

Unified Animal Ordinance FAQ

What is the Unified Animal Ordinance?

The Unified Animal Ordinance was created by staff and attorneys from the towns and county to improve and add consistency to the animal control ordinances that previously existed in Orange County and the townships within it. While there are specific and unique ordinance provisions that will remain in municipalities, the unified ordinance will now provide a common framework for each ordinance that is consistent across the county.

When is the Unified Animal Ordinance effective?

The Unified Animal Ordinance becomes effective in all areas March 1, 2016.

Why did Orange County need the Unified Animal Ordinance?

Prior to the creation of the Unified Animal Ordinance, different ordinances existed in the county, Chapel Hill, and Carrboro. Hillsborough has traditionally followed the county's ordinance with additions for a few in-town areas, but Chapel Hill and Carrboro had ordinances that varied greatly from the County's in many areas. This made compliance and enforcement difficult and was confusing for the public, town and county staff, judges, and others in the court system.

How were the contents of the Unified Animal Ordinance chosen?

Staff from the county, the townships, and the attorney's office gathered to look at each ordinance side by side during the process. The best and most accurate areas of each ordinance were compiled to create the version that was most effective and relevant. In some areas, experience had taught officials that gaps and gray areas existed in the current language, and some of those areas were further defined to prevent confusion going forward.

Is all of Orange County governed by the same animal ordinance now?

Not entirely. The Unified Animal Ordinance applies to all of the unincorporated parts of Orange County fully, and the towns have adopted the bulk of it as their framework. However, inside the corporate limits of each town certain sections and areas will remain different.

What are the differences for each town?

Hillsborough does not have its own animal ordinance and adopts the county's ordinance with only two additions. Those are that roosters are prohibited and farm animals, both small and large, are regulated.

In Carrboro, differences will exist in the keeping of livestock and wild animals; the prohibition of dogs at the farmers market; the requirement to pick up dog feces; the location and maintenance of animal pens and enclosures; violation appeals protocols; and the prohibition (rather than restriction) of tethering. More specifically, Carrboro will retain these sections of its previous ordinance: 10-5, 10-6, 10-7, 10-7.1, 10-8, 10-15, 10-17, 10-17.1, 10-17.2, 10-38. For all other areas, the Unified Animal Ordinance will apply.

In Chapel Hill, differences will exist in the creation of and authority of the office of animal control, the responsibility of custodian of animals; prohibition of tethering; pen size regulations for dogs kept in enclosures; penalty for cruelty to animals; prohibition of injury, sale, gift, or use of electronic devices for animals and penalties for violation of these acts; prohibition of keeping wild animals, dangerous animals, livestock, exotic animals, noisy fowl, fighting animals, or more than four dogs in town; prohibition of having horses on sidewalks, breaking up bird nests, and killing or catching young birds. More specifically, Chapel Hill will retain these sections of its previous ordinance: 4-2, 4-4, 4-5 (some subsections), 4-6, 4-8 (some subsections), 4-9, 4-10, 4-12, 4-13. For all other areas, the Unified Animal Ordinance will apply.

Is there any new legislation in the Unified Animal Ordinance?

The majority of the Unified Animal Ordinance is existing law that has been improved or modified by using the best version of existing laws and/or filling any necessary gaps. However, some of the gaps that have been filled in now provide appeals for public nuisance violations and vicious dog declarations. In addition, the ordinance makes the recovery fee for reproductive animals higher than for sterilized ones and also requires stray dogs and cats to be microchipped when they are recovered by their owners.

Is the Unified Animal Ordinance retroactive? How does it apply to cases opened before the effective date?

The Unified Animal Ordinance is not retroactive and is only effective beginning March 1, 2016. For investigative cases (such as potentially dangerous dog declarations or complaints) with incident dates prior to March 1, the old ordinance will apply. However, stray animals being recovered on or after March 1, are subject to the new ordinance requirements, even if they entered the shelter prior to March 1. The recovery in these cases is the provision that has changed and the date of that recovery will therefore determine which ordinance applies.