

AN ORDINANCE AMENDING CHAPTER 10 OF THE CARRBORO TOWN CODE TO PROHIBIT THE TETHERING OF DOGS EXCEPT IN LIMITED CIRCUMSTANCES

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 10-1 (Definitions) of the Carrboro Town Code is amended by adding a new definition to read as follows:

(21.1) Tether: To restrain a dog outdoors by means of a rope, chain, wire, or other line, one end of which is fastened to the dog and the other end of which is connected to a stationary object or to a cable trolley system. (This definition excludes walking a dog with a handheld leash).

Section 2. Article V of Chapter 10 of the Carrboro Town Code is amended by adding a new Section 10-17.2 to read as follows:

Section 10-17.2 Tethering of Dogs Generally Prohibited

(a) The Board finds that:

- (1) Tethered dogs can and do become highly territorial and aggressive, presenting a significant risk of injury to the public through dog bites and attacks; and
- (2) Tethered dogs can and do negatively impact community life through nuisance barking; and
- (3) Tethered dogs are at risk of becoming tangled and prevented from reaching food, water, and shelter; and
- (4) Tethered dogs are at risk of sustaining injury or death from accidental strangulation and are less able to defend themselves from other animals.

(b) Subject to subsections (c) and (d) of this section, no person may tether a dog, and no owner or keeper of a dog may cause or permit such dog to be tethered.

(c) Provided that the tethering does not extend for more than seven (7) consecutive days and that the tethering device meets the standards set forth in subsection (d), tethering of a dog shall be permissible under the following circumstances:

- (1) Lawful dog activities such as hunting, hunting training, and hunting sporting events, field and obedience training, field or water training, law enforcement training, veterinary treatment and/or the pursuit of working or competing in these legal endeavors.

- (2) Any activity where the tethered dog is in visual range of its owner or keeper and the owner or keeper is located outside with the dog.
- (3) After taking possession of a dog that appears to be a stray dog, and after so notifying the Animal Control Officer, the dog may be tethered while the person taking possession of the dog searches for its owner.

(d) When tethering is permitted under the circumstances specified in subsection (c), the tethering may take place only in accordance with the following requirements:

- (1) Tethers must be made of rope, twine, cord, or similar material with a swivel on one end or must be made of a chain that is at least ten (10) feet in length with swivels on both ends and which does not exceed ten (10) percent of the dog's body weight.
- (2) The tether may be fastened to the dog only by attachment to a buckle type collar or body harness.
- (3) The dog must be tethered in such a manner that it has access to food, water, and shelter.

Section 3. Subsection 10-25(g) is rewritten to read as follows:

(g) No person may keep a dog outdoors within an enclosure such as a fence, kennel, or other device unless the enclosure contains at least one hundred (100) square feet of unobstructed area per each dog weighing twenty (20) pounds or less and at least two hundred (200) square feet of unobstructed area per each dog weighing more than twenty (20) pounds.

Section 4. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 5. This ordinance shall become effective upon adoption.

A RESOLUTION TO HOLD A PUBLIC HEARING ON AN ORDINANCE PROHIBITING
THE TETHERING OF DOGS EXCEPT IN LIMITED CIRCUMSTANCES

Draft Resolution No. 17/2011-12

WHEREAS, the Board of Aldermen has directed staff to prepare a report on an ordinance prohibiting the tethering of dogs;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board of Aldermen calls a public hearing for September 27, 2011, at 7:30 p.m., to receive input on the proposed ordinance prohibiting the tethering of dogs except in limited circumstances