

MUNICIPAL ANIMAL CONTROL ORDINANCE
FOR THE TOWNS OF
ANGIER, COATS, ERWIN and LILLINGTON

Originally adopted January 08, 2008
Amended November 18, 2013
Amended Effective October ____, 2022

CONTENTS

GENERAL PROVISIONS

SECTION I	Purpose and Intent of Chapter
SECTION II	Applicability of County Ordinance
SECTION III	Establishment of Bird Sanctuary
SECTION IV	Hunting and Killing of Animals
SECTION V	Keeping Livestock within the Town / City Limits
SECTION VI	Number of Chickens Permitted
SECTION VII	Number of Dogs Permitted
SECTION VIII	Number of Cats Permitted
SECTION IX	Confinement and Running at Large
SECTION X	Possession of Animals and Strays
SECTION XI	Impoundment and Reclaiming of Captured Animals
SECTION XII	Potentially Dangerous and Dangerous Dogs
SECTION XIII	Public Nuisance Animals
SECTION XIV	Enforcement, Penalties and Remedies
SECTION XV	Ordinance in Conflict

SECTION I Purpose of Chapter

The purpose of this chapter is to provide and define authority of the Harnett County Animal Services Division (hereinafter referred to as “Animal Services”) within the towns of Angier, Coats, Erwin, and Lillington (hereinafter each individually referred to as the “Town” and collectively referred to as the “Towns”). Animal Services now has charge of protecting the citizens of these towns from rabies transmitted by unconfined, uncontrolled or un-immunized animals, to regulate animals that may be a nuisance, to insure that all animals are treated in a humane manner and in the promotion of responsible pet ownership and animal welfare. Animal Services in cooperation with the towns of Angier, Coats, Erwin, and Lillington are hereby charged with the responsibility of animal control in conjunction within these town’s jurisdictions. This Municipal Animal Control Ordinance (hereinafter referred to as the “Municipal Ordinance”) will supersede all town animal control ordinances and shall pertain to the towns of Angier, Erwin, Coats, and Lillington only.

SECTION II Applicability of County Ordinance

The provisions of the most current County of Harnett Animal Services Ordinance (hereinafter referred to as the “County Ordinance”) that are not in direct conflict with the provisions of this Municipal Ordinance are hereby adopted and incorporated herein by reference and shall be enforced within the corporate limits of the Towns.

SECTION III Establishment of Bird Sanctuary

- (A) The area embraced within the corporate limits of the Town and all land owned or leased by the Town outside the corporate limits is hereby designated as a bird sanctuary.
- (B) It shall be unlawful to intentionally trap, hunt, shoot, or otherwise kill, within a sanctuary hereby established, any native wild bird. It shall be lawful to trap birds or fowl specifically declared a nuisance by the Town board when such birds or fowl are found to be congregating in such number in a particular locality that they constitute a nuisance or a menace to health or property.
- (C) The bird clubs of the Town are hereby granted permission to erect artistic signs, giving notice of the regulations therein provided, at such places and of such design as may be approved by the Town Board.

State Law Reference: Bird Sanctuary establishment, G.S. 160A-188

SECTION IV Hunting, Killing, and Trapping of Animals

It shall be unlawful for any person to hunt or kill any animal within the territorial limits of the Towns. Trapping may be done with permission from Animal Services. This Section does not apply to the Police Departments, Animal Services, or duly authorized agents when enforcing the provisions provided in this Ordinance.

SECTION V Keeping Livestock and Fowl

No person may keep within the Town any Livestock and/or Fowl except in accordance with this Section.

- (A) It shall be unlawful for any person to maintain, keep, house, or stable any: horse, mule, pony, cow, sheep, goat, swine, or any other livestock including ducks, geese, turkeys, guineas within the corporate limits of the Town.
- (B) It shall be unlawful for any person to maintain, keep, or house any cattle, goats, horses, swine, ducks, geese, turkeys, guineas, or other livestock on a fenced lot within the corporate limits of the Town.
- (C) Any chickens kept within the corporate limits of the Town must be contained by a fence, building, or other enclosure that will ensure that the chickens will not run at large.
- (D) Any fowl found running at large may be taken into possession and/or destroyed by Animal Services anywhere within the corporate limits of the Town.

SECTION VI Number of Chickens

- (A) A maximum of **six (6) hens** (*Gallus gallus domesticus*) will be allowed per household.
- (B) **NO Roosters or other poultry breed will be permitted.**
- (C) Hens must be kept in a chicken coop or enclosed runs at all times and are not permitted to roam freely on the Owner's property.
- (D) The location of the coop and enclosed run must be in the rear of the Owner's property as determined by the line projected along the rear of the dwelling to each sideline and be 20 feet aware from the adjoining properties.
- (E) The coop and enclosed run must be a minimum of ten feet (10') in length and ten feet (10') in width and a maximum of sixteen feet (16') in length and sixteen feet (16') om width.
- (F) Coop design shall provide ample ventilation to avoid odors and be made predator proof.
- (G) All manure and wood shavings from the coop must be disposed of properly by removing off-site by the owner or person in possession or by professional removal service.
- (H) Prior to beginning construction, a Land Use application shall be submitted and approved by the Zoning Administrator for all coop and run designs.

- (I) The Code Enforcement officer, and its designee, has the right to enter onto the property for the purpose of inspecting the coop and run to ensure compliance with these requirements. The home owner will be notified no less than three days prior to the inspection date and has the right to be present during the inspection.
- (J) Owners who are determined to be in violation may be allowed to correct the violation(s) and/or be subject to a fine, as per the Town's code. Daily penalties will be assessed in the event that the violation(s) continue. The Town may revoke this privilege if an Owner has had three (3) or more violations during one calendar year.

SECTION VII Number of Dogs

It shall be unlawful for any person to keep on any lot or premises within the corporate limits of the Town more than three (3) dogs. This limitation shall not apply to dogs less than four (4) months of age. Any person wanting to keep more than three (3) dogs will apply to the Town for a license to operate a dog kennel. Prior to the issuing of such license it shall be determined that the kennel would be in compliance with all Town and State regulations.

SECTION VIII Number of Cats

It shall be unlawful for any person to keep on any lot or premises within the corporate limits of the Town more than three (3) cats. This limitation shall not apply to cats less than four (4) months of age.

SECTION IX Confinement and Running at Large

- (A) No person owning or having possession, charge, custody or control of any animal may cause, permit or allow the animal to stray or in any manner to run at large upon any public street, sidewalk, or other public property or to stray, run at large, or otherwise trespass upon the private property of another.
- (B) It shall be unlawful for the owner of any animal to allow such animal to be at large on any Town property.
- (C) It shall be unlawful for any person owning, harboring, keeping or in charge of any animal to fail or refuse to remove feces deposited by the animal on any street, sidewalk, park, or other publicly owned property.
- (D) It shall be unlawful for the owner of any animal to fail or refuse to remove feces deposited by the animal on any private property.

SECTION X Possession of Animals and Strays

- (A) It shall be unlawful for any person in the Town to knowingly and intentionally, unless with consent of the owner or person in possession, to harbor, feed and keep in their possession by confinement or otherwise allow to remain on their property any

animal which does not belong to them unless they notify Animal Services within forty-eight (48) hours from the time such animal came into his possession.

- (B) Any person who feeds a stray animal and/or allows the animal to stay on their property for at least two (2) days will be considered the legally responsible for such animal and any violations caused by the animal.
- (C) It shall be unlawful for any person to refuse to surrender any such stray animal to the Police Department, Animal Services, or person duly authorized upon demand.
- (D) The purpose of this Section is to aid in rabies control and to prevent the intentional or unintentional possession of pets belonging to other persons.

SECTION XI Impoundment and Reclaiming of Captured Animals

- (A) Any animal within the Town without an owner or person in possession, any animal running at large within the Town, or any animal whose owner or person in possession fails to have the animal vaccinated in accordance with the laws of the State, or an animal appearing within the Town without a rabies vaccination tag shall be taken by Animal Services and confined for a period of time until reclaimed by the owner or person in possession with a pre-paid rabies voucher, adopted with a pre-paid rabies voucher or euthanized by Animal Services.
- (B) If any animal is not redeemed by the owner or person in possession within three (3) days from the time Animal Services takes possession of the animal, the animal shall be put up for adoption or disposed of under the regulations set forth by the County Ordinance and the North Carolina General Statutes.
- (C) In order for the owner or person in possession to redeem an animal, such owner or person in possession must first show that the rabies vaccination tag has been procured. In addition the owner or person in possession shall pay a redemption fee, which will be approved by the Harnett County Board of Commissioners. The owner or person in possession must pay daily expenses for boarding and caring for the animal at the Harnett County Animal Shelter.

SECTION XII Potentially Dangerous and Dangerous Dogs

- (A) It shall be unlawful for a citizen to keep a dog within the corporate limits of the Town a dog that has been deemed a “Potentially Dangerous Dog” or “Dangerous Dog” in accordance with the County Ordinance.
- (B) Any owner or person in possession found in violation of this Section will be required to release the dog to Animal Services for euthanasia and will face a civil fine of \$400.00.

SECTION XIII Public Nuisance

In addition to the acts listed in Section VI.6 “Public Nuisance” of the County Ordinance, an animal may also be deemed a public nuisance when the animal habitually or repeatedly, without provocation, barks, whines, or howls in an excessive nature.

SECTION XIV Enforcement, Penalties and Remedies

Enforcement Administration

Primary responsibility for enforcing the provisions of this chapter is assigned to Animal Services pursuant to the terms and conditions of a duly executed interlocal agreement between the Towns and the County of Harnett. Municipal Police Departments will assist when needed.

Penalties and Remedies

(A) Misdemeanor:

Notwithstanding any civil penalties outlines herein, any person violating any provision of this Municipal Ordinance or the applicable provisions of the County Ordinance constitutes a misdemeanor and shall be punishable under North Carolina General Statute § 14-4 or any other applicable section for misdemeanor sentencing. Each day’s continuing violation shall constitute a separate offense.

(B) Equitable Remedies

This Municipal Ordinance and the applicable provisions of the County Ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction.

(C) Civil Penalties

In addition to other remedies for violations of this Municipal Ordinance and the applicable provisions of the County Ordinance, the Animal Services Manager or any person authorized by him/her may issue to the owner or person in possession of said animal, a citation giving notice of the violation(s) of this Municipal Ordinance or applicable provisions of the County Ordinance. Any such official shall be authorized to secure the name, address, and birth date of the owner or person in possession of the animal in violation. Citations issued may be delivered in person or mailed by registered or certified mail to the person charged if he/she cannot otherwise be readily located. Any such citation shall impose upon the owner or person in possession a civil penalty of \$100.00 per animal for the first violation, \$200.00 for the second violation, and \$400.00 for the third and any subsequent violation. Said penalties must be paid within (20) consecutive days to Animal Services.

SECTION XV Ordinance in Conflict

All ordinances in conflict with the provisions of this Municipal Ordinance are repealed to the extent of such conflict.

Ordinance Adoption

This Ordinance shall become effective upon adoption by all of the Towns.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Adopted this the _____ day of _____ 2022 by the Town of Angier

BY: _____
Robert K. Smith, Mayor

ATTEST:

Veronica Hardaway, Town Clerk

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Adopted this the _____ day of _____ 2022 by the Town of Coats

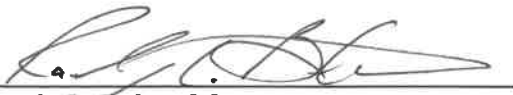
BY: _____
Chris Coats, Mayor

ATTEST:

Connie Lassiter, Town Clerk

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Adopted this the 3rd day of November 2022 by the Town of Erwin

BY: 
Randy L. Baker, Mayor

ATTEST:


Lauren Evans, Town Clerk

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Adopted this the _____ day of _____ 2022 by the Town of Lillington

BY: _____
Glenn McFadden, Mayor

ATTEST:

Lindsey Lucas, Town Clerk