

**Burke County
North Carolina**

**Ordinance Amending Chapter 6, Animals
Burke County Code of Ordinances**

New text is printed in **bold**. Text to be removed is printed in **bold** and contains a strikethrough mark.

ARTICLE I. – IN GENERAL

Sec. 6-12. - Chaining and Tethering.

Except as provided in this section, it shall be unlawful for any person owning or keeping a dog to leave a dog restrained to a stationary object for a period of time or under conditions that are harmful or potentially harmful to the animal.

At no time may a dog remain on an uninhabited property such as a vacant lot or a lot without an occupied domicile.

Any dog less than four (4) months old shall not be tethered.

Under no circumstances shall an unaltered female dog be tethered without direct supervision by the owner or attendant or must be secured in a secondary enclosure.

Only one dog shall be attached to a tether at one time.

The minimum length of the tether shall be ten (10) feet.

The tether line shall weigh no more than five percent (5%) of the dog's body weight and be made of a substance which cannot be damaged by the dog.

The tether must be attached to the dog with an appropriate harness or buckle-style collar properly fitted with room enough for two (2) fingers to fit between the collar and the dog.

The use of pinch, weighted, or choke collars is prohibited when tethered.

Tethering shall be used for no longer than fourteen (14) consecutive hours within a 24-hour period after such time the dog must be released from the restraint to engage in supervised exercise and socialization.

The restraint system shall maintain the dog's freedom of movement and freedom from entanglement, and it shall allow access to food, water, shelter, and shade.

The restraint system shall be affixed to a stationary object which does not permit the dog to travel within five (5) feet of any property line and housed or restrained no closer than 15 feet from a public street, road, sidewalk, or right-of-way, such

circumstances constitute a public nuisance. If the animal is on the street, road, sidewalk, or right of way, the Animal Services Enforcement Officer shall issue a notice to the owner directing the owner to move the animal. If the animal is found on a public street, road, sidewalk, or right of way and the owner is not at home or refuses to remove the animal from the street, road, sidewalk, or right of way, the animal may be seized and impounded.

If tethered to a pulley or zip line, the stationary cable that the pulley runs on must be at least ten (10) feet in length, anchored on each end to a stationary object which cannot be moved by the dog, and include stops on each end to prevent the animal from becoming wrapped around the stationary object.

The restraint system shall be situated at least five (5) feet away from any fence to prevent strangulation.

The line attached to the restraint system must allow the dog to move perpendicularly at least ten (10) feet from the stationary cable.

A swivel of proper size and durability shall connect the tether to the pulley or zip line to prevent entanglement.

The clamps attaching the tether to the dog's harness must be of proper size and durability.

In cases where deemed necessary for public safety, written exemptions may be made by the Animal Services Director's discretion for other restraint methods but only after opportunities to verify those methods are needed and that they serve the purpose and intent of this section.

ARTICLE III. – IMPOUNDMENT

Sec. 6-73. – Reclamation by owner.

(No changes to sections a – c.)

- d) Any animal found off the owner's property, at large, will be issued a warning by Burke County Animal Services. Following this warning, the owner of a non-spayed or unneutered dog or cat shall be subject to an unaltered impounded animal fine in addition to any other fees or fines imposed by this title or State law. All subsequent violations will result in an additional, graduated unaltered animal fine. The unaltered impounded animal fines shall be set by the Board of Commissioners. For this section, "impounded" shall mean any animal that is impounded in violation of Sec. 6-10.**

Effective date: This section shall be in effect as of July 1, 2021.

Article V. REMEDIES

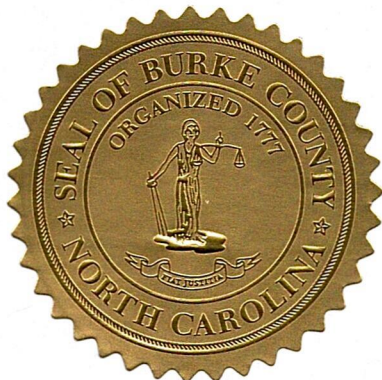
Section 6-131. – General enforcement, order or other relief.

- (a) Civil penalties. Any person, firm or corporation violating any of the provision of this chapter shall be subject to the imposition by citation of a civil penalty for each such violation which shall be paid in full within ten days of the service of the citation by a representative of the County Animal Services Department or any law enforcement officer in accordance with G.S. 153A-123. If the offender does not pay the penalty within ten days, the county may recover said penalty plus court costs in a civil action in the nature of debt. Failure to correct the violation within the ten-day period will result in an additional penalty of \$50.00 per violation per day until the violation is corrected. All civil **fees penalties** are subject to associated legal fees in the collection of delinquent **fees penalties**.

No changes to sections 1 – 5.

- (6) Violation of the county ordinance for animal cruelty is subject to a first offense **fine penalty** of \$500.00 and a second offense **fine penalty** of \$1,000 if the second offense occurs within one year of the first offense.

No changes to sections 7 – 10 or b – d.



Adopted this 18th day of May 2021.


Jeffrey C. Brittain, Chairman
Burke Co. Board of Commissioners

Attest:


Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board