

# Community Safety Committee

Thursday, May 21, 2009; 12:00 – 2:00 pm  
Room 280

Committee Members: Warren Turner, Chair  
Patsy Kinsey, Vice Chair  
Andy Dulin  
Edwin Peacock

Staff Resource: Eric D. Campbell

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## AGENDA

### **I. Rental Property Ordinance**

*Staff Resources: Deputy Chief Ken Miller & Major Eddie Levins*

CMPD staff will present a proposed Rental Property Ordinance that would require landlords to register rental property and allow for remedial action if crime and disorder calls reach a designated threshold at a rental location. No decisions or recommendations are requested at this meeting.

Attachment: 1. Rental Property Ordinance  
2. Disorder Risk Threshold

### **II. Defining a Pet within City Limits**

*Staff Resource: Mark Balestra*

At the March 9, 2009 City Council meeting, a request was referred to the Committee to review how pets are defined within the City and to make recommendations for change, if deemed necessary. CMPD Animal Care & Control staff will discuss and review the broader definitions of a pet.

Attachment: 3. Charlotte Code Animal Definitions  
4. Pet – Definition Variations  
5. Cities and Counties Animal Codes

**Next Scheduled Meeting:** June 18, 12:00 pm, Room 280

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Distribution:	Mayor/City Council Stephanie Kelly	Curt Walton, City Manager Rodney Monroe	Leadership Team Jon Hannan	Mac McCarley Mark Balestra
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ORDINANCE NUMBER: \_\_\_\_\_

AMENDING CHAPTER 6

**AN ORDINANCE AMENDING CHAPTER 6 OF THE CHARLOTTE CITY CODE  
ENTITLED "BUSINESSES AND TRADES"**

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**WHEREAS**, The City of Charlotte has a significant governmental interest in protecting the health, safety, and welfare of the general public and preserving the public order; and

**WHEREAS**, G.S. 160A-174 allows a city by ordinance to define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of the public, and the peace and dignity of the city; and

**WHEREAS**, there are residential rental properties in the City of Charlotte that have become a haven for various criminal or disruptive activities that cause disorder in our community; and

**WHEREAS**, the City Council desires to minimize and control the adverse effects caused by illegal activities occurring on and in these properties and thereby protect the health, safety, and welfare of the citizens, preserve the quality of life and property values and the character of neighborhoods and businesses, and deter the spread of urban blight; and

**WHEREAS**, the City Council recognizes that it is necessary for the City to apply its limited police and other municipal resources in accordance with the needs of the community at large, and to adjust the application of those resources as necessary to address activity that is injurious to the health, safety and welfare of the public; and

**WHEREAS**, the City Council desires to implement a registration requirement for property owners which will facilitate the City in contacting the these property owners in order to address disorder calls, health and safety code violations and statutory violations, as well as to implement remedial action programs; and

**WHEREAS**, there is a significant and demonstrative need to implement a program designed to assist residential rental property owners and managers who have experienced excessive levels of criminal activity and disorder; and

**WHEREAS**, the City Council desires to enact a remedial residential rental action program for residential rental property owners in order to implement recommended measures to curb excessive levels of criminal activity and disorder at rental properties, and

**WHEREAS**, the City Council, finds that a residential rental property owner's failure or refusal to successfully complete the remedial action program is injurious to the public's health, safety and welfare.

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Chapter 6 "Businesses and Trades" of the Charlotte City Code is amended by creating Article XII entitled "Residential Rental Remedial Action Program", to read as follows:

**"ARTICLE XII. Residential Rental Remedial Action Program**

**Section 6-580. Purpose**

The purpose of this article is to establish a requirement that all owners of residential rental property rental units must register with the City sufficient identification information so that the City may expeditiously identify and contact the owner when excessive levels of disorder activity have occurred on or in the property. In addition, the City desires to establish a method to hold owners of residential rental property accountable for failing to use effective methods to reduce disorder activity on their property. It is not the intent of this article to determine the rights and liabilities of persons under agreements to which the City is not a party. This article shall not be construed to alter the terms of any lease or other agreement between a landlord and a tenant or others relating to property that is the subject of this article; provided that no provision of any lease or other agreement shall be construed to excuse compliance with this article. Additionally, a violation of this article shall not in and of itself create a negligence per se standard or otherwise expand existing liability in tort for either a landlord or a tenant.

**Section 6-581 Definitions**

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

*Disorder Activity:* Activity occurring on or in Residential Rental Properties categorized as reported violent crimes, reported property crimes, and certain types of disorder related citizen-initiated requests for police service only as listed in the appendix of this ordinance entitled "Appendix A – Disorder Activity." A domestic violence call for service is not a disorder activity.

*Disorder Activity Mean:* Statistical averages of each category of Disorder Activity calculated across the known populations of Residential Rental Property.

*Disorder Activity Rate:* A rate developed to balance enforcement action under this ordinance regardless of the number of rental units on a residential rental property and is the numerical result of a calculation that divides each category of Disorder Activity into the number of dwelling units on an individual Residential Rental Property.

*Disorder Risk Threshold:* A statistical comparison of the Disorder Activity Rate of a specific Residential Rental Property to the Disorder Activity Mean for the purpose of determining whether a Residential Rental Property is In Need of Remedial Action.

*In Need for Remedial Action: (INRA):* A designation by the police official that a Residential Rental Property has been identified for enforcement action under this ordinance.

*Manager:* The person, persons or legal entity appointed or hired by the owner to be responsible for the daily operation of the residential rental property.

*Owner:* The person, persons or legal entity that holds legal title to a residential, rental property.

*Police official:* The Chief of Police or his designee who is primarily responsible for the administration of this Article.

*Registered agent:* The person identified by the owner of the residential rental property in the registration filed pursuant to this article who is authorized to receive legal process and/or notice required or provided for in this article.

*Remedial Measures:* A mandatory and voluntary measures as stated within the Remedial Action Plan Manual, a copy which is attached to this ordinance as Appendix B.

*Rental Property Review Board:* The board created pursuant to this Article.

*Residential Rental Property:* A single family rental dwelling unit or multi-family rental dwelling units for use by residential tenants including but not limited to the following: mobile homes; mobile home spaces, townhomes, and condominium unit(s).

*Remedial Action Plan:* A written plan agreed upon and signed by both the police official and owner whereby the owner agrees to implement remedial measures on a residential rental property designated as In Need for Remedial Action. (INRA)

## **Section 6-582 Registration of Residential Rental Property**

(a) Registration Required. It shall be unlawful for any person to lease or rent residential rental property for which an accurate and current registration has not been filed with the police official.

(b) For each residential rental property parcel, the owner(s) of the residential rental property shall provide or cause to be provided to the police official the following information regarding such property:

(1) The address(s) for the residential rental property which shall include the street name(s), number(s) and zip code.

(2) The name(s), business or personal address, telephone number, and email address of the owner.

(i). If the property is owned by multiple natural persons, then the required information shall be that of one person who has legal authority to act on behalf of the other owners.

(ii) If the property is owned by a corporation, whether foreign or domestic, then the required information shall be that of a registered agent and of an officer who has authority to act on behalf of the corporation.

(iii). If the property is owned by a partnership, then the required information shall be that of the managing partner and one alternate who have legal authority to act on behalf of the partnership.

(iv). If the property is owned by an unincorporated association or any other legal entity not mentioned above, then the required information shall be that of a person who has legal authority to act on behalf of that association or entity.

(3) The number of units located on the residential property.

(c) The address(s) required in subsection (b) may not be a public or private post office box or other similar address.

(d) Whenever there is any change of ownership of residential rental property, including but not limited to, the sale of the property or any ownership interest therein, the seller shall notify the police official of all purchaser information as set forth in Section 6-582 (a) within thirty (30) days from the date of change of ownership.

(e) The owner of a newly constructed residential rental property shall comply with the provisions of this section no later than thirty (30) days following issuance of a certificate of occupancy.

- (f) A copy of this ordinance shall be provided by the seller to the purchaser at the time the contract for sale is executed.
- (g) Proof of registration issued by the police official shall be posted at all times in the business office at the property or in a common area or other conspicuous place accessible at all times to the tenant(s) of the property.
- (h) The City Manager may establish rental registration fees pursuant to Sect. 2-1 of the City Code.
- (i) Each residential rental property shall be registered separately.

### **Section 6-583 Disorder Activity Mean**

The police official shall calculate the disorder activity mean every year by January 15 of the next year.

### **Section 6-584 Designation and Notification of In Need of Remedial Action (INRA)**

- (a) A multi-family residential rental property will be deemed by the police official as INRA when at least one of the following Disorder Risk Thresholds is met:
  - (1) The Disorder Activity Rate for property crime meets or exceeds \_\_\_ standard deviations above the Disorder Activity Mean for property crime; or
  - (2) The Disorder Activity Rate for violent crime meets or exceeds \_\_\_ standard deviations above the Disorder Activity Mean for violent crime; or
  - (3) The Disorder Activity Rate for citizen service requests meets or exceeds \_\_\_ standard deviations above the Disorder Activity Mean for disorder related citizen requests.
- (b) A single-family residential rental property will be deemed by the police official as INRA when at least one of the Disorder Risk Thresholds in Section 6-584 is met. The Disorder Risk Threshold for violent crime cannot be less than two events.
- (c) The Disorder Risk Threshold will not be re-calculated while a residential rental property is designated INRA
- (d) The police official shall provide written notification to the owner or registered agent of each residential rental property designated as INRA by either personal service, or certified mail.
- (e) The notice shall include the following information:
  - (1) The date, time and location for the mandatory initial meeting between the police official and the owner;
  - (2) The Disorder Activity Mean for Rental Residential Property in the City of Charlotte;
  - (3) The residential DRT for the specific residential rental property;

- (4) A statement that the owner may provide additional evidence at the initial mandatory meeting to be considered by the police official.

### **Section 6- 585 Mandatory initial meeting**

(a) Unless otherwise agreed to by the owner and police official, within thirty (30) days after notice has been provided to the owner or registered agent that a property is INRA, a mandatory initial meeting shall be held between the owner and the police official. The initial meeting may be held in person at a set location or by telephonic conference. In the event there are multiple property owners, the owner attending the initial meeting must have power of attorney to execute the remedial action plan on behalf of the other owners.

(b) At the mandatory initial meeting a police official and the owner will at a minimum review the following;

- (1) The disorder activity mean and the disorder activity rate for that property;
- (2) Any relevant evidence provided by the owner that may establish that the property is not INRA.

(c) If the police official finds by clear and convincing evidence that the residential rental property is INRA, then both the owner and police official will develop and sign a remedial action plan pursuant to Section 6-586 of this ordinance. In the event such a finding is not made by the police official, then no further action will be taken.

### **Section 6- 586 Remedial Action Plan and Review**

(a) The owner and police official shall develop a Remedial Action Plan which shall be signed by both parties. A review meeting will be set for six (6) months from the date the Remedial Action Plan was signed. The Disorder Rate Threshold for that property will not change for the time period that the residential rental property is INRA. When feasible, remedial actions required by the City will initially require no cost or low cost strategies.

(b) At the first review meeting, the police and the owner shall review the Disorder Rate Threshold for the residential rental property. If the property is no longer In Need of Remedial Action, then it will be designated to be in compliance and no further action will be taken. If the property is still INRA, then the property's registration shall be revoked unless the owner has complied with terms of the Remedial Action Plan. If the owner has complied with the Remedial Action Plan, then a second six month review date will be set.

(c) At the second review meeting, the police official and the owner shall review the residential rental property's disorder rate. If the property is not INRA, then it will be designated as in compliance and no further action shall be taken. If the property is INRA, then the property's registration shall be revoked unless the owner has complied with the Remedial Action Plan. If the owner has complied with the Remedial Action Plan then the police official and the owner will

develop a second Remedial Action Plan which is signed by both parties and a six month review date will be set.

(d) At the third review meeting, the police official and the owner shall review the residential property disorder rate. If the property is not INRA, then the property will be designated to be in compliance and no further action will be taken. If the property is INRA, then the property will be referred by the police official to the Residential Rental Property Review Board for review pursuant to Section 6-589 of this ordinance.

### **Section 6- 587 Residential Rental Property Review Board**

(a) A residential rental property review board (Board) is hereby established, to be composed of five members: three members to be appointed by the city council, one member to be appointed by the mayor and one to be appointed by the city manager. The appointing authorities shall ensure that the members of the board are representative of the residential rental, tenant and homeowner community.

(b) One member from the Charlotte-Mecklenburg Police Department who has obtained the rank of Captain or above and one employee of the Economic & Neighborhood Development Department who has the authority to investigate code violations will sit on the board as advisors only.

(c) Individuals with a felony conviction within the last ten (10) years shall not be eligible to serve on the board. Further, conviction of or a plea of nolo contendere to a felony during the term of office shall automatically terminate membership on the board, irrespective of any appeals. Board members charged with a felony during a term of office shall be automatically suspended until disposition of the charge, and a quorum shall be established from the remaining membership.

(d) Board members shall keep all criminal investigations confidential.

(e) The board shall elect a chairperson and vice-chairperson from the membership.

(f) All members of the residential rental property review board serve without compensation.

(g) The terms of office shall be for three years with no member serving more than two consecutive full terms. The terms of one-third of the residential rental review board shall expire each year. If a vacancy occurs, the original appointing authority shall appoint a person to serve for the unexpired term of the vacant position.

(h) Three members shall constitute a quorum. Members are required to attend all business meetings and hearings in accordance with the attendance policies promulgated by the city council. Vacancies resulting from a member's failure to attend the required number of meetings shall be filled as provided in this section.

(i) Members of the board shall be subject to removal from office with or without cause by the appointing authority.



## **Section 6- 588 Duties and Responsibilities of the Residential Rental Property Review Board**

(a) The residential rental property review board shall have the following responsibilities:

- (1) Hear referrals from the Charlotte-Mecklenburg Police Department.
- (2) Hear appeals from the revocation of a residential rental registration.
- (3) Once every year review the remedial measures that are set forth in the City's remedial action plan manual and make recommendations to the police official.

## **Section 6-589 Residential Rental Property Review Board Referral Procedure**

(a) The police official referring the property will notify the City Clerk who will set the referral for review by the Board within 30 days.

(b) At the review, the Board shall determine if the owner reasonably complied with the Remedial Action Plan. If the Board finds that the owner has reasonably complied, but is still INRA, then the Board may further amend the Remedial Action Plan and extend the review date for another six months. At the review date, if the property remains INRA then the Board may issue a notice revoking the owner's registration or remove the designation of INRA.

(c) If the Board finds that the owner did not reasonably comply with the modified Remedial Action Plan, then the Board may issue a notice revoking the owner's registration

## **Section 6-590 Revocation of registration**

(a) A notice of revocation will be sent to the owner by registered mail if:

- (1) The police official determines the owner has not complied with the Remedial Action Plan at the review date;
- (2) The police official determines that the owner provided materially false or misleading information during the registration process;
- (3) The owner refused to meet with a police official as required under Section 6-585 of this ordinance;
- (4) The owner refused to enter into a Remedial Action Plan as required under in Section 6-586 of this ordinance;
- (5) The owner's rental registration is revoked pursuant to Section 6- 589 of this ordinance.

## **Section 6 - 591 Revocation Appeal Procedure**

All revocation appeals to the residential rental review board must be filed in writing with the City clerk's office within ten (10) calendar days of the date the written notice is served on the owner.. Service on the owner is perfected by one of the following methods: placing the written notice in the U.S. mail by certified letter to the address listed on the rental registration form or personal service. The person appealing must provide a valid current address for the purpose of all notifications required to be made pursuant to this ordinance. The request must state the reason for the appeal.

## **Section 6 – 592 Hearings**

(a) The City Clerk shall forward any appeal of revocation of rental registration to the police official and to the Chair of the Board. The police official shall prepare a summary of the case which is forwarded to the Chair of the Board at least five working days before the hearing.

(b) Unless otherwise agreed to by the appellant and police official, the Board shall hold a hearing within thirty (30) calendar days of the date the appeal is received by the City Clerk. Should the person appealing or the police official desire a hearing date other than that set by the Board, the person appealing or the department shall submit a written request for a change of the hearing date, stating the reason for the request. The Chair shall approve or disapprove such request, provided that such request is received by the Board at least seven calendar days prior to the date of the hearing. For good cause, the Chair may continue the hearing from time to time. The hearing shall be conducted with at least three members of the Board present.

(c) Any appealing party may appear at the hearing in person and shall have the right to representation by a person of his or her choice. The North Carolina Rules of Evidence, G.S. § 8C, shall not strictly apply to the hearing, but the hearing shall afford all parties an opportunity to offer evidence, cross-examine witnesses, and inspect documents. Only sworn testimony shall be accepted and the Chair of the Board, as well as any Board member designated by the Chair, shall have the authority to administer the oath as set forth for witnesses in a civil matter by G.S. § 11-11. All hearings shall be recorded.

(d) Following a hearing, the board shall issue findings of fact and conclusions of law and issue an administrative order either revoking the owner's registration or reversing the police official's recommendation.

(e) Hearings before the Board shall be de novo. Final decisions of the Board shall be subject to judicial review in a proceeding in the nature of certiorari instituted in the superior court of the county within 30 days after the Board issues its written decision. Final decisions of the Board shall not be stayed during the time allowed for the initiation of judicial review, and the initiation of judicial review by either party shall not automatically stay the Board's decision.

(f) A decision by the Board to revoke an owner's residential rental registration shall become effective seven (7) calendar days from the date of the notice of revocation.

(g) The administrative order revoking the owner's registration shall contain the following

- (1) A transition plan for the owner's lawful disengagement from the operation and management of the rental property.
- (2) A requirement that the owner notify the resident(s) of the administrative order.

### **Section 6-593 INRA Designation Binding on Subsequent Owner**

The designation of an owner as INRA and the application of the procedures set forth in this article shall be binding upon all subsequent owners or other transferees of an ownership interest in the rental residential property.

### **Section 6-594 Remedial Action Plan.**

(a) All remedial action plans will be based on the procedures and practices set forth in the *CMPD Remedial Action Plan Manual; A Guide to Managing Rental Properties to Prevent Crime*.

### **Section 6- 595 Enforcement, remedies and penalties**

(a) The remedies provided herein are not exclusive; may be exercised singly, simultaneously, or cumulatively; and may be combined with any other remedies authorized by law; and may be exercised in any order.

(b) It shall be a violation for an owner of a residential rental property to:

- (1) Rent residential rental property within the City limits without registering the property pursuant to this article;
- (2) Rent residential rental property when that property's registration has been revoked unless rent is received pursuant to the transition plan set forth in the administrative order of revocation or the revocation has been lawfully stayed.

(c) Notwithstanding that the owner's property registration has been revoked, the owner and its agents shall not (i) refuse or fail to comply with any order of the city to repair a dwelling pursuant to Section 11-38 of the Housing Code, or (ii) cause the utility services of any occupants to be terminated or otherwise violate the rights of residential tenants under Article 2A, Article 5, or Article 6 of Chapter 42 of the General Statutes.

(d) Notwithstanding that the owner's property registration has been revoked, the owner's compliance with its obligations in subsection (c) hereinabove shall not be deemed as offenses under subsection (e) below.

(e) Failure to comply with the provisions of this section shall subject the offender to a civil penalty of -----(*one set penalty of x amount; or gradated penalty; or separate penalty for failure to register with forgiveness if owner registers within certain time period and another penalty for revocation which is either gradated or set at one amount.*)

(f) In addition, an owner who fails to comply with this article may be subject to all civil, injunctive and equitable remedies stated in G.S. § 160A-175.

### **Section 6-596 Adoption of Remedial Action Plan Manual**

The city council hereby adopts the Remedial Action Plan Manual, a copy of which is on file in the office of the city clerk. The city council hereby finds and determines the remediation strategies set out therein to be reasonable and appropriate to address the public health, safety and welfare issues addressed by this article entitled the "Remedial Action Plan Manual". The Chief of Police or his designee is authorized to adopt and amend the Remedial Action Plan Manual. "

**Section 2.** That this ordinance shall become effective 6 months from the date of adoption.

**Proposed Rental Property Ordinance  
In Need of Remedial Action**

**Background:** Based on a 12-month cycle in 2008, three options for determining if a rental property being designated as "In Need of Remedial Action (INRA)" are presented here. They include the 3/3/3, the 2/2/2, and the 2/2/1 Disorder Risk Threshold options. In each option, when at least one of the categories; Disorder Calls, Property Crime, or Violent Crime meets or exceeds 1, 2, or 3 standard deviations from the mean the rental property is deemed as being INRA. For single-family rental and townhomes violent crime cannot be less than two events.

	Disorder Calls			Property Crime			Violent Crime			
Standard Deviations	1	2	3	1	2	3	1	2	3	2-Event Min
<b>3/3/3 Option</b>										
Single-Family/Townhome Rental			X			X				X
Multi-Family (2-9 units), Condo (2-9 units), Duplex/Tri-Plex			X			X			X	
Multi-Family (10-49), Multi-Family (50+), Condo (10+)			X			X			X	
<b>2/2/2 Option</b>										
Single-Family/Townhome Rental		X			X					X
Multi-Family (2-9 units), Condo (2-9 units), Duplex/Tri-Plex		X			X			X		
Multi-Family (10-49), Multi-Family (50+), Condo (10+)		X			X			X		
<b>2/2/1 Option</b>										
Single-Family/Townhome Rental		X			X		X			X
Multi-Family (2-9 units), Condo (2-9 units), Duplex/Tri-Plex		X			X		X			
Multi-Family (10-49), Multi-Family (50+), Condo (10+)		X			X		X			

	3/3/3 Option	2/2/2 Option	2/2/1 Option
<b>Single-Family/Townhome Rental</b>			
Properties INRA	243	402	402
Percentage of Total	2%	4%	4%
Disorder Calls	14%	18%	18%
Property Crime	7%	13%	13%
Violent Crime	21%	23%	23%
<b>Multi-Family (2-9 units), Condo (2-9 units), Duplex/Tri-Plex</b>			
Properties INRA	35	143	172
Percentage of Total	3%	11%	13%
Disorder Calls	14%	26%	30%
Property Crime	10%	17%	20%
Violent Crime	25%	73%	91%
<b>Multi-Family (10-49), Multi-Family (50+), Condo (10+)</b>			
Properties INRA	40	69	113
Percentage of Total	5%	8%	14%
Disorder Calls	10%	12%	24%
Property Crime	6%	9%	17%
Violent Crime	12%	16%	41%
<b>Total Properties INRA for Each Option</b>	<b>318</b>	<b>614</b>	<b>687</b>

CODE OF ORDINANCES  
City of  
CHARLOTTE, NORTH CAROLINA

Codified through  
Ordinance No. 4127, enacted March 9, 2009.  
(Supplement No. 18)

Chapter 3 Animals

**Sec. 3-1. Purpose.**

- (a) Pursuant to authority granted by the general assembly, this chapter is enacted to:
- (1) Regulate, restrict or prohibit, if necessary, animals;
  - (2) Protect the public from unvaccinated, diseased, stray, roaming, dangerous, wild or exotic animals;
  - (3) Make unlawful the acts of animals that interfere with the enjoyment of property or the peace and safety of the community;
  - (4) Protect animals from abuse or conditions harmful to their well-being;
  - (5) Operate an animal shelter; and
  - (6) Carry out any other lawful duties authorized by state laws and applicable ordinances.
- (b) The city council hereby finds that animals kept or allowed to be in violation of any of the sections of this chapter are detrimental to the health, safety, and welfare of the citizens of the city and jeopardize the peace and dignity of the city.
- (Code 1985, § 3-1)

**Sec. 3-3. Definitions**

***Animal*** means every nonhuman, animate being that is endowed with the power of voluntary motion, including, but not limited to, dogs, cats, livestock and other mammals, birds, reptiles, amphibians and fish.

***Cat*** means a domestic feline of either sex.

***Dog*** means a domestic canine of either sex.

***Domesticated*** means those species of animals that are indigenous to the county and normally and customarily share human habitat in the county and are normally dependent on humans for food and shelter in the county, such as, but not limited to, dogs, cats, cattle, horses, swine, fowl, sheep and goats.

***Equine*** means any horse, pony, mule, donkey or hinny.

**Exotic or wild animal** means an animal that would ordinarily be confined to a zoo; one that would ordinarily be found in the wilderness of this or any other country; one that is a species of animal not indigenous to the United States or to North America; or one that otherwise is likely to cause a reasonable person to be fearful of significant destruction of property or of bodily harm, and the latter includes, but is not limited to, monkeys, raccoons, squirrels, ocelots, bobcats, wolves, hybrid wolves, venomous reptiles, and other such animals. Such animals are further defined as being those mammals or nonvenomous reptiles weighing over 50 pounds at maturity, which are known at law as *Ferae naturae*. Exotic or wild animals specifically do not include animals of a species customarily used in the state as ordinary household pets, animals of a species customarily used in the state as domestic farm animals, fish confined in an aquarium other than piranha, birds, or insects.

**Livestock** means all animals of a domesticated, agricultural nature, including, but not limited to, equine animals, bovine animals, sheep, goats, llamas, and swine.

## How are the animals above regulated

### Sec. 3-73. Exotic or wild animals.

(a) *Unlawful act.* It shall be unlawful for any person to keep, maintain, possess or have under his control within the city any venomous reptile or any other wild or exotic animal.

(b) *Exceptions.* This section shall not apply to lawfully operated and located pet shops, zoological gardens, scientific research laboratories, circuses, veterinarians harboring such animals for purposes of providing professional medical treatment, wildlife rehabilitators with proper permits, or exhibitors licensed by the United States Department of Agriculture displaying such animals for educational purposes, provided that the animals are maintained in a manner so as to prevent escape.

(c) *Permits not authorized; effects of annexation.* Permits for the keeping or maintenance of wild or exotic animals are not authorized. Persons in newly annexed areas have 30 days from the date of annexation to comply with this section.

(d) *Compliance with state and federal regulations and safe confinement.* The confinement of exotic or wild animals exempted from subsection (a) of this section by subsection (b) of this section must meet the regulations promulgated by the state wildlife commission, the minimum standards under the Animal Welfare Act and all applicable rules promulgated by the United States Department of Agriculture. In addition to meeting these minimum standards, all such venomous reptiles and all such wild or exotic animals shall be confined, restrained or controlled in such a manner so that the physical safety, or property, of any person lawfully entering the premises shall not be endangered.

(e) *Presence on public rights-of-way.* Animals described under subsection (a) of this section but exempt under subsection (b) of this section shall not be allowed on any public street, sidewalk, or other public way, except in a fully enclosed cage or adequate structural restraint. The use of a leash, with or without a muzzle, shall not be considered adequate restraint. Exempt from this subsection are animals that are part of a featured performance at a special event with a city festival or parade permit where the animal handler is licensed by the United States Department of Agriculture.

(Code 1985, § 3-30)

Secs. 3-74--3-100. Reserved.

### **Sec. 3-102. City permits.**

(a) *Required.* It shall be unlawful for any person to own, keep, have, or maintain any equine animals, cloven-hoofed animals or other livestock or any chickens, turkeys, ducks, guineas, geese, pheasants, pigeons or other domestic fowl in the city without first receiving from the bureau a permit to do so or to continue to have any of such animals or fowl after a permit has been denied.

This section shall not apply to, and no permit shall be required for, any agricultural operation within G.S. 106-700, which pertains to nuisance liability of agricultural operation, or to any rabbit that is kept exclusively inside its owner's residence. The permit shall be valid for one year from the date of issuance and shall be renewed annually. The annual fee for such permit shall be \$40.00 per household. The application shall list all such animals and fowl on the premises. Before a permit is issued an employee of the bureau shall inspect the premises to determine if the keeping of the animals or fowl on the premises will endanger or is likely to endanger the health, safety, peace, quiet, comfort, enjoyment of or otherwise become a public nuisance to nearby residents or occupants or places of business.

(b) *Denial.* When a permit is denied for any reason, the applicant shall be given a written explanation of the reason for denial.

(c) *Compliance required prior to issuance.* An owner or possessor of such animals or fowl shall comply with the following applicable subsections before a permit is issued. Compliance with the following applicable subsections will create a rebuttable presumption that a permit shall be issued. That presumption may only be rebutted by specific findings supported by competent evidence that, despite compliance with the following, the presence of such animals or fowl is still likely to endanger the health, safety, peace, quiet, comfort, enjoyment of or otherwise become a public nuisance to nearby residents or occupants or places of business:

(1) *Fowl and other specifically identified animals.* The keeping of chickens, turkeys, ducks, guineas, geese, pheasants or other domestic fowl or rabbits shall be in compliance with the following:

a. Such animals must be confined in a coop, fowl house or rabbit hutch not less than 18 inches in height. The fowl must be kept within the coop or fowl house and the rabbits in the hutch at all times.

b. The coop or fowl house must be used for fowl only and the hutch for rabbits only, and both must be well ventilated.

c. The coop, fowl house or hutch shall have a minimum of four square feet of floor area for each fowl or rabbit.

d. The run must be well drained so there is no accumulation of moisture.

e. The coop, fowl house or hutch shall be kept clean, sanitary and free from accumulation of animal excrement and objectionable odors. It shall be cleaned daily, and all droppings and body excretion shall be placed in a flyproof container and double-bagged in plastic bags.

f. The coop, fowl house or hutch shall be a minimum of 25 feet from any property line.

g. No more than 20 such fowl or rabbits shall be kept or maintained per acre. The number of fowl or rabbits should be proportionate to the acreage.

(2) *Pigeons.* Pigeons, while allowed to fly to and from the premises, must be provided with adequate space on the premises, and sanitary conditions must be maintained.

(3) *Cloven-hoofed animals.* The keeping of cloven-hoofed animals, equines and other livestock shall be in compliance with the following:



a. Such animals must be provided with adequate shelter to protect them from the elements.

b. The shelter shall be kept clean, sanitary and free from accumulations of animal excrement and objectionable odors.

c. The shelters for cows and other large livestock, which are covered by the zoning ordinance in appendix A to this Code, shall be kept at a minimum of 75 feet from any property line. The shelters for goats and other small livestock shall be kept at a minimum of 25 feet from any property line.

d. Each cow or other large livestock, excluding equines, shall have a minimum pasture area of two acres. Each goat, sheep or other small livestock shall have a minimum pasture area of one-fourth acre.

(4) *Slaughter.* Any slaughter of any livestock or poultry not regulated by state law or otherwise forbidden or regulated shall be done only in a humane and sanitary manner and shall not be done open to the view of any public area or adjacent property owned by another.

(5) *Annexation.* An owner or possessor of animals on property that is newly annexed has 90 days from the date of annexation to bring the property into compliance and to have obtained permits required by this section.

(6) *Exceptions.* A permit shall not be required for animals of any kind if the animals are kept by a governmental authority or other appropriately certified and recognized academic institution, museum, raptor center, etc.

(d) *Revocation.* The bureau may revoke any permit:

(1) When the permit has been mistakenly issued without compliance with this section;

(2) When the applicant has submitted false information;

(3) For a violation of any of the sections of this chapter;

(4) When, in the opinion of the bureau manager, the health, safety or welfare of any person or property is menaced by the keeping of such animals; or

(5) When the animals become a nuisance.

If a permit is revoked, the applicant shall be given a written explanation of the reasons for the revocation. Upon the determination of a violation of this section, and if the violation pertains to a correctable condition on the property, the owner shall have 30 days in which to bring the property or condition into compliance with this chapter

(Code 1985, § 3-37; Ord. No. 2840, § 4, 12-13-2004)

## **Some Examples By Animal Types**

### **Wild Exotic** (prohibited)

- Monkeys
- Lions
- Raccoons
- Squirrels
- Snakes (venomous)
- Wolves
- Zebras
- Tigers
- Reptile (all species)
- Bears
- Prairie Dogs
- Cougars (mountain lions)
- Camel
- Elephant

### **Wild/Exotic** (but are customarily used in the state as household pets)

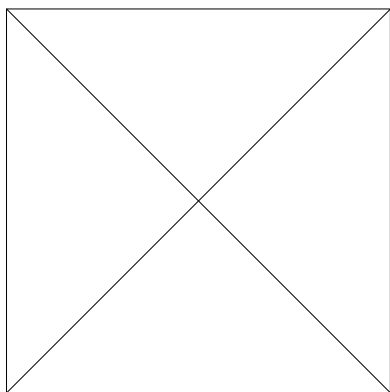
- Non Venomous snakes under 50 pounds at maturity ( Boa, Pythons etc)
- Parrots
- Finches
- Box Turtles
- Chinchillas
- Ferrets
- Rodents (mice, rats, hamsters etc)
- Iguana

### **Livestock requiring Permits** (domesticated agricultural natures)

- Horses
- Cows
- Sheep
- Goats
- Chickens
- Pigs
- Ducks
- Llamas
- Etc.

## Definition Variations of the word Pet

pet



1 pet Show Spelled Pronunciation [pet] ?

Show IPA ***noun, adjective, verb, pet·ted, pet·ting.***

### ***–noun***

1. any domesticated or tamed animal that is kept as a companion and cared for affectionately.
2. a person especially cherished or indulged; favorite: *He was the teacher's pet.*
3. a thing particularly cherished.

### ***–adjective***

4. kept or treated as a pet: *a pet lamb.*
5. especially cherished or indulged, as a child or other person.
6. favorite; most preferred: *a pet theory.*
7. showing fondness or affection: *to address someone with pet words.*

### ***–verb (used with object)***

8. to fondle or caress: *to pet a dog.*
9. to treat as a pet; indulge.

### ***–verb (used without object)***

10. *Informal.* to engage in amorous fondling and caressing.
- 

### Definitions of **pet** on the Web:

- a domesticated animal kept for companionship or amusement

## From Wikipedia

A **pet** is an [animal](#) kept for companionship and enjoyment or a household animal, as opposed to [livestock](#), [laboratory animals](#), [working animals](#) or [sport animals](#), which are kept for economic reasons. The most popular pets are noted for their loyal or playful characteristics, for their attractive appearance, or for their song. Pets also generally seem to provide their owners with non-trivial health benefits;<sup>[1]</sup> keeping pets has been shown to help relieve stress to those who like having animals around. There is now a medically-approved class of "therapy animals," mostly dogs, who are brought to visit confined humans. Walking a [dog](#) can provide both the owner and the dog with exercise, fresh air, and social interaction.

## Domesticated

Domesticated pets are the most common types of pet. They have consistently been kept in captivity over a long enough period of time that they exhibit marked differences in behavior and appearance from their wild relatives.

## Fera Natura

This term is used to designate [animals](#) which are not usually tamed. Such animals belong to the person who has captured them only while they are in his power for if they regain their liberty his property in them instantly ceases.

Property in animals *ferae naturae* is not acquired by hunting them and pursuing them; if, therefore, another person kills such animal in the sight of the pursuer, he has a right to appropriate it to his own use. But if the pursuer brings the animal within his own control, as by entrapping it, or wounding it mortally, so as to render escape impossible, it then belongs to him. Though if he abandons it, another person may afterwards acquire property in the animal. The owner of land has a qualified property in animals *ferae naturae* when, in consequence of their inability and youth, they cannot go away.

## **Webster On-line**

### **Pet**

#### **Adjective**

1. Preferred above all others and treated with partiality; "the favored child".

#### **Noun**

1. A domesticated animal kept for companionship or amusement.
2. A special loved one.
3. A fit of petulance or sulkiness (especially at what is felt to be a slight).
4. Using a computerized radiographic technique to examine the metabolic activity in various tissues (especially in the brain).

#### **Verb**

1. Stroke or caress gently; "pet the lamb".
2. Stroke or caress in an erotic manner, as during lovemaking.

Source: [WordNet 1.7.1](#) Copyright © 2001 by Princeton University. All rights reserved.

**Date "pet" was first used in popular English literature:** sometime before 1380. ([references](#))

**Cities and Counties within NC**  
**Animal Code containing or not containing the word Pet**

Attachment 5

**Ahoskie, NC-Total Population 4,523**

The word pet not defined in the Ordinance.

**Apex County-Total Population 20,212**

The word pet not defined in the Ordinance.

Sec. 4-3. Prohibition of certain animals.

(a) *Livestock and male chickens.* The keeping of livestock or male chickens is prohibited within the corporate limits of the town. Livestock includes, but is not limited to, cows, goats, sheep, swine and other similar animals.

(b) *[Exemptions.]* The following animals are exempt from this section:

- (1) Horses;
- (2) Ponies;
- (3) Rabbits; and
- (4) Fowl except male chickens.

(Ord. No. 2007-0403-05, § 1, 4-3-07; Ord. No. 2007-0515-07, § 1, 5-15-07)

**Asheville, NC-Total Population 72,789**

The word pet not defined in the Ordinance.

*Animal* means any nonhuman vertebrate creature. Unless otherwise excepted, the term animal includes, but is not limited to, dogs, cats, rabbits, fowl, chickens, horses, cows and goats. For the purposes of subsection 3-9(9) only, animal shall not include:

- (1) Any small domesticated rodent such as a gerbil, guinea pig, hamster, rat or mouse;
- (2) Any small bird including but not limited to a canary, parakeet, finch, parrot, cockatoo or myna; or
- (3) Any amphibian, fish or non-venomous reptile.

*Animal control administrator* means the designee of the director of animal control responsible for supervising the animal control department of the Asheville Police Department.

**Atlantic Beach, NC-Total Population 1,781**

The word pet not defined in the Ordinance.

Sec. 4-3. Keeping of livestock, animals and poultry. It shall be unlawful for any person to keep, within the town limits, livestock, animals or poultry other than house pets. This prohibition shall be interpreted to include horses, cows, goats, sheep, chickens and turkeys, but this list is not to be deemed all inclusive.

(Ord. of 8-26-79)

**Bald Head Island, NC-Total Population 173**

The word pet not defined in the Ordinance.

Sec. 4-3. Possession of livestock or wild animals.

(a) *Definitions. Livestock* means horses, mules, cattle, swine, goats, sheep, poultry and any and all other animals maintained individually or in flocks and which are maintained for productive or useful purposes despite the fact that the livestock may in fact be maintained by any specific individual as a pet.

*Wild animals* shall include any animal which is:

- (1) Typically found in a non-domesticated state and which, because of its size or vicious propensities, or because of any physical characteristics or propensities, or other traits by reason of which the wild animal shall pose a potential danger to persons, animals or property; or
- (2) Classified as a wild animal by the state wildlife resources commission.

(b) *Prohibited.* It shall be unlawful for any person to bring or keep any livestock or wild animals within the incorporated limits of the village.

**Boiling Springs Lakes, NC-Total Population 3,866**

The word pet not defined in the ordinance.

**Brevard County, NC-Total Population 6,789**

The word pet not defined in the Ordinance.

Sec. 14-1. Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: *Agricultural operation* has the definition given in G.S. 106-701(b), and includes, without limitation, any facility for the production for commercial purposes of crops, livestock, poultry, livestock products or poultry products. *Animal* means a living creature, domestic or nondomestic, but does not include humans. *Animal control* means any authority designated by the city manager to discharge the requirements of this chapter. *Animal shelter* means any premises designated by the health director for the purpose of impounding and caring for animals. *At large*. An animal shall be deemed to be at large when it is off the property of its owner or keeper and not under physical restraint. *Bite*. Any penetration of the skin by teeth constitutes a bite exposure. *Cat* means cats, both male and female, more than six months old. *Commercial animal establishment* means any pet shop, grooming shop, auction, riding school or stable, zoological park, circus, animal exhibition or kennel. *Dog* means dogs, both male and female, more than six months old.

**Brunswick County, NC-Total Population 73,143**

The word pet not defined in the Ordinance.

Sec. 1-3-401. Definitions

As used in this article the following terms shall have the meanings set forth below:

*Enclosure* or confinement *facility* means any cage, pen, or other housing for keeping wild or exotic animals or poisonous reptiles. Enclosures or confinement facilities shall be classified as primary or secondary enclosures. A primary enclosure is any cage, pen or other housing designed and used for the purpose of restraining and confining a wild or exotic animal or poisonous reptile. A secondary enclosure is any cage, pen or other housing not used for the primary confinement, exercise or training of a wild or exotic animal or poisonous reptile. All secondary enclosures shall encompass primary enclosures where wild or exotic animals or poisonous reptiles are kept. All primary and secondary enclosures shall be constructed and maintained pursuant to section 1-3-405.

**Buncombe County, NC-Total Population 206,330**

The word pet not defined in the Ordinance.

*Livestock*. Animals commonly associated with farming including, but not limited to, horses, mules, ponies, llamas, swine, sheep, cattle, goats, chickens, emus, ostriches, and other fowl.

*Lot*. A portion, piece, division or parcel of land, with or without a household, which is identified by a tax map, recorded plat, deed, lease or the like. All contiguous land under common ownership and used for a single purpose shall constitute a single lot.

**Burgaw, NC -Total Population 3,337**

The word pet not defined in the ordinance.

**Burke County, NC-Total Population 89,148**

The word pet not defined in the ordinance.

**Burlington, NC-Total Population 44,917**

The word pet not defined in the Ordinance.

Sec. 5-1. Definitions.

As used in this chapter, unless the context otherwise indicates, the following words and terms shall have the meanings respectively set out opposite them: *At large*. Off the premises of the owner. *Dog*. Both the male and female of the canine species of animals. *Fowl* : Any of the larger domestic birds specifically, chickens, ducks, geese and turkeys, collectively. *Owner*. Any

person owning, keeping or harboring a dog. *Premises*. The principal residence of an owner. The word shall not include a vacant lot upon which no residence is located.

**Cabarrus County, NC-Total Population 131,063**

The word pet not defined in the Ordinance.

Sec. 10-2. Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:] *Animal* means every vertebrate, nonhuman species of animal, wild or domestic, male or female, including, but not limited to dogs, cats, livestock, and other mammals, birds, reptiles, amphibians, and fish. *Animal control officers* mean persons properly appointed to pick up, restrain, impound, sell or dispose of dogs, cats, or other animals and who are responsible for discharging such other duties and functions as may be prescribed by the county board of commissioners by this or any other county ordinance or by state law, or pursuant to interlocal agreements executed pursuant to section 10-37.

**Carolina Beach, NC-Total Population 4,701**

The word pet not defined in the Ordinance.

Sec. 3-6. Keeping hogs, swine, horses, cattle or any other animal not defined as a commonly accepted domestic animal. It shall be unlawful to keep, maintain or enclose hogs, swine, horses, cattle or any other animal not defined as a commonly accepted domestic animal within the corporate limits.

(Ord. No. 01-473, 2-13-01)

**Carteret County, NC-Total Population 59,383**

The word pet not defined in the ordinance.

**Catawba County, NC-Total Population 141,685**

The word pet not defined in the ordinance.

**Chadbourn, NC-Total Population 2,129**

The word pet not defined in the Ordinance.

*Animal* means every living creature, domestic or nondomestic, but does not include humans.

**Chapel Hill, NC-Total Population 48,715**

The word pet not defined in the Ordinance.

Sec. 4-1. Definitions. For the purposes of this chapter the following definitions shall apply:

*Animal*: Any live vertebrate creature specifically including, but not limited to dogs, cats, farm animals, birds, fish and reptiles.

**Charlotte, NC-Total Population 540,828**

The word Pet is not defined in the ordinance.

*Animal* means every nonhuman, animate being that is endowed with the power of voluntary motion, including, but not limited to, dogs, cats, livestock and other mammals, birds, reptiles, amphibians and fish. *Cat* means a domestic feline of either sex. *Dog* means a domestic canine of either sex. *Domesticated* means those species of animals that are indigenous to the county and normally and customarily share human habitat in the county and are normally dependent on humans for food and shelter in the county, such as, but not limited to, dogs, cats, cattle, horses, swine, fowl, sheep and goats. *Equine* means any horse, pony, mule, donkey or hinny. *Exotic or wild animal* means an animal that would ordinarily be confined to a zoo; one that would ordinarily be found in the wilderness of this or any other country; one that is a species of animal not indigenous to the United States or to North America; or one that otherwise is likely to cause a reasonable person to be fearful of significant destruction of property or of bodily harm, and the latter includes, but is not limited to, monkeys, raccoons, squirrels, ocelots, bobcats, wolves, hybrid wolves, venomous reptiles, and other such animals. Such animals are further defined as being those mammals or nonvenomous reptiles weighing over 50 pounds at maturity, which are



known at law as *Ferae naturae*. Exotic or wild animals specifically do not include animals of a species customarily used in the state as ordinary household pets, animals of a species customarily used in the state as domestic farm animals, fish confined in an aquarium other than piranha, birds, or insects. *Livestock* means all animals of a domesticated, agricultural nature, including, but not limited to, equine animals, bovine animals, sheep, goats, llamas, and swine. *Neutered male* means any male dog or cat which has been rendered sterile by a surgical procedure (orchietomy). *Spayed female* means a female dog or cat that has been rendered sterile by surgical means (ovariohysterectomy).

**Cherokee Indians Eastern Band, NC-Total Population 24,298**

The word pet not defined in the ordinance.

**China Grove, NC-Total Population 3,616**

The word pet not defined in the Ordinance.

Sec. 10-8. Keeping or grazing livestock near residential structure. It shall be unlawful for any person to graze or stall any cattle or livestock within the corporate limits of the town and within a distance of 200 feet of any residential structure other than that of the owner of the cattle or livestock.

(Code 1977, § 8-2007; Code 1993, § 6-8)

**Clemmons, NC-Total Population 13,827**

The word pet not defined in the ordinance.

**Cleveland County, NC--Total Population 96,287**

The word pet not defined in the Ordinance.

*Domestic animal* means any of various animals such as horses, sheep, cattle, goats, hogs, poultry, etc., domesticated by man so as to live and breed in a tame condition.

**Clinton, NC-Total Population 8,600**

The word pet not defined in the Ordinance.

Sec. 4-6. Keeping of certain animals within city prohibited. It shall be unlawful for any person, other than a person described in the second sentence of this section, to keep or maintain overnight any horse, mule, cow, cattle, sheep, hog, or goat within the corporate limits of the city; and it shall be unlawful for any person to keep or maintain any live fowl for any period of time within the corporate limits of the city except while transporting the same through the corporate limits of the city and the same are securely confined. The keeping of maintaining of any of the named animals by a public educational institution for educational purposes located within the corporate limits of the city is exempt from this section.

**Concord, NC-Total Population 55,977**

The word pet not defined in the Ordinance.

Sec. 10-1. Keeping cattle, sheep, goats, domestic fowl, or swine.

(a) It shall be unlawful for any person to keep or harbor any cattle, sheep, goats, domestic fowl, or swine within the corporate limits or permit them to be upon premises owned, occupied or controlled by him except animals temporarily confined in a stockyard or other place awaiting transportation, or as permitted under the zoning ordinance.

(b) Effective June 1, 2006, it shall be unlawful for any person to keep or harbor any cattle, sheep, goats, domestic fowl, or swine, currently in possession, upon adoption of this section and amendments except animals temporarily confined in a stockyard or other place awaiting transportation, or as permitted under the zoning ordinance.

**Conover, NC-Total Population 6,604**

The word pet not defined in the Ordinance.

No person shall raise or confine any hogs within the city limits (Ref.: Code 1938, Chapter 10, Articles 1, 2). No person shall raise or confine fowl within the city limits, except fowl kept as pets inside the owner's residence.

**Craven County, NC-Total Population 91,436**

The word pet not defined in the ordinance.

**Cumberland County, NC-Total Population 202,963**

The word pet not defined in the Ordinance.

Sec. 3-12. Keeping of wild or exotic animals.

(a) For the purpose of this section, a wild or exotic animal means an animal which is usually not a domestic animal and which can normally be found in the wild state, or which has not been deemed by the state veterinarian to have an established rabies quarantine period, including, but not limited to, lions, tigers, leopards, panthers, wolves, foxes, lynxes, or any hybrid of like animals, alligators, crocodiles, apes, foxes, elephants, rhinoceroses, bears, all forms of poisonous snakes, raccoons, skunks, monkeys, bats, and like animals.

(b) It is unlawful to keep or harbor any wild or exotic animal as a pet, for display or for exhibition purposes, whether gratuitously or for a fee, except as may be licensed by the state wildlife resources department under its regulations pertaining to wildlife rehabilitators.

(c) This section shall not apply to zoological parks or zoos circuses, or educational or medical institutions.

**Currituck County, NC-Total Population 18,190**

The word pet not defined in the Ordinance. *Animal*. Every living creature, domestic or nondomestic, but does not include humans.

**Davidson, NC-Total Population 147,246**

The word pet not defined in the Ordinance.

Sec. 10-6. Prohibition of livestock: It shall be unlawful for any person to keep, have or maintain any livestock within the town limits except, however, parades or ceremonies when such livestock do not remain in the town limits for more than two nights. Horses and ponies housed on at least two acres in single ownership and refrained from approaching closer than 200 feet to any adjacent residence may be excluded.

**Dunn, NC-Total Population 9,196**

The word pet not defined in the Ordinance.

*Animal* means any live, vertebrate creature, domestic or wild. *Pet* means any animal kept for pleasure rather than utility.

**Durham, NC-Total Population 187,035**

Pet, animal, exotic, or wild animal is not defined in the ordinances

**Durham County, NC-Total Population 223,314**

The word pet not defined in the Ordinance.

*Animal* means every nonhuman species, both domestic and wild.

**Emerald Isle, NC-Total Population 3,488**

The word pet not defined in the Ordinance.

It shall be unlawful for any person to have or possess within the town horses, cattle, hogs, goat, fowl, and other livestock except through a duly issued permit under paragraph (b) hereafter, or except in accordance with Chapter 5, Beach and Shore Regulations, section 5-4, Horses.

**Fayetteville, NC-Total Population 302,963**

The word pet not defined in the ordinance

**Forest City, NC-Total Population 7,549**

The word pet not defined in the Ordinance.

It shall be unlawful for any person to keep any hogs, cows, horses, goats, sheep or any other farm animals including fowl in the town on any property less than one acre in area. In any case of keeping of horses and cows, such animals shall be kept within an enclosure on said property and the maximum population of said cows and/or horses shall not exceed one animal per acre of enclosed area. In any case of keeping of hogs, goats, sheep other farm animals or fowl other than horses and cows, such animals or fowl shall be kept in an enclosure which is at least two hundred (200) feet from any public street or dwelling which is to a part of the one acre property.

**Forsyth County, NC-Total Population 306,067**

The word pet not defined in the ordinance.

**Garner, NC-Total Population 17,757**

The word pet not defined in the Ordinance.

Livestock and domestic fowl of all descriptions are hereby prohibited in any area of the town except those areas zoned for agricultural purposes by the zoning ordinance. Furthermore, it shall be unlawful, regardless of zoning, for any person to maintain, keep, house or stable any horse, mule, pony, cow, sheep, goat, chicken or other domestic fowl or livestock in the town within three hundred (300) feet of any dwelling, school, church, business, commercial or professional establishment. Not more than a total of three (3) horses, mules, ponies, cows, sheep, goats or other such animals shall be maintained on one (1) lot and such lot must contain no less than one (1) acre for each such animal maintained. No more than a total of four (4) chickens or other domestic fowl shall be maintained on one (1) lot and such lot must contain no less than one (1) acre for each four (4) or fewer chickens or other domestic fowl maintained.

**Gaston County, NC-Total Population 190,365**

The word pet not defined in the Ordinance.

*Animal* means any nonhuman vertebrate creature. Unless otherwise excepted, the term animal includes, but is not limited to, dogs, cats, rabbits, fowl, chickens, horses, cows and goats. *Pet* means any domesticated animal kept for pleasure as opposed to utility. A police dog or a dog assisting the blind or deaf is not considered a pet. A dog kept as a guard dog is considered a pet. Neither fowl or wild animals shall be considered a pet. Any animal one can generally purchase at a local retail pet store, or an animal for which supplies can be purchased for specifically for that kind of animal is considered a pet. For example, although one can generally not purchase a tarantula in a local pet store in the county, pet stores in Gaston County readily sell cages and other items specifically for tarantulas.

**Gastonia, NC-Total Population 66,277**

The word pet not defined in the ordinance.

**Graham, NC-Total Population 7,993**

The word pet not defined in the ordinance.

**Granville, NC-Total Population 48,498**

The word pet not defined in the Ordinance.

*Animal* means any live, vertebrate creature, wild or domestic, other than human beings, endowed with the power of voluntary motion.

**Greensboro, NC-Total Population 223,891**

The word pet not defined in the ordinance.

**Guilford County, NC-Total Population 421,048**

The word pet not defined in the Ordinance.

*Animal:* Every living creature, domestic or nondomestic, but does not include humans and does not include invertebrates.

**Henderson, NC-Total Population 16,095**

The word pet not defined in the Ordinance.

It shall be unlawful for any person to locate, erect, or maintain on any property within the city a stable for housing horses, cattle or goats unless the same shall be located at least two hundred feet from any residence and 50 feet from any property line. No such animals shall be kept on any tract of less than three acres in single ownership; and no tract shall contain more of such animals than twice the number of acres contained in said tract that is in excess of three acres.

**Hendersonville, NC-Total Population 10,420**

Pet, animal, exotic, or wild animal is not defined in the ordinances

*Dog* means both the male and female members of the canine species of animals.

**Hickory, NC-Total Population 37,222**

*Pet* means any domesticated animal kept for pleasure as opposed to utility. A police dog or a dog assisting the blind or deaf is not considered a pet. A dog kept as a guard dog is considered a pet. Any animal one can generally purchase at a local retail pet store is considered a pet.

**High Point, NC-Total Population 85,839**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

**Hillsborough, NC-Total Population 5,446**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

**Holly Springs, NC-Total Population 9,192**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

**Hope Mills, NC-Total Population 11,237**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

**Iredell County, NC-Total Population 122,660**

*Animal* means any live, vertebrate creature, wild or domestic, other than human beings, endowed with the power of voluntary motion. *Dog* means a dog of either sex. *Wild and exotic animals:*

(1) *Wild animals dangerous to humans and property.* Wild animals are any animals not normally domesticated. For purposes of this chapter, wild animals are deemed inherently dangerous. They are deemed as such because of their vicious propensities and capabilities, the likely gravity of harm inflicted by their attack and unpredictability despite attempts at domestication. The category of wild animals includes but is not limited to:

- a. Members of the Canidae family such as wolves (*canis lupus*) and coyotes (*canis latrans*) and wolf-coyote hybrids.
- b. Members of the Ursidae family that includes any member of the bear family or hybrids thereof.
- c. Members of the Felidae family such as wild cats, cougars, mountain lions, or panthers.

(2) *Exotic animals dangerous to humans and property.* Exotic animals are also considered to be inherently dangerous for purposes of this chapter. Like wild animals, exotic animals are dangerous because of their vicious propensities and capabilities, the gravity of harm inflicted by their attack, and unpredictability despite attempts at domestication. The category of exotic animals includes, but is not limited to:

- a. Reptiles which are poisonous or constricting reptiles more than ten (10) feet in length.
- b. Nonhuman primates weighing greater than twenty-five (25) pounds.

c. Members of the feline family other than domestic house cats, including, but not limited to lions, tigers and leopards.

d. Reptiles that are members of the crocodile family, including, but not limited to alligators and crocodiles.

Wild and exotic animals do not include:

(1) Wolf-dog cross breeds.

(2) Foreign rodents such as guinea pigs, hamsters, ferrets, and chinchillas.

(3) Members of the reptile and amphibian family not specifically mentioned above such as small lizards and iguanas, salamanders, turtles and frogs.

(4) Vietnamese pot bellied pigs, and other members of the Suidae family, except wild boar and peccary.

(5) Horses and other members of the Equidae family.

(6) Cows and other members of the Bovidae family.

(7) Deer and other members of the Cervidae family.

(8) Domestic dogs and cats.

#### **Jacksonville, NC-Total Population 66,715**

The word Pet is not defined in the ordinance.

*Horses:* Any riding animal other than livestock, as defined herein, including horses and ponies. *Livestock:* Livestock shall include but not be limited to cattle, swine, goats, sheep,

mules, and donkeys. *Poultry:* Poultry shall include chickens, turkeys, geese, ducks, and any other domesticated birds.

#### **Johnston County, NC-Total Population 121,965**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

#### **Kannapolis, NC-Total Population 36,910**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

#### **Kernersville, NC-Total Population 17,126**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

#### **King, NC-Total Population 5,952**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

#### **Kinston, NC-Total Population 23,688**

The word pet not defined in the Ordinance.

*Pet:* Any animal kept for pleasure rather than utility. *Animal:* Every living creature, domestic or nondomestic, but does not include humans.

#### **Kitty Hawk, NC-Total Population 2,991**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

#### **Knightdale, NC-Total Population 5958**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

#### **Kure Beach, NC-Total Population 1,507**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

#### **Laurinburg, NC-Total Population 15,874**

The word Pet is not defined in the ordinance.

*Animal* means every living creature, domestic or nondomestic, but not including humans.

*Cat* means both male and female cats of any age. *Dog* means both male and female dogs of any age. *Domestic* means any animal kept, cared for, sheltered, fed or harbored as a pet, for work

purposes or as a source of food, raw materials or income. *Nondomestic* means any animal that is wild or dangerous by natural existence.

**Lee County, NC-Total Population 49,040**

*Pet* means a domesticated animal kept for pleasure rather than utility.

**Leland, NC-Total Population 1,938**

*Pet*, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

**Lenoir, NC-Total Population 19,793    Lenoir County-Total Population 59,648**

*Pet*, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

**Lewisville, NC-Total Population 8,826**

*Pet* animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

**Lexington, NC-Total Population 19,953**

The word *Pet* is not defined in the ordinance.

*Animal*: Every nonhuman, animate being that is endowed with the power of voluntary motion including, but not limited to, dogs, cats, livestock and other mammals, birds, reptiles, amphibians and fish. *Domesticated*: Those species of animals that are indigenous to Lexington and normally and customarily share human habitat in Lexington and are normally dependent on humans for food and shelter in Lexington, such as, but not limited to, dogs, cats, cattle, horses, swine, fowl, sheep and goats. *Equine*: Any horse, pony, mule, donkey or hinny. *Exotic or wild animal*: An animal that would ordinarily be confined to a zoo, or one that would ordinarily be found in the wilderness of this or any other country or one that is a species of animal not indigenous to the United States or to North America, or one that otherwise is likely to cause a reasonable person to be fearful of significant destruction of property or of bodily harm and the latter includes but is not limited to: monkeys, raccoons, squirrels, ocelots, bobcats, wolves, hybrid wolves, venomous reptiles, and other such animals. Such animals are further defined as those mammals or non-venomous reptiles weighing over fifty (50) pounds at maturity, which are known at law as ferae nature. Exotic or wild animals specifically do not include animals of a species customarily used in North Carolina as ordinary household pets, animals of a species customarily used in North Carolina as domestic farm animals, fish confined in an aquarium other than piranha, birds, or insects. *Livestock*: All animals of a domesticated, agricultural nature including but not limited to: equine animals, bovine animals, sheep, goats, llamas, and swine.

**Lumberton, NC-Total Population 20,795**

*Pet*, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

*Dog*: Any dog, male or female, over the age of four months.

**Manteo, NC-Total Population 1,052**

The word *Pet* is not defined in the ordinance.

*Animal* means any live vertebrate creature specifically including but not limited to dogs, cats, farm animals, birds, fish and reptiles. *Livestock* means cattle, sheep, horses, pigs, ponies, donkeys, mules and any other domesticated or wild animals weighing more than 200 pounds.

**Marion, NC-Total Population 4,943**

*Pet*, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

**Mebane, NC-Total Population 7,284**

The word *Pet* is not defined in the ordinance.

*Animal* means any live, vertebrate creature, wild or domestic, other than human beings, endowed with the power of voluntary motion. *Domestic animal* means a nonferal animal, including pets and livestock.

**Mint Hill, NC-Total Population 14,922**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances

**Moore County, NC-Total Population 74,769**

*Pet* means any domestic animal kept for pleasure rather than utility.

**Mooresville, NC-Total Population 18,823**

Pet, animal, exotic, or wild animal is not defined in the ordinances

**Morehead City, NC-Total Population 7,691**

Pet, animal, exotic, or wild animal is not defined in the ordinances

*Cat*: All domesticated animals of the feline species (*Felis Catus*). *Dog*: All animals of the canine species.

**Mount Airy, NC-Total Population 8,484**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances.

**Mount Olive, NC-Total Population 4,567**

The word *Pet* is not defined in the ordinance.

*Dog* means any dog, male or female, over the age of three months.

**Nags Head, NC-Total Population 2,700**

The word *Pet* is not defined in the ordinance.

*Neutered male* means any male animal which has been operated upon to prevent reproduction. *Spayed female* means any female animal which has been operated upon to prevent conception.

**Nashville, NC-Total Population 4,309**

The word *Pet* is not defined in the ordinance.

*Animal* means every living creature, domestic or nondomestic. The term "animal" does not include humans.

**New Bern, NC-Total Population 23,128**

*Pet* means a domesticated animal kept for pleasure rather than utility. Pets include, but are not limited to, birds, cats, dogs, fish, hamsters, mice, reptiles, domesticated wild animals and other animals associated with human's environment.

**New Hanover County-Total Population 160,307**

The word *Pet* is not defined in the ordinance.

*Dog* means any male or female member of the genus *Canis*.

*Neutered male* means any male which has been surgically altered to prevent reproduction. *Spayed female* means any female which has been surgically altered to prevent conception. *Unaltered animal* means any unspayed female or unneutered male animal.

**Newton, NC-Total Population 12,560**

The word *Pet* is not defined in the ordinance.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section: *Animal* means any living vertebrate, domestic or wild, excluding humans. *Dog* includes both male and female dogs. *Wild animal* means any animal which can normally be found in a wild state; those feral, exotic, dangerous or nondomestic animals which generally do not live in or about the habitation of humans, including, but not limited to, lions, tigers, leopards, wildcats, bears, deer and the like.

**North Topsail Beach, NC-Total Population 843**

**Oak Island, NC-Total Population 6,571**

Pet, animal, exotic, or wild animal is not defined in the ordinances. *Dog* means any canine. *Puppy* means a dog between birth and four or five months of age, before permanent teeth appear.

**Oak Ridge, NC-Total Population 3,988**

Pet, animal, exotic, or wild animal is not defined in the ordinances

**Ocean Isle Beach, NC-Total Population 426**

The word Pet is not defined in the ordinance.

*Puppy* means a dog between birth and four to five months old, before the permanent teeth appear.

**Onslow County, NC-Total Population 150,355**

The word Pet is not defined in the ordinance.

*Cat*: A domestic or feral feline of either sex. *Dog*: A domestic canine of either sex. *Equine*: Horse, mule, donkey, and pony. *Wild animal*: Any animal which can normally be found in the wild state, particularly those feral, exotic, dangerous or nondomestic animals which generally do not live in or about the habitation of humans, including, but not limited to, deer, lions, monkeys, raccoons, skunks, squirrels, tigers and snakes.

**Pine Knoll Shores, NC-Total Population 1524**

Pet, animal, exotic, or wild animal is not defined in the ordinances

**Reaford, NC-Total Population 3,386**

The word Pet is not defined in the ordinance.

*Animal*: Any live vertebrate creature specifically including, but not limited to dogs, cats and farm animals. *Exotic animals*: Exotic animals are animals other than domestic animals, farm animals, and wild animals which are not native to North Carolina.

*Wild and dangerous animals*: Wild animals which are dangerous to persons and property including, but not limited to: all felines (other than the domestic house cat), non-human primates, bears, wolves, coyotes, reptiles (poisonous, crushing and giant), and any crossbreed of such animals which have similar characteristics of the animals specified herein.

**Raleigh, NC-Total Population 276,093**

**Pet.** A domesticated animal kept for pleasure rather than utility. Pets include, but are not limited to, birds, cats, dogs, fish, hamsters, mice, reptiles, domesticated wild animals and other animals associated with man's environment.

**Randleman, NC-Total Population 3,557**

The word Pet is not defined in the ordinance.

*Cat* means a domestic feline. *Dog* means a domestic canine.

**Reidsville, NC-Total Population 14,485**

The word Pet is not defined in the ordinance.

*Cat*: Any animal, male or female, of the feline species. *Dog*: Any animal, male or female, of the canine species. *Fowl*: Any duck, chicken, turkey, guinea, pigeon, goose, rooster or other similar fowl. *Livestock*: Any horse, mule, pony, cow, goat, pig, sheep, hog, swine or other similar hoofed animal.

**Rocky Mount, NC-Total Population 55,893**

*Pet.* A domesticated animal kept for pleasure rather than utility. Pets include, but are not limited to, birds, cats, dogs, fish, hamsters, mice, rats, reptiles, domesticated wild animals and other animals associated with the human environment.



**Rowan, NC-Total Population 130,340**

The word Pet is not defined in the ordinance.

*Animal* means every live vertebrate other than human beings. *Cat* means a domesticated carnivorous mammal of the genus *Felis*. *Dog* means a domesticated carnivorous mammal of the genus *Canis*. *Exotic animal* means any living animal other than domestic dogs, domestic cats, and animals normally kept as livestock, or such other animals as may hereafter be designated by the health director.

**Rutherford County, NC-Total Population 62,899**

Did not have an Animal Control Ordinance.

**Salisbury, NC-Total Population 26,462**

The word Pet is not defined in the ordinance.

*Animal* means every live vertebrate creature including, but not limited to, dogs and cats and farm animals. *Cat* means a domesticated carnivorous mammal of the *Felis* genus.

*Dog* means a domesticated carnivorous mammal of the *Canis* genus. *Exotic animals* mean those animals that are not naturally found in this region or accepted as household pets. This includes livestock, reptiles, wildlife, and pets that are the product of cross breeding between domesticated animals and those found in the wild.

**Sanford, NC-Total Population 23,220**

Pet, animal, exotic, or wild animal is not defined in the ordinances.

Cat means a domestic feline. Dog means a domestic canine.

**Selma, NC-Total Population 5,914**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances.

**Shelby, NC-Total Population 19,477**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances.

**Siler City, NC-Total Population 6,966**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances.

**Smithfield, NC-Total Population 11,510**

The word Pet is not defined in the ordinance.

*Animal* means every vertebrate nonhuman species of animal, wild or domestic, male or female, including, but not limited to, dogs, cats, livestock and other mammals, birds, reptiles, amphibians and fish.

**Southern Shores, NC-Total Population 2,201**

Did not have an Animal Control Ordinance.

**Southport, NC-Total Population 2,351**

**Statesville, NC-Total Population 23,320**

Pet, animal, exotic, or wild animal is not defined in the ordinances

**Sunset Beach, NC-Total Population 1,824**

Pet, animal, exotic, or wild animal is not defined in the ordinances

**Surf City, NC-Total Population 1,393**

The word Pet is not defined in the ordinance.

*Animal* means every living creature, creature, domestic or nondomestic, but does not include humans.

**Sylva, NC-Total Population 2,435**

Pet, animal, cat, dog, domestic animal, exotic, or wild animal is not defined in the ordinances.

**Tarboro, NC-Total Population 11,138**

The word Pet is not defined in the ordinance.

*Dog* and cat means both male and female dogs and cats.

**Thomasville, NC-Total Population 19,788**

The word Pet is not defined in the ordinance

*Dog* includes all animals of the canine species, both male and female.

**Topsail Beach, NC-Total Population 471**

Pet, animal, exotic, or wild animal is not defined in the ordinances

**Wake Forest, NC-Total Population 12,588**

Pet, animal, exotic, or wild animal is not defined in the ordinances

**Walkertown, NC-Total Population 4,009**

Did not have an Animal Control Ordinance.

**Waynesville, NC-Total Population 9,232**

Pet, animal, exotic, or wild animal is not defined in the ordinances

**Weaverville, NC-Total Population 2,416**

Pet, animal, cat, dog, domestic animal and exotic animal is not defined in the ordinances.

*Livestock* means any horse, mule, pony, cow, sheep, goat or other hooved animal, excluding swine.

**Weddington, NC-Total Population 6,696**

Pet, animal, exotic, or wild animal is not defined in the ordinances

**Wendell, NC-Total Population 4,247**

Pet means a domesticated animal kept for pleasure rather than utility.

**Wilmington, NC-Total Population 75,838**

Did not have an Animal Control Ordinance.

**Wilson, NC-Total Population 73,814**

Pet, animal, exotic, or wild animal is not defined in the ordinances

**Winston-Salem, NC-Total Population 185,776**

Pet, animal, exotic, or wild animal is not defined in the ordinances