

Sec. 1-3-103. - General care and prohibited acts.

All animals shall be kept and treated under sanitary and humane conditions and failure of the owner or possessor of the animal to abide by the provisions listed below shall subject the owner or possessor to the sanctions described in section 1-3-105.

- (1) *Food, water and shelter.* All animals in the possession of any persons shall be provided proper and adequate food and water. All animals, unless otherwise indicated in this chapter, shall be given at suitable intervals not to exceed twenty-four (24) hours, a quantity of wholesome foodstuff suitable for the species and age, sufficient to maintain a healthful level of nutrition. All animals shall have access to a constant supply of clean, fresh water. All animals shall be provided proper and adequate shelter from the weather at all times.
- (2) *Clean shelter.* All shelter for animals and the area surrounding said shelter shall be kept clean at all times.
- (3) *Medical treatment.* All owners or possessors of animals shall provide proper medical attention for sick, diseased or injured animals. A sick animal shall go no longer than twenty-four (24) hours without veterinary care.
- (4) *Cruelty and cruel treatment.* No person shall beat, torment, overload, overwork, tease, molest or bait an animal or otherwise cruelly treat an animal as defined in section 1-3-101. No person shall shoot a dog or any other animal, either on or off the owner's property, unless the animal is in the act of attacking a human being, sheep, cattle, hog, goat, or poultry or any domestic animal or as otherwise allowed by the state wildlife resources commission. This shall not apply to animal protective services officers when in the performance of their duties. No person shall trap a dog or cat without the permission of animal services.
- (5) *Illegal contest or combat.* No person shall cause, permit or instigate any dogfight, cockfight, bullfight or other illegal contest or combat between animals or animals and humans.
- (6) *Poisoning of animals.* No person shall expose any known poisonous substance or mix a poisonous substance with food, so that it will likely be eaten by any animal. This does not include acts or attempts of persons to rid their own property of rats or any other acts permitted by the state wildlife resources commission.
- (7) *Confining animals to motor vehicles or transporting animals.* No person shall leave an animal in a closed car, truck or other vehicle for such duration or at temperatures as an animal protective services officer, in his sole discretion, deems harmful or potentially harmful to the animal. No person shall carry or cause to be carried in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner.
- (8) *Abandonment.* No person shall turn loose or discard any domesticated animal or pet with the intent of abandoning such animal or pet.
- (9) *Disposing of dead animals.* All possessors or owners of animals that die, from any cause, shall bury the dead animal to a depth of at least three (3) feet beneath the surface of the ground on his or her leased or owned property. No animal shall be buried within three hundred (300) feet of any flowing stream or public body of water. In the alternative, said animal shall be completely burned or otherwise disposed of in a manner approved by the state veterinarian. In any event, all dead animals shall be disposed of within twenty-four (24) hours after knowledge of the death. No possessor or owner of a dead animal shall remove the carcass of a dead animal from his premises to the premises of another person without written permission of the person having charge of such premises and without burying said carcass as provided above.
- (10) *Reporting injured or killed domestic animals.* All persons who injure or kill a domesticated animal by running over, into, or otherwise coming in contact with such an animal with an automobile, motorcycle, bicycle or other vehicle shall notify the owner of the animal immediately. If the owner is not known, the person who injured or killed the animal shall immediately notify the sheriff. The person who injured or killed the animal shall give his or her name and address to

the appropriate authority. An owner or lessee of real property who finds an injured or suffering domesticated animal on his property shall report the same to the sheriff as soon as the animal is discovered on the real property.

- (11) *Animals given away as prizes.* No live animal shall be given away, raffled or offered as a prize, premium or advertising device for, or as an inducement to enter, any contest, game or other competition involving skill or chance.
- (12) *Public exhibits of animals.* The sheriff shall have the authority to inspect public exhibits of animals which are a part of fairs, carnivals, festivals, fund raising events, petting zoos and any other activity or function carried on in the county. The sheriff shall have the authority to close down any exhibit, function or activity if it is determined that animals are being cruelly treated or animals run the risk of causing injury or harm to the public or run the risk of being injured or harmed themselves. This provision creates no special relationships, and neither the sheriff nor the county accept any liability for any injury, damage to property or loss as a result of visiting or monitoring public exhibits of animals.
- (13) *Tethering.* Tethering is defined as a means of tying or fastening a dog outdoors on a rope, cable, or other line for the purpose of restraint. Tethering does not include restraint of a dog on an attended leash. Tethering is prohibited except as set out hereafter. Dogs over 6 months of age may be tethered to a restraint system outdoors. A restraint system can be an overhead pulley system, a retractable cable system or a swiveled cable anchored into the ground. All of these systems must allow the dog a minimum of 10 feet of travel perpendicular to the anchor point. For a pulley system, the stationary cable that the pulley runs on must be at least 10 feet in length and anchored on each end to a stationary object. The line attached to the pulley must allow the dog to move perpendicularly at least 10 feet from the stationary cable. The restraint line must be attached to the dog with a buckled type collar or body harness. The restraint attached to the dog can weigh no more than 10 percent of the animal's body weight. A swivel to prevent entanglement must be on at least one end of the restraint line attached to the dog. No person shall attach a tether to a dog with a choke-type collar or pronged collar. Any device used to tether a dog must be attached in a manner that prevents injury to the dog or entanglement.

Dogs that are used for hunting, sporting or as working dogs are exempt from these specific restraint requirements.

Nothing contained in these rules are intended to be in conflict with the laws of the state of North Carolina regarding dogs while being used in legal hunting activities, nor are these rules intended to interfere with legal sporting events or exhibitions involving dogs or other animals.