a dog or cat 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) It shall be unlawful for any person to use for any animal a rabies vaccination tag issued to another animal.

ARTICLE III. ENFORCEMENT AND PENALTIES

Sec. 3-1

Enforcement

(a) Enforcement of this article shall rest with Duplin County Animal Control Department, its officers, employees and those governmental agencies and personnel authorized to exercise police powers by North Carolina statutes to include, without limitation, the Duplin County Sheriff's Department.

(b) Animal Control Officers and/or Animal Cruelty Investigators are authorized to investigate suspected violations of this chapter and are empowered to issue citations, warning citations, or letters of warning when any of the provisions of this chapter have been violated. Citations shall be delivered by Animal Control Officers and/or Animal Cruelty Investigators or by law enforcement to the alleged violator by personal delivery or by registered mail return receipt requested to the person so charged.

(c) Where enforcement personnel determine that a violation is a first offense for

the person charged, a written warning letter or citation may be issued at the discretion of the Animal Control Officers and/or Animal Cruelty Investigator.

Sec. 3-2

Penalties

Any person violating the provisions of this chapter shall be subject to the following criminal or civil penalties and actions. No penalty shall be assessed without notice of the violation.

(a) Civil Penalty: The County may assess a civil penalty of \$50.00 for a first offense, \$100.00 for a second offense, and \$250.00 for all subsequent offenses, which amount(s) may be recovered by the county in a civil and/or criminal action. Each day a violation occurs shall be a separate violation. The county may, at its discretion, additionally seek restitution for the actual cost of maintaining, transporting, boarding, or providing veterinarian services for any animal impounded under this chapter.

(b) Injunction and order of abatement: The provisions of this article may be additionally enforced by injunction and order of abatement.

(c) Criminal Penalties: Any person who violates the provisions of this Chapter shall be guilty of a Class 3 misdemeanor and shall be subject to a fine of \$50.00 for a first offense, \$100.00 for a second offense, and \$250.00 for all subsequent offenses, or imprisonment. Each day a violation occurs shall be a separate offense.

Sec. 3-3

Articles Cumulative

Procedures set forth in this Article shall be in addition to any other remedies that may exist under law or ordinance.

ARTICLE IV. SPAY AND NEUTER PROGRAM

Sec. 4-1

Duplin County Board of Commissioners Findings & Purpose

Duplin County Board of Commissioners hereby finds that the uncontrolled breeding of cats and dogs in the County has led to unacceptable numbers of unwanted dogs, puppies, cats and kittens. These unwanted animals become strays and constitute a public nuisance and a public health hazard. It is thereby the Policy of the Duplin County Board of Commissioners to recommend and require that any dogs or cats adopted from the Duplin County Animal Shelter be spayed or neutered.

Sec. 4-2

Duplin County Sponsored Spay/Neuter Program

Any dog or cat adopted from the Duplin County Animal Shelter shall be spayed or neutered within thirty (30) days of said adoption. Any person wishing to adopt a cat

or dog from the Duplin County Animal Shelter shall pay the adoption fee and a spay/neuter fee to the Duplin County Animal Shelter. All fees are non-refundable.

Upon adopting a cat or dog from the Duplin County Animal Shelter, a person shall:

1. Receive a voucher to a local veterinarian who participates with Duplin County in the Duplin County Spay/Neuter Program,
2. Arrange for and transport that dog or cat to and from the veterinarian's office at his/her own expense,
3. Supply the voucher to the veterinarian's office and arrange for an appointment for the appropriate procedure,
4. In the event, the pet owner requests additional services from the veterinarian then the pet owner shall be solely responsible for any and all costs associated for those services.

Upon performing the procedure, the veterinarian's office shall bill Duplin County at the contracted rate. In the event the pet owner fails to get the dog or cat spayed or neutered within ninety (90) days of adoption the pet owner forfeits the spay/neuter fee and is no longer authorized to adopt an animal from the County's shelter. It shall be under the discretion of the Duplin County Animal Control Director whether said person shall be charged with a violation under this Ordinance.

Exception: In the event a veterinarian licensed by the State of North Carolina determines that a dog or cat placed for adoption by the Duplin County Animal Control should not be spayed/neutered for a medical reason then the spay/neuter fee shall be waived and Section 4-2 shall not apply.

Sec. 4-3 Agreement with Private Organizations and/or Veterinarians

In the event that an individual or private organization has a contract with a Veterinarian to spay or neuter its dog(s) and/or cat(s) then upon providing proof of said contract to Animal Control the spay/neuter fee shall be waived.

ARTICLE V. EFFECTIVE DATE & AMENDMENTS

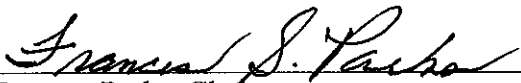
Sec. 5-1 Effective Date

This Ordinance shall become effective November 1, 2011

Sec. 5-2 Amendments or Revisions


Any revisions or modifications to this ordinance must be put to the Animal Control Committee prior to going to the Duplin County Board of Commissioners. Said Animal Control Committee shall consist of at least one (1) member of the following: Pet Friends of Duplin County, Duplin-Onslow Hunter's Association, and a North Carolina licensed veterinarian practicing in Duplin County.

DUPLIN COUNTY
BOARD OF COMMISSIONERS



Frances Parks, Chairman

ATTEST:



Mike Aldridge, Clerk to the Board

