

## **Chapel Hill Tethering Ordinance Enforcement: Standard Operating Guide**

**Purpose:** The purpose of this standard operating guideline (SOG) is to assure that the Chapel Hill Tethering Ordinance is enforced by Orange County Animal Services within the scope of our contractual services with the Town of Chapel Hill as formalized in fiscal year agreements. The Chapel Hill Animal Control Officer (“ACO”), and other ACOs assigned to Town of Chapel Hill (“Town”) or who respond to tethering complaints within the Town, shall enforce the Town’s tethering ordinance in accordance with these guidelines.

It is expected that ACOs will work with the Town’s residents to facilitate and ensure their compliance with the Town’s tethering ordinance. To the extent that it is possible, ACOs are expected to carry out this function in a positive, collaborative manner. Whenever possible, an ACO is expected to refer residents in need to resources for confinement other than tethering.

**Chapel Hill’s Tethering Ordinance:** The Town's tethering rules became effective on March 23, 2010. Under the ordinance, warnings were given for dog owners not in compliance for a three month phase-in period (March 24, 2010 through June 23, 2010).<sup>1</sup>

The law became fully enforceable on June 23, 2010, and Chapel Hill residents are now subject to fines or criminal charges for violations of the ordinance. The Town’s Code, Section 4-6 identifies the penalty for a violation of cruelty to animals as a misdemeanor and the violator can be subject to a fine of five hundred dollars (\$500.00) or imprisonment for not more than thirty (30) days.

The Town of Chapel Hill’s tethering amendment does not contain an impoundment provision or seizure authority. Accordingly, a dog that has been tethered would not be seized without first obtaining an appropriate court order.

**a. Tethering Prohibition:** The Town’s ordinance prohibits the tethering of dogs. The ordinance contains several exceptions to this prohibition (see below). According to the ordinance, tethering refers to the keeping of dogs on chains, ropes or other such tie-outs versus within a fenced structure. This definition includes overhead trolley systems as well as chaining a dog to a stake or otherwise tying a dog up to a stationary object. Tethering does not refer to walking a dog on a leash.

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<sup>1</sup> For citizens seeking more information on Chapel Hill’s tethering ordinance, they may go to the Town’s website ([www.townofchapelhill.org](http://www.townofchapelhill.org)) or the Animal Services webpage (<http://www.co.orange.nc.us/animalservices/tethering.asp>). The ordinance its <http://www.townofchapelhill.org/Modules/ShowDocument.aspx?documentid=5527>

The ban on tethering does not apply to tethering for a period of fewer than seven days when an individual is actively engaged in the following:

- Shepherding or herding livestock
- Lawful dog activities such as 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
- Meeting the requirements of a camping or recreational area.

When participating in exempt activities or when a dog is on an attended leash, tethered dogs must be tethered in an appropriate manner. Tethers must be made of rope, twine, cord, or similar material with a swivel on one end or a chain that is at least 10 feet in length with swivels on both ends and which does not exceed 10 percent of the dog's body weight. All collars or harnesses used for the purpose of tethering a dog must be made of nylon or leather.

b. Required Minimum Areas for Keeping of Dogs. Not all dog owners who have previously tethered a dog will chose to bring their dogs inside their home. Dog owners who chose to keep their dogs outside unattended will be required to have a fence or kennel. Note that electronic fences are subject to the same requirements as physical fences.

Owners who keep a dog or dogs within a fence or in a kennel must assure that the fence or kennels meet the following dimensions:

- 100 square feet of unobstructed area for a dog under 20 pounds (10 x 10 pen)
- 200 square feet of unobstructed area for a dog over 20 pounds (10 x 20 pen)

These dimensions are for each dog. If an owner has two dogs, they will need an appropriate amount of space for the number of dogs they are containing. Thus, they would need 300 square feet for two dogs if one dog was weighed less than 20 pounds but the other weighed more than 20 pounds. The owner would need only 200 square feet if each of the two dogs weighed less than 20 pounds.

If a kennel or pen does not appear to meet the square footage requirements, the ACO shall measure the dimensions and on a case by case basis arrange to weigh the dog in question. If the area is too small, the ACO shall discuss the situation with the Animal Control Manger and a determination shall be made on the amount of time to give the dog's owner to comply with the requirements under the ordinance.

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I hereby acknowledge that I have read the above policy of Orange County's Animal Services Department and that I fully understand it.

I understand that adherence to this policy is a condition of my employment with Orange County's Animal Services Department.

Signature of Employee \_\_\_\_\_

Printed Name of Employee \_\_\_\_\_

Date Signed \_\_\_\_\_