

Recommended Changes to Haywood County Animal Control Ordinance
2010

Bulleted below are the recommended changes for the current Animal Control ordinance. Meetings have been held with Sarges Animal Rescue, HAWA, members from Bear Hunters and Raccoon Hunters Clubs. As well the recommended revisions have been reviewed by the County Attorney Chip Killian and Asst. County Manager Marty Stamey.

- County Change the Departments name from Haywood County Animal Control to Haywood Animal Services. We do not control, but do provide a service.

HAWA/Sarge recommended name change to: Department of Animal Care and Control.

- **Definitions**

- (1) **(Page 15)** (add) **Frivolous:** Any complaint which is filed more than three times by one or more persons within a household, within a 72 hour period, and such complaint is deemed unfounded by the Animal Services Officer.
- (2) **(Page 15) Inherently Dangerous Wild Animals:** wording change: change Poisonous (ingested) to venomous (injected); delete wording “and giant”.
- (3) **(Page 15) (add) Proof Ownership:** Documentation in support of a property right/s in an animal including some of the following records, veterinary records, rabies certificate, license, micro chip, photographs, bills of sale, signed affidavits, breed registries, written transfers of ownership and presentation of lawfully issued identification of owner. This list is not intended to be all inclusive, but merely examples of the types of documentation that will be considered.
- (4) **(Page 17)** (add) **Viable:** Capable of surviving outside the womb of the mother with normal growth and development. Does not require supplemental feedings and medical care in order to withstand sterilization surgery at the appropriate weight of two pounds or greater.

(1) HAWA/Sarge: Puppies and kittens able to eat puppy and kitten food; i.e., survive without the mother.

§91.03 **Cruelty to Animals** (h) **Standard for chaining: (Page 18)**

- (1) Change wording: No dog may be chained out doors without a chain or cable of suitable length with swivel connectors at both ends.
- (2) Change wording: The chain must be designed and placed to prevent choking and strangulation, with the area free of obstacles so that he animal may have access to food, water and shelter.
- (3) (add) Chain and choke collars may not be used as a collar for tethering. It must be connected to a collar or harness made of leather, nylon or similar material.

(1) HAWA/Sarge recommended no dog should be chained out of doors for more than eight hours during the day. All parties,

Hawa/Sarge/Hunters/AC agreed upon (1)-(3) to provide safe containment of the animal.

- (2) *A meeting was then held with Bear/Raccoon Hunters – Wallace Messer, Robert Russell, Jeff Smith, and Kevin Justice regarding the chaining. The outcome was that the final decision was not to place a time limit on the chaining. Animal Control Officers would not be able to enforce. These gentlemen explained their position as to their housing and care of their hunting animals to HAWA/Sarge.*

§91.04 **Confinement, Muzzling, and Control of Vicious or Dangerous Animals: (Pages 18– 19)**

(B)

- (3) For owners of vicious or dangerous animals who maintain their animals indoors, the residence must first be inspected by an Animal Services Officer for security of windows and doors and to see where the animal will be kept within the residence. When the animal goes outside it must be on a durable lead, muzzled and under the control of a competent person.
- (4) At any time a non- resident 12 years of age or younger enters the residence, the canine is to be secured in another room of the residence.
- (5) All animals subject to this section are required to be micro chipped at the owners' expense. At time of release, all animals subject to this section shall be transported by an Animal Services Officer to a designated veterinarian for micro chipping. All animals subject to this section will be registered to the Animal Services Department.

§91.42 **Redemption by owner: (Page 25)**

(B) re-write to read: As condition of redemption under this section, the owner shall be issued a fifty (\$50.00) citation for failure to maintain the required form of identification on the dog or cat. This citation may be waived upon proof of micro chip or collar with identification within three (3) business days.

1. *HAWA/Sarge/HCAC agreed upon the fact that the officers are unable or not in the position to follow up on compliance as ordinance is currently written.*

§91.43 **Destruction or Adoption of Unredeemed Animal: (Page 25 -26)**

(B) re-write: The Animal Services Officer shall not adopt out from the animal shelter any cat or dog that is not viable and weighs less than two pounds. It shall be at the discretion of the Animal Services Director or designee as to the viability or withdrawal of an animal from adoption.

(E) The words Vicious and dangerous to be in red type for clarity.

- (F) Delete this section from the ordinance; In the past two years we have had (3) three instances where Animal Service Officer and the Haywood County Sheriff's Office have been put in a life threatening situation with canines of this nature. There was an attempted attack on a Deputy as he attempted to exit his patrol car; An ASO and a Sergeant with the Sheriffs' were charged by a canine, whereas the canine was dispatched by the deputy. A second ASO was attacked by (3) canines< Had not Law Enforcement been on scene, the outcome may have been the loss of life.

§91.48 (add) **Required Sterilization of Animals Adopted from the Animal Shelter:** (Page 27)

All dogs and cats adopted from the Haywood County Animal Shelter are required to be surgically sterilized by a licensed veterinarian. Failure to have an animal surgically sterilized will result in the removal of the adopted animal from the adoptee by an Animal Control Officer and returned to the animal shelter. The adoptee shall forfeit monies paid for the adoption and Haywood County Animal Control reserves the right to refuse future adoptions.

§91.99 **Penalty:** (Page 29)

(C) Levels of violation and fines

(add) §91.48 as Level II : Failure to spay or neuter an animal adopted from the Haywood County Animal Shelter.