

**Burke County
North Carolina**

Ordinance Amending the Burke Co. Code of Ordinances

Chapter 6, Animals

Section 6.1 - Definitions

**Section 6.3, Authority and Purpose; General Duties of Animal Services
Enforcement**

New text is printed in **bold red font**. Text to be deleted contains a strikethrough mark.

Article 1 – In General
Sec. 6.1 – Definitions

***Imminent hazard* means a situation causing immediate threat of death to humans or animals, an immediate threat of serious bodily or injury or an immediate threat of serious adverse health effects to humans or animals if no immediate action is taken.**

Section 6.3 – Authority and Purpose; General Duties of Animal Services Enforcement
(Section 6.3 A – E) - No changes.
(Section 6.3 F, subsections a - d) – No changes.

Section 6.3, F(e)

Animal enforcement officers and other personnel assigned to enforce this chapter shall have a broad range of power to carry out the provisions of this chapter and discretion in the use of an appropriate remedy for violations. Animal enforcement officers shall have the power to initiate investigations, not only when complaints are received but as a result of their own knowledge and observation of facts and circumstances.

Animal enforcement officers may take notice of facts and information in plain view in automobiles, in the yards surrounding houses and other areas that can be readily observed without intrusive investigations and as a result of those observations may take appropriate enforcement action including the impoundment of animals when violations are observed, or the issuance of any other order permitted hereunder.

With the consent of property owners and individuals apparently in charge of the premises, animal enforcement officers may investigate the conditions and circumstances inside of locked fences, outbuildings, houses, apartment

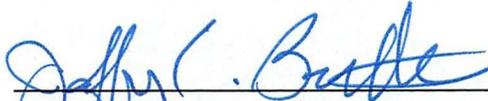
units, condominium units or other buildings and as a result of such investigations may impound animals or take other appropriate enforcement action.

In the event circumstances are not plainly observable or in the event access to enclosed premises is denied, animal enforcement officers may seek the assistance of public safety officers, Burke Co. Sheriff's deputies and other sworn personnel, obtain administrative search and inspection warrants and conduct other lawful searches and inspections of such premises as authorized by NCGS § 15-27.2.

The animal services director, through his/her authorized designee, shall have the right of entry upon the premises of any place where entry is necessary to carry out the provisions of these rules. If consent for entry is not obtained, an administrative search and inspection warrant shall be obtained pursuant to G.S. 15-27.2. However, if an imminent hazard exists, no warrant is required for entry upon the premises.



Adopted this 5th day of October 2021.



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

Attest:



Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board