

WASHINGTON COUNTY
ANIMAL CONTROL ORDINANCE

SECTION I. DEFINITIONS.

ANIMAL	Every living creature, domestic or non-domestic, but does not include humans.
ANIMAL SHELTER	Any premises designated by the Washington County Manager for the purpose of impounding and caring for all animals.
AT LARGE	Any animal shall be deemed to be at large when it is off the property of its owner or keeper and not under physical restraint, with exception of domestic animals used in hunting with proper ID and vaccinations.
EXPOSED TO RABIES	An animal shall be deemed to have been exposed to rabies if it has been bitten by, or been in the presence of, any animal known or suspected to have been infected with rabies.
IMPOUNDMENT	Any animal in custody of a person or animal shelter duly authorized by the County Manager and/or Martin-Tyrrell-Washington District Health Director.
KEEPER	A person having custody of an animal or who keeps or harbors an animal or who knowingly permits an animal to remain on or about any premises occupied or controlled by such person.
NUISANCE	An animal or groups of animals shall be considered a nuisance if it: A. Damages, soiled, or defiles private or public property; B. Interfered with, molests, or attacks person/s or other animals; C. Is repeatedly at large; D. Causes unsanitary, dangerous or offensive conditions, including excessive fouling of the air by odors; E. Chases, snaps at, harasses, or impedes pedestrians, bicyclists, or vehicles;

- F. By virtue of number or type is offensive or dangerous to the public health, safety, or welfare;
 - G. Is diseased or dangerous to the public health.
- OWNER A person having the right of property in an animal.
- PERSON Any individual, corporation, partnership, organization, or institution commonly recognized by law or unit.
- STRAY Any (domestic) animal not under restraint and found off of the property of its owner or keeper, with the exception of domestic animals used in hunting with proper ID and vaccination.
- SUSPECTED OF HAVING RABIES An animal which is unvaccinated against rabies or has bitten a person.
- VETERINARY HOSPITAL Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals.
- RESTRAINT Any animal shall be considered under restraint if it is within the real property limits of its owner, or secured by a leash or lead, or confined.
- VICIOUS ANIMAL An animal that constitutes a physical threat to humans or other domestic animals.

SECTION II. AGENCY AUTHORITY AND RESPONSIBILITY.

Authority is hereby granted to the County Manager to establish and maintain an Animal Control Program, to employ Animal Control Officer(s) and such other employees as shall be determined necessary by the Washington County Board of Commissioners, and to appoint and compensate Animal Control Officer(s) and such other employees in accordance with policies of Washington County.

The employees of the Animal Control Program shall:

- A. Have the responsibility along with law enforcement agencies to enforce all laws of North Carolina and all ordinances of Washington County pertaining to

animals and shall cooperate with all law enforcement officers within Washington County in fulfilling this duty.

- B. Enforce and carry out all laws of North Carolina and all ordinances of Washington County pertaining to rabies control.
- C. Be responsible for the investigation of all reported animal bites, for the quarantine of any dog or cat involved and suspected of having rabies, for a period of not less than ten (10) days, and for reporting to the M-T-W District Health Director as soon as practicable the occurrence of any such animal bite and the condition of any quarantined animal.
- D. Be responsible for the operation of the animal shelter.
- E. Be responsible for the seizure and impoundment, where deemed necessary, of any dog or other animal in Washington County involved in a violation of this or any other county ordinance or state law.
- F. Investigate cruelty or abuse with regard to animals.
- G. Make such canvasses of the county, including the homes in the county, as necessary for the purpose of ascertaining compliance with this ordinance or state statute.
- H. Keep, or cause to be kept, accurate and detailed records of:
 - 1. Seizure, impoundment, and disposition of all animals coming into the custody of the animal control program.
 - 2. Bite cases, violations and complaints, and investigation of same.
 - 3. All monies belonging to Washington County which were derived from fees, penalties, sales of animals, or other sources.
 - 4. Any other matters deemed necessary by the County Manager and/or Health Director.
 - 5. Be empowered to issue notices of violation of this ordinance in such form as the County Manager and/or Health Director may prescribe.

SECTION III. CRUELTY TO ANIMALS.

- A. It shall be unlawful for any person to molest, torture, torment, deprive of necessary sustenance, cruelly beat, needlessly mutilate or kill, wound, injure, poison, abandon or subject to conditions detrimental to its health or general welfare any animal, or to cause or procure such action. The words "torture" and "torment" shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is cause or permitted but such terms shall not be construed to prohibit lawful shooting of birds, deer and other game for human food nor to prohibit the Animal Control Department or its agents or veterinarians from destroying dangerous, unwanted or injured animals in a humane manner; nor to prohibit the lawful use of animals in scientific research.

- B. It shall be unlawful for any owner or keeper to fail to provide his animal or animals with proper shelter and protection from the weather, sufficient and wholesome food and water to keep his animal or animals in good health and comfort, the opportunity for vigorous daily exercise, veterinary care when needed to prevent suffering, and humane care and treatment.

SECTION IV. CONFINEMENT, MUZZLING, AND CONTROL OF VICIOUS DOMESTIC ANIMALS.

- A. It shall be unlawful for any person to keep any vicious, fierce or dangerous domestic animal(s) within the county unless it is confined within a secure building or enclosure, or it is securely muzzled and under restraint by means of a leash, chain or rope and firmly under control at all times.

- B. Any vicious/public nuisance animal(s) without any recognizable identification may be destroyed after the Animal Control Officer has been unsuccessful in his attempt to catch, trap or tranquilize (within a closed area) the animal. Any dog or cat left at the animal shelter may be impounded or euthanized at the discretion of the ACO.

SECTION V. ANIMALS CREATING NUISANCE PROHIBITED.

- A. It shall be unlawful for an owner or keeper to permit an animal or animals to create a nuisance, or to maintain a nuisance created by an animal or animals. Compliance shall be required as follows:

1. When an ACO, law enforcement officer, or person duly authorized by the County Manager observes a violation, the owner or keeper will be provided written notification of such violation and be given forty-eight (48) hours from time of notification to abate the nuisance.
 2. Upon a receipt of a written detailed and signed complaint being made to the County Manager by any person or persons that any other person is maintaining a nuisance as defined in this ordinance, the County Manager shall cause the owner or keeper of the animal or animals in question to be notified that a complaint has been received, and shall cause the situation complained of to be investigated and a report and findings thereon to be reduced to writing.
 3. If the written findings indicate that the complaint is justified, then the County Manager or person duly authorized by the County Manager, shall cause the owner or keeper of the animal or animals in question to be so notified in writing, and ordered to abate such nuisance within forty-eight (48) hours by whatever means may be necessary. In the event the owner or keeper of the animal or animals is unknown and cannot be ascertained, the notice and Order, along with a general description of the animal or animals shall be posted for forty-eight (48) hours at the animal shelter. If after forty-eight (48) hours the owner or keeper of the animal or animals remain unknown, the animal(s) may be impounded or humanely destroyed.
- B. Every female dog or cat, when in heat, shall be confined in a building or secure enclosure in such manner that she will not be in contact with another dog or cat, nor create a nuisance by attracting other animals; provided, this section shall not be construed to prohibit the intentional breeding of animals within an enclosed area on the premises of the owner of an animal being bred.
- C. It shall be unlawful for a person to fail or refuse to abate the nuisance as required by this ordinance.

SECTION VI. NOISY ANIMALS.

It shall be unlawful for any person to own, keep, or have within the county an animal that habitually or repeatedly makes excessive noises that tends to annoy, disturb, or frighten its citizens.

SECTION VII. LURING, ENTICING, SEIZING, MOLESTING, OR TEASING AN ANIMAL.

It shall be unlawful for any person to entice or lure any animal(s) out of an enclosure or off the property of its owner or keeper, or to seize, molest or tease any animal while the animal is held or controlled by its owner or keeper or while the animal is on the property of its owner or keeper.

SECTION VIII. DOG AND CAT IDENTIFICATION TAG.

A. Dogs - required; exceptions

1. It shall be unlawful for any person to own, keep or harbor any dog over the age of four (4) months within the corporate limits of the County unless such dog is licensed as provided herein.
2. The licensing requirements herein shall not apply to any dog being kept in a kennel or other holding facility or used as a seeing eye dog or governmental police dog or belonging to a nonresident of the County and kept within the boundaries of the County for not longer than thirty (30) days; provided, that all dogs of nonresidents shall at the time of entry into the County be properly vaccinated against rabies and while being kept within the County, shall meet all other requirements of this chapter.

B. Same - fees; issuance; transferability

1. The annual dog license fee shall be set by the County Commissioners in the Annual Budget Ordinance.
2. The dog license fee shall be due on January 1 of each year.
3. The fee for replacing a dog license previously issued in the license year shall be set by the County Commissioners in the Annual Budget Ordinance, to be issued upon some evidence that a license was originally issued.

C. Same - license tag.

1. Upon payment of the dog license fee to the County Tax Office or duly authorized representative, a numbered metal identification tag shall be issued to the owner of the dog.

2. The metal dog license shall be securely fastened to the dog's choke chain, collar or harness, and it shall be unlawful for the owner of a dog to allow such dog to be within the County without the license tag.

D. Cats - required; exceptions.

1. It shall be unlawful for any person to ow, keep or harbor any cat over the age of four (4) months within the corporate limits of the County unless such cat is licensed as provided herein.
2. The licensing requirement herein shall not apply to any cat being kept in a cattery or other holding facility, or belonging to a nonresident of the County and kept within the boundaries of the County; provided, that all cats of nonresidents shall at the time of entry into the County be properly vaccinated against rabies and while being kept within the County shall meet all other requirements of this chapter.

E. Same - fees; issuance; transferability.

1. The annual cat license fee shall be set by the County Commissioners in the Annual Budget Ordinance.
2. The cat license fee shall be due on January 1 of each year.
3. The fee for replacing a cat license previously issued in the license year shall be set by the County Commissioners in the Annual Budget Ordinance.

F. Same - license tag.

1. Upon payment of the cat license fee to the County Tax Office or duly authorized representative, a numbered metal identification tag shall be issued to the owner of a cat
2. The metal cat license shall be securely fastened to the cat's collar or harness, and it shall be unlawful for the owner of a cat to allow such cat to be within the County without the license tag.

SECTION IX. COMPLIANCE WITH STATE RABIES LAWS - SUPPLEMENT TO STATE RABIES LAW.

- A. It shall be unlawful for any animal owner or other person to fail to comply with the state laws relating to the control of rabies.
- B. It is the purpose of this ordinance to supplement the state laws by providing a procedure for the enforcement of state laws relating to rabies control, in addition to the criminal penalties provided by state law.

SECTION X. VACCINATION OF DOGS, CATS. AND OTHER PETS.

- A. It shall be unlawful for an owner or keeper to fail to provide current vaccination against rabies (hydrophobia) for any dog or cat four (4) months of age or older. Should it be deemed necessary by the Health Director that other pets be vaccinated in order to prevent a threatened epidemic or to control an existing epidemic, it shall be unlawful for an owner or keeper to fail to provide current vaccination against rabies for that pet.
- B. A rabies vaccination shall be deemed current for a dog or cat if the first two (2) doses of vaccine are administered twelve (12) months apart and each subsequent booster dose of vaccine administered as per the vaccine manufacturer's recommended schedule.

SECTION XI. VACCINATION TAG AND CERTIFICATE.

- A. Upon complying with the provisions of Section X of this ordinance, there shall be issued to the owner or keeper of the dog or cat vaccinated a rabies tag, stamped with a number and the year for which issued, and a rabies vaccination certificate.
- B. It shall be unlawful for any dog or cat owner or keeper to fail to provide the dog or cat with a collar or harness to which a current rabies tag issued under this section is securely attached. The collar or harness, with attached tag must be worn at all times unless under circumstances as stated in Section VIII-B.
- C. In addition to all other penalties as prescribed by law, a dog or cat is subject to impoundment in accordance with the provisions of this ordinance if the dog or cat is found not to be wearing a currently valid rabies tag.

- D. It shall be unlawful for any person to use for any animal a rabies vaccination tag issued for an animal other than the one using the tag.

- E. All dogs or cats shipped or otherwise brought into this county, except for exhibition purposes where the dogs or cats are confined and not permitted to run at large, shall be securely confined and vaccinated within one (1) week after entry, and shall remain confined two (2) additional weeks after vaccination unless accompanied by a certificate issued by a licensed veterinarian showing that said dog or cat is apparently free from rabies and has not been exposed to same and that said dog or cat has received a proper dose of rabies vaccine not more than six (6) months prior to the date of issuing the certificate.

SECTION XII. NOTICE TO COUNTY MANAGER AND HEALTH DIRECTOR WHEN PERSON HAS BEEN BITTEN: CONFINEMENT OF ANIMAL.

- A. When a person has been bitten by an animal having rabies or suspected of having rabies, it shall be the duty of such person, or his parent or guardian if such person is a minor, and the person owning such animal or having the same in his possession or under his control, to notify the County Manager or person duly authorized by the County Manager and the Health Director immediately and give their names and addresses and the owner or person having such animal in his possession or under his control shall immediately securely confine it for ten (10) days at the expense of the owner in such place as may be designated by the County Manager or Health Director. It shall be the duty of every physician, after his first professional attendance upon a person bitten by any animal having rabies or suspected of having, rabies, to report to the Health Director the name, age and sex of the person so bitten, and precise location of the bite wound, within twenty-four (24) hours after first having knowledge that the person was bitten. If the owner of or a person who has in his possession or under his control an animal having rabies or suspected of having rabies refuses to confine the animal as required by this ordinance or by G.S. 130A-196, the County Manager or the Health Director may order seizure of the animal and its confinement for ten (10) days in such place as the County Manager or Health Director designates.

- B. Law enforcement agencies investigating animal bites shall report such bites immediately to the County Manager or person duly authorized by the County Manager and Health Director and give the names and addresses of person(s) bitten and owner of animal.
- C. Animal(s) confined per Section XII-A. above shall not be released from confinement except by permission from the County Manager or Health Director.
- D. Animals confined per Section XII-A. above shall be confined at the expense of the owner or keeper.
- E. In the case of an animal whose owner or keeper is not known, this animal shall be kept for the supervise confinement period required by this ordinance at the animal shelter or in such place as the County Manager or Health Director designates.
- F. Badly wounded, diseased, or suffering animals which are suspected of having rabies may be humanely destroyed immediately and the head forwarded for examination.

SECTION XIII. DESTRUCTION OR CONFINEMENT OF ANIMAL EXPOSED BY A KNOWN OR SUSPECTED RABID ANIMAL.

Animals not vaccinated against rabies which are exposed to a (known/suspected) rabid animal shall be immediately destroyed, unless the owner or keeper agrees to strict isolation of the animal at a veterinary hospital for a period of six (6) months at the owner's or keeper's expense. If the animal has a current rabies vaccination, it shall be re-vaccinated and returned to the owner or keeper.

SECTION XIV. AREA-WIDE EMERGENCY QUARANTINE.

- A. When reports indicate a positive diagnosis of rabies to the extent that lives of persons are endangered, the Health Director may declare an area-wide quarantine for such period as he deems necessary. Upon invoking, of such emergency quarantine, no dog or cat may be taken or shipped from the county without written permission of the Health Director or County Manager. During such quarantine, the Health Director, the County Manager, and/or persons duly authorized by the Health Director and/or County Manager, may seize and

impound any dog or cat found running at large in the county. During the quarantine period, the Health Director in coordination with the County Manager shall be empowered to provide for a program of mass immunization by the establishment of temporary emergency rabies vaccination facilities strategically located throughout the county.

- B. In the event there are additional positive cases of rabies occurring during the period of quarantine, such period of quarantine may be extended at the discretion of the Health Director.

SECTION XV. POSTMORTEM DIAGNOSIS.

- A. If an animal dies while under observation for rabies, the head of such animal shall be submitted to the Laboratory Section of the North Carolina Division of Health Services for rabies diagnosis.
- B. The carcass of any animal suspected of dying of rabies shall be surrendered to the Washington County Animal Control Section. The head of such animal shall be shipped to the Laboratory Section of the North Carolina Division of Health Services for rabies diagnosis.

SECTION XVI. UNLAWFUL KILLING OR RELEASING OF CERTAIN ANIMALS.

It shall be unlawful for any person to kill or release any animal under observation for rabies, or any animal under observation for biting a human, or to remove such animal from the county without written permission from the Health Director or County Manager. A licensed veterinarian, the Health director, the County Manager, or persons duly authorized by the County Manager, may authorize any animal to be killed for rabies diagnosis.

SECTION XVII. FAILURE TO SURRENDER ANIMAL FOR CONFINEMENT OR DESTRUCTION.

It shall be unlawful for any person to fail or refuse to surrender any animal for confinement or destruction as required in this ordinance, when demand is made therefore by the Health Director or the County Manager.

SECTION XVIII. IMPOUNDMENT.

- A. Any animal which appears to be lost, stray or unwanted, or not wearing a currently valid dog identification tag and a currently valid rabies vaccination tag, as required by state law or this ordinance, or not under restraint in violation of this ordinance, may be seized, impounded, and confined in a humane manner in an animal shelter.
- B. Impoundment of such an animal shall not relieve the owner or keeper thereof from any penalty which may be imposed for violation of this ordinance.

SECTION XIX. NOTICE TO OWNER OR KEEPER.

- A. Upon impounding an animal, notice of such impoundment shall be posted for a minimum of seventy-two (72) hours, beginning with the time the animal enters the animal shelter, or until the animal is disposed of. Reasonable effort shall be made to identify the owner or keeper and inform such owner or keeper of the conditions whereby the animal may be redeemed.
- B. Such notice shall be prominently displayed by a bulletin board at the Washington County Courthouse, and the time and place of the taking, of such animal, together with the time and date of posting the notice shall be stated therein.

SECTION XX. REDEMPTION BY OWNER OR KEEPER GENERALLY.

- A. The owner or keeper of an animal impounded under this ordinance may redeem the animal and regain possession thereof within seventy-two (72) hours after notice of impoundment is posted as required by this ordinance by complying with all applicable provisions of this ordinance and paying any applicable fees as determined by the Washington County Board of Commissioners.
- B. No animal owner or keeper may be permitted to adopt his own animal under the provisions of this ordinance, but he must comply with the provisions of this ordinance in order to reclaim an animal that has been impounded pursuant to state law or this ordinance.

- C. The provision of this section shall have no application with respect to animals surrendered by the owner or keeper to the Washington County Animal Control Section for immediate adoption or destruction as provided for in Section XXIII.

SECTION XXI. DESTRUCTION OR ADOPTION OF UNREDEEMED ANIMAL GENERALLY.

- A. If an impounded animal is not redeemed by the owner or keeper within the period prescribed in Section XX, it may be destroyed in a humane manner or shall become the property of the animal shelter and offered for adoption to a responsible adult who is willing to comply with this ordinance and with policies promulgated by the Washington County Board of Commissioners.
- B. No animal which has been impounded by reason of its being a stray, unclaimed by its owner or keeper, shall be allowed to be adopted from the animal shelter during a period of emergency rabies quarantine invoked pursuant to the ordinance, except by special authorization of the Health Director.

SECTION XXII. PROCEDURE WITH RESPECT TO REDEMPTION OR ADOPTION OF UN-VACCINATED DOG OR CAT.

- A. Unless proof of a current rabies vaccination can be furnished, every person who either adopts or redeems a dog or cat at the animal shelter will be given a "Proof of Rabies Vaccination Notice" at the time of the redemption or adoption. This notice will be stamped with a date stating the maximum time limit allowed to take the dog or cat to the veterinarian of such person's choice for rabies vaccination. The time limit for dogs and cats four (4) months and older will be seventy-two (72) hours, with Sundays and holidays excluded. For puppies and kittens under four (4) months, the time limit will vary according to their age.
- B. The "Proof of Rabies Vaccination Notice" will be completed by the veterinarian and returned to the Washington County Courthouse by the animal owner or keeper.
- C. Payment for rabies vaccination provided for in this section will be the responsibility of the person redeeming or adopting the animal.

SECTION XXIII. IMMEDIATE PLACEMENT FOR ADOPTION OR DESTRUCTION OF OWNER SURRENDERED ANIMALS.

- A. Any animal surrendered by its owner to the Washington County Animal Control Section may be immediately placed for adoption or humanely destroyed when:
1. The owner directs in writing that the animal be placed for adoption if possible. If not adopted within a reasonable length of time, the animal may be humanely destroyed.
 2. The owner states in writing that he or she is in fact the legal owner of said animal.
 3. The owner agrees that he or she will indemnify and hold the WC Animal Control Section harmless from any loss or damage it may sustain, including attorney's fees, by reason of the destruction or placement for adoption of said animal; and
 4. The owner transfers ownership of said animal to Washington County and releases Washington County from any and all future claims with respect to said animal.
- B. Upon receiving said assurances, the Washington County Animal Control Section may rely on the same and place said animal for adoption, or destroy said animal, as it sees fit. The waiting periods provided in Section XIX through Section XX (Section 19-20) shall not apply to immediate adoption or destruction as provided for in this section.

SECTION XXIV. DESTRUCTION OF WOUNDED, DISEASED, OR UNWEANED ANIMALS.

Notwithstanding any other provision of this ordinance, any animal seized and impounded which is badly wounded, diseased (not a rabies suspect), or unweaned and has no identification shall be destroyed immediately in a humane manner. If the animal has identification, the WC Animal Control Section shall attempt to notify the owner or keeper before disposing of such animal. If the owner or keeper cannot be reached readily, and the animal is suffering, the WC Animal Control Section may destroy the animal at its discretion in a humane manner.

SECTION XXV. DESTRUCTION OF ANIMALS WHICH CANNOT BE SEIZED BY REASONABLE MEANS.

Notwithstanding any other provision of this ordinance, an animal which cannot be seized by reasonable means may be humanely destroyed by order of the County Manager or person duly authorized by the County Manager.

SECTION XXVI. INJURING ANIMALS, NOTICE REQUIRED.

It shall be unlawful for any person injuring an animal to fail to notify immediately the owner or keeper of said animal, or an animal control agency, or a local humane society.

SECTION XXVII. KEEPING STRAY ANIMALS: REQUIREMENTS, FAILURE TO SURRENDER.

- A. It shall be unlawful for any person in the county knowingly and intentionally to harbor, feed, keep in possession by confinement, or otherwise allow to remain on his property any animal which does not belong to him, unless he has, within seventy-two (72) hours from the time such animal came into his possession, notified the Washington County Manager. Upon receiving such notice, the Washington County Manager or person duly authorized by the Washington County Manager shall take such animal and place it in the animal shelter and shall deal with it as provided by the WC Board of Commissioners.
- B. It shall be unlawful for any person to refuse to surrender any such stray animal to the County Manager or person duly authorized by the County Manager upon demand.

SECTION XXVIII. NON-DOMESTIC ANIMALS - PROHIBITED.

No person shall possess or harbor any non-domestic animal or animals which are dangerous to persons or property or which have the potential of being dangerous to persons or property. This section shall not apply to bonafide circuses, petting zoos, and other traveling commercial animal exhibitions of limited duration.

SECTION XXIX. COLLECTING DOGS AND CATS FOR RESALE - PERMIT REQUIRED.

- A. It shall be unlawful for any person to collect any dog or cat for the purpose of resale unless a permit for the same shall have been obtained from the County Manager in accordance with the provisions of this section and unless such permit shall remain un-suspended and un-revoked.
- B. The WC Board of Commissioners shall promulgate regulations and applicable fee schedule for the issuance of permits and shall include requirements for humane care and transportation of all cats and dogs and for the compliance with the provisions of this ordinance and applicable laws. The WC Board of Commissioners may amend such regulations from time to time as deemed desirable for public health and welfare and for the protection of collected dogs and cats.
- C. The County Manager may revoke any permit if the person holding the permit refuses or fails to comply with this ordinance, the regulations promulgated by the WC Board of Commissioners, or any law governing the protection and keeping of animals.

SECTION XXX. INTERFERENCE WITH ENFORCEMENT.

It shall be unlawful for any person to interfere with, hinder or molest the employees of the Washington County Animal Control Section or person(s) duly authorized by this ordinance, or to seek to release any animal in the custody of such persons, except as otherwise specifically provided.

SECTION XXXI. PENALTY FOR VIOLATION.

- A. The violation of any provision of this ordinance shall be a misdemeanor and any person convicted of such violation shall be punishable as provided in G.S. 14-4. Each day's violation of this ordinance is a separate offense. Payment of a fine imposed in criminal proceedings pursuant to this sub-section does not relieve a person of his liability for fees imposed under this ordinance.
- 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).

- C. In addition to and not in lieu of the criminal penalties and other sanctions provided in this ordinance, a violation of this ordinance may also subject the offender to the civil penalties hereinafter set forth.
1. Such civil penalties may be recovered in a civil action in the nature of debt or maybe collected in such other amounts as prescribed herein within the prescribed time following the issuance of notice for such violation.
 2. Such notice shall, among other things:
 - a) State upon its face the amount of the penalty is such penalty is paid within seventy-two (72) hours from and after the issuance of the notice and the late fee (\$10.00) if paid more than seventy-two (72) hours after its issuance.
 - b) Notify such offender that a failure to pay the penalties within the prescribed time shall subject such offender to a civil action in the nature of debt for the stated penalty plus an additional penalty in the amount of twenty-five dollars (\$25.00), together with the cost of the action to be taxed by the court.
 - c) Further provide that such offender may answer the said notice by mailing said notice, and stated penalty to the County Manager, Washington County Courthouse, at the appropriate address, and that upon payment, such case or claim and right of action will be deemed compromised and settled.
 - d) State that such penalties must be paid within seventy-two (72) hours from issuance of such notice. Such notice shall further state that if such notice of violation is not paid within said seventy-two (72) hours period, court action by the filing of a civil complaint for collection of such penalty may be taken.
 3. The County Manager is authorized to accept such payments in full and final settlement of the claim or claims, right or rights of action which may be enforced by such penalty by civil action in the nature of debt. Acceptance shall be deemed a full and final release of any and all such claims, or rights or action arising out of such contended violation or violations.

- 4. The civil penalty for violation of this ordinance is twenty-five dollars (\$25.00). Said penalty shall be paid within seventy-two (72) hours from and after the issuance of the notice referred to above.
- 5. The notice of violation referred to herein may be delivered to the person violating the provisions of this ordinance in person, or may be mailed by registered or certified mail to said person at his last known address.
- 6. In addition to the penalty prescribed in sub-section four (4) above, a ten dollar (\$10.00) penalty shall be imposed in all those cases in which the above penalty has not been paid within the authorized seventy-two (72) hour period. Should it become necessary to institute a civil action to collect any penalty hereunder, then the violation shall also be subject to an additional penalty of twenty-five dollars (\$25.00).
- 7. All penalties paid to the County Manager or as may be recovered in a civil action in the nature of debt as herein provided shall be paid into the Animal Control Section monies of the Washington County Budget.

SECTION XXXII. EFFECTIVE DATE

Commissioner *Parish* moved the adoption of the adoption of the above animal control ordinance.

Commissioner *Stokes* seconded the motion and was unanimously passed by the Washington County Board of Commissioners this the 7th day of May, 2001.

This ordinance shall be effective the 7th day of May, 2001



Ernest Burden
Ernest Burden, Chairman
Washington County Board of Commissioners

Lois C. Askew
Lois C. Askew, Clerk to the Board