

TOWN OF HALIFAX ORDINANCE

DOGS RUNNING LOOSE

SECTION I: DOGS RUNNING LOOSE

- A. It shall be unlawful for any person to allow a dog to run loose within the town limits of the Town of Halifax, except as noted in subsection (5).
- B. Dogs which are observed by their owners and are under their owner's control, either by leash or voice command are not considered loose. However, dogs under their owner's control when not on their owner's property, shall wear a collar with the owner's name attached, as well as a current tag showing the dog has been vaccinated against rabies.
- C. It shall be unlawful for any person to allow a dangerous dog or a potentially dangerous dog to run loose within the town limits of the Town of Halifax under any circumstances.
 - (1) "Dangerous dog" means a dog that without provocation has killed or inflicted severe injury on a person; or has killed or inflicted severe injury upon a domestic animal when not on the owner's real property.
 - (2) "Potentially dangerous dog" means a dog that has approached a person when not on the owner's property, in a vicious or terrorizing manner in an apparent attitude of attack.
 - (3) "Owner" means any person or legal entity that has a possessory property right in a dog.
 - (4) "Owner's real property" means any real property owned or leased by the owner of the dog, but does not include any public right-of-way (sidewalk or street) or a common area of a condominium, apartment complex, or townhouse development.
 - (5) Dogs which are family pets and which have not exhibited behavioral characteristics indicating them to be "dangerous" or "potentially dangerous" may be allowed to be loose, even when not in the presence of their owners. However, such dogs not under their owner's control shall wear a collar with the owner's name attached, as well as a current tag showing the dog has been vaccinated against rabies.

- (6) Dogs that are not "dangerous" or "potentially dangerous" but which, because they are allowed to be loose, become nuisances by overturning trash and garbage containers, by destroying or dragging off property, or by defecating on other than their owner's real property, may lose their privilege to be loose when not under their owner's control.
- (7) It shall be the duty of the Director of Public Works, upon instruction by the Town Manager or the Mayor, to notify the owners of dangerous dogs, potentially dangerous dogs, and dogs found to be nuisances, of their status, and that as such, the dogs must be confined indoors, in a securely enclosed and locked pen, or in another structure designed to restrain the dog; or if taken beyond the owner's real property, the dog must be leashed and muzzled.

SECTION II: PENALTY FOR VIOLATION

- A. A violation of this ordinance shall be a misdemeanor and any person convicted of such violation shall be punishable as provided in North Carolina General Statute 14-4. Each day's violation of this ordinance shall be a separate offense.
- B. In addition, enforcement of this ordinance may be by appropriate equitable remedy, injunction, or order of abatement issuing from a court of competent jurisdiction pursuant to G.S. 153A-123(d) and (e).

SECTION III: EFFECTIVE DATE

This ordinance, originally adopted the 7th day of May, 1990, shall be effective upon adoption of the amendments herein contained.

Adopted this the 7 day of August, 1995.

SEAL

Mayor

ATTEST:

Town Manager

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SECTION II: PENALTY FOR VIOLATION.

- A. A violation of this ordinance shall be a misdemeanor and any person convicted of such violation shall be punishable as provided in North Carolina General Statute 14-4. Each days violation of this ordinance shall be a separate offense.
- B. In addition, enforcement of this ordinance may be by appropriate equitable remedy, injunction or order of abatement issuing from a court of competent jurisdiction pursuant to G.S. 153A-123(d) and (e).

SECTION III: EFFECTIVE DATE

This ordinance shall be effective upon its adoption.

Adopted this the 7th day of MAY, 1990.

SEAL

Merald Wright
Mayor

ATTEST:

Dorothy K. Bradley
Clerk