

AN ORDINANCE AMENDING CHAPTER 10 OF THE CARRBORO TOWN CODE
(ANIMAL CONTROL)

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Chapter 10 – Animal Control, of the Town of Carrboro Town Code is repealed with the exception of the following sections, which shall remain in full force and effect:

- a. Section 10-1(15) – definition of “livestock”;
- b. Section 10-1(21.1) – definition of “tether”;
- c. Section 10-2 – Privilege Tax on Dogs and Cats;
- d. Section 10-5(b) through (g) – Regulating the keeping of livestock within town limits;
- e. Section 10-7.1 – Feeding of Deer Prohibited;
- f. Section 10-17 – Dogs Prohibited Within Farmers Market;
- g. Section 10-17.1 – Dog Owners Required to Remove Feces Deposited by Dogs;
- h. Section 10-17.2 – Tethering of Dogs Generally Prohibited;
- i. Section 10-38 – Appeals (as amended by Section 2 of this ordinance, below).

Section 2. Subparagraph (a) of Town Code Section 10-38 Appeals is amended to read as follows:

- (a) The owner of any animal who (i) is required to remove his animal from the Town based upon a finding that the animal is or creates a public nuisance, or (ii) who has been assessed and has paid a civil penalty, or (iii) whose permit is denied or revoked pursuant to applicable regulations, or (iv) whose animal is declared to be “dangerous” or “vicious” pursuant to applicable regulations, may appeal to the Animal Control Board. An appeal shall be taken within ten (10) days after receiving written notice of the determination appealed from except that appeals from a determination that a dog is a vicious dog or dangerous dog shall be taken within three (3) days of notification. An appeal is taken by filing written notice of appeal with the administrator and stays all enforcement efforts of the administrator until the appeal is disposed of. An appeal from an order to pay civil penalties shall first be reviewed by the Chief of Police, or his/her designee, who shall have authority to affirm, revise or modify the order. If the owner is unsatisfied with the first civil penalty review, the owner may then appeal to the Animal Control Board of Appeals within ten (10) days of the Chief’s (or his/her designee’s) decision.

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon the effective date of the revised Orange County Animal Control Ordinance now being considered by the Orange County, North Carolina Board of County Commissioners.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this ____ day of _____, 2015.

Ayes:

Noes:

Absent or Excused: