

Amends Section 10-17 of the Town of Chadbourn Code of Ordinances by adding:

2013 FEB 20 AM 4:01

COLUMBUS COUNTY

(XX) Owners of any potentially vicious dog, as defined by this ordinance; shall comply with the following: *DE*

(1) A "potentially vicious dog" is defined to mean:

- a. The bull terrier breed of dog;
- b. The Staffordshire bull terrier breed of dog;
- c. The American pit bull terrier breed of dog;
- d. The American Staffordshire terrier breed of dog;
- e. The Rottweiler breed of dog;
- f. The Chow Chow breed of dog;
- g. Dogs of mixed breed or of other breeds than above listed which breed or mixed breed are known as pit bulls, pit bull dogs, pit bull terriers, or any other commonly accepted derivative names of the other named breeds listed above;
- h. Any dog which has the appearance and characteristics of being predominantly of any the breeds of dogs listed above; or a combination of any of those.
- i. Any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury to, or to otherwise endanger the safety of humans or other domestic animals; or
- j. Any dog which attacks a human being or other domestic animal without provocation.

(2) Owners keeping of potentially vicious dogs shall be subject to the following standards:

- (a) *Leash and muzzle.* No person shall permit a **potentially vicious dog** to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a **potentially vicious dog** to be kept on a chain, rope or other type of leash outside its kennel or pen unless person is in physical control of the leash. Such dogs

shall not be leashed to inanimate objects such as trees, posts buildings, etc. All **potentially vicious dogs** on a leash outside the animal's kennel shall be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals. In addition, no person under the age of sixteen (16) years shall physically control a **potentially vicious dog**.

- (b) *Confinement.* All **potentially vicious dogs** shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as above provided. Such pen, kennel or structure shall have secure sides and a secure top attached to all sides. All structures used to confine **potentially vicious dogs** shall be locked with a key or combination lock when such animals are within the structure. Such structure shall have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two (2) feet. All structures erected to house **potentially vicious dogs** shall comply with all zoning and buildings regulations of the Town. All such structures shall be adequately lighted and ventilated and kept in a clean and sanitary condition.
- (c) *Confinement indoors.* No **potentially vicious dog** may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when screen windows or doors are the only obstacle preventing the dog from exiting the structure.
- (d) *Signs.* All owners, keepers, or harborers of **potentially vicious dogs** within the Town shall within ten (10) days of the effective date of this section display in a prominent place on their premises a sign easily readable by the public using the words "**Beware of Dog.**" In addition, a similar sign is required to be posted on the kennel or pen of such animal.
- (e) *Identification photographs.* All owners, keepers or harborers of **potentially vicious dogs** must within (10) days of acquisition and or the effective date of this section provide to the Town Police Department two (2) color photographs of the animal clearly showing the color and approximate size of the animal. Owners of any potentially vicious dog shall also provide an address and location of the animal and emergency contact numbers of the owners.
- (f) *Spay or neuter Requirement.* Any registered **potentially vicious dog** shall be spayed or neutered at appropriate age, and the owner shall present satisfactory evidence of such procedure to the Town Clerk within thirty days of adoption of this ordinance.

(g) Any **potentially vicious dog** that has been certified as “seeing eye dog”, human handicapped assistance dog, or an emergency services K-9 shall be exempt from the standards of this ordinance as long as:

1. The dog is being used for the purpose of such certification.
2. The dog does not display the tendency or disposition to attack unprovoked, to cause injury to, or to otherwise endanger the safety of humans or other animals.

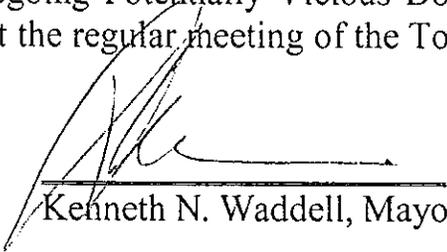
(12) **Failure to comply.** It shall be unlawful for the owner, keeper or harbinger of a **potentially vicious dog** with in the Town to fail to comply with the requirements and conditions set forth in this ordinance.

- a. Non-compliance 1st offense (fine set by council)
- b. Non-compliance 2nd offense (double fine set by council)
- c. Non-compliance 3rd offense shall result in immediate seizure and, impoundment of the animal. (will require council approval for the animal to return with in the town limits)

(13) **Violations and penalties.** Any person violating or permitting the violating of any provision of this section shall be subject to all enforcement remedies as provided by NCGS 160A-175 and NCGS 14-4.

Certificate of Adoption

I hereby certify that the foregoing Potentially Vicious Dog Ordinance is a true copy of the ordinance passed at the regular meeting of the Town Council, held on the 5th, day of April, 2011.



Kenneth N. Waddell, Mayor

Attest:



Patricia Garrell, Town Clerk