

DOG AND CAT NUISANCE ORDINANCE

WHEREAS, pursuant to Chapter 153A, Section 121, of the General Statutes of North Carolina, the county may by ordinance defined, regulate, prohibit or abate acts, omissions or conditions detrimental to the health, safety or welfare of its citizens and the peace and dignity of the county.

NOW, THEREFORE, the Board of Commissioners of Union County hereby adopts the following ordinance:

Section 1.

The actions of a dog or cat constitutes a public nuisance when that 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 their property.

Section 2.

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

- (1) Allowing or permitting the dog or cat to damage the property of anyone other than its owner, including but not limited to turning over garbage containers or damaging gardens, flowers or vegetables.
- (2) Maintaining a vicious dog or cat as described by the laws of the State of North Carolina.

- (3) Maintaining dogs or cats in an environment of unsanitary conditions which results in offensive odors or is dangerous to the dogs or cats or to the public health, welfare or safety.
- (4) Maintaining his or or her 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 dogs or cats on the property.
- (5) Allowing or permitting the dog or cat to bark, whine, or howl, in an excessive or continuous fashion or make noise in such a manner or at such times so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises.
- (6) Maintaining a dog or cat that is diseased and dangerous to the public health.
- (7) Maintaining a dog that habitually or repeatedly chases, snaps at, attacks or barks at pedestrians, bicycles or vehicles.
- (8) Failing to confine a female dog while in heat in a building or secure enclosure in such a manner that she will not be in contact with another dog or attract other animals; provided, this section shall not be construed to prohibit the intentional breeding of animals within an enclosed area on the premises of the owner of an animal which is being bred.

A person or persons lodging a complaint or complaints relating to a dog or cat constituting a public nuisance will be responsible for filing the complaint with the appropriate judicial authority.

Section 3.

Any person, firm or corporation which fails to comply with or violates any of the provisions of this ordinance shall be guilty of a misdemeanor and subject to fine and/or imprisonment as provided in North Carolina General Statutes 14-4. Provided further that each day's continuing violation of this ordinance shall be a separate and distinct offense.

Section 4.

This ordinance shall be effective upon adoption.

Adopted this 18th day of February, 1987.

I hereby certify that the above ordinance was adopted this 18th day of February, 1987.

Barbara W. Moore

Barbara W. Moore, Clerk to the Board

Repealed and superseded by Ordinance adopted on February 23, 1991.
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