

ANIMAL SERVICES HEARING PANEL POOL POLICIES AND PROCEDURES

SECTION I: SCOPE

A. Purpose

1. For the Orange County Board of Commissioners to establish the specific policies and procedures governing the Animal Services Hearing Panel Pool ("Pool").
2. For the Orange County Board of Commissioners to appoint a pool of residents within Orange County whose duty it is to hear appeals as provided in Chapter 4 of the Orange County Code of Ordinances, Animal Control Ordinance.

B. Authority

1. North Carolina General Statute § 153A-76 grants boards of county commissioners the authority to establish advisory boards.
2. The Orange County Advisory Board Policy serves as the underlying policy document to which the Animal Services Hearing Panel Pool, in addition to this policy and procedure document, is subject. The Orange County Advisory Board Policy is attached hereto as "Exhibit A".
3. In the event that there is a conflict between the Orange County Advisory Board Policy and this Policies and Procedures document this Policies and Procedures document shall control.

C. Charge

The charge of the Animal Services Hearing Panel Pool is as follows:

1. To hear appeals from violations of the Orange County Code of Ordinances, Chapter 4 ("Animal Control Ordinance"), as provided in the Orange County Code of Ordinances, § 4-53 Appeals.
2. To hear appeals as prescribed by N.C. Gen. Stat. § 67-4.1(c).

SECTION II: GOALS AND OBJECTIVES

A. Goals

1. To protect the health, safety and welfare of Orange County residents and the animals residing in Orange County.

B. Objectives

1. Conduct fair and impartial hearings of appeals of potentially dangerous dog declaration and any other appeals as may be required by the Animal Control Ordinance.

SECTION III: MEMBERSHIP

A. Authority

1. North Carolina General Statute § 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.
2. Orange County Code of Ordinances, Chapter 4, § 4-53 provides for an appeal panel appointed by the Orange County Board of Commissioners.

B. Composition

1. The Animal Services Hearing Board is composed of eighteen (18) members.
2. Members shall represent:
 - a. The Townships of Carrboro, Chapel Hill and Hillsborough shall each appoint two (2) members from their respective jurisdictions;
 - b. One (1) member who shall have experience in the field of public health;
 - c. One (1) member who shall have experience in the field of public safety;
 - d. Six (6) at-large representatives, three (3) of which reside in the unincorporated areas of the county shall be members of the public with some relevant knowledge of animal behavior;
 - e. One (1) veterinarian;
 - f. Three (3) members of the Animal Services Advisory Board;

SECTION IV. HEARING PANELS

1. Vicious and Potentially Dangerous Dog Appeal Panel. The Vicious and Potentially Dangerous Dog Appeal Panel shall consist of three individuals drawn from the pool by the Animal Services Director. This Panel shall hear appeals from Section 4-42 of the Animal Control Ordinance and appeals of Potentially Dangerous Dog Declarations. The panel shall consist of individuals drawn from the pool from the following categories:
 - a. One (1) member of the panel shall be from the Animal Services Advisory Board and shall serve as Chair of the Panel
 - b. The remaining two (2) members shall come from the other groups represented in the Pool.
 - c. At least one of the members serving on the Panel shall come from either the Town or County where the incident occurred. In the event that a representative of the town in question is not available to serve within the required period of time, a representative of one of the other towns will be selected.
 - d. The responsibility of this panel is to determine whether or not a potentially dangerous dog declaration is warranted based upon the definition(s) set out by either the North Carolina General Statute or the Animal Control Ordinance, whichever is applicable.
 - e. The Potentially Dangerous Dog Appeal Panel shall be convened as needed by the Animal Services Director.
 - f. In the event that a member is unable to attend within the timeline mandated by the North Carolina General Statute for a Potentially Dangerous Dog Appeal, the Animal Services Director may designate another member of the Pool to fill his or her place.

- g. The appeal panel chair shall be responsible for coordinating with the Animal Services Director to ensure that any such appeal is conducted in a timely manner.

2. Other Appeal Panels

- a. Panels for other appeals may be formed as needed.
- b. These panels shall have no fewer than three individuals drawn from the Pool by the Animal Services Director. Members shall be rotated so that all have an opportunity to serve on a panel.
- c. A chair for such an appeal panel shall be designated by the Chair of the Animal Services Advisory Board.
- d. The appeal panel chair shall be responsible for coordinating with the Animal Services Director to ensure that any such appeal is conducted in a timely manner.

SECTION V. TRAINING

- A. Upon appointment each member of the Pool shall attend training on the Animal Control Ordinance and their responsibilities in the administrative appeal process provided by the Orange County Attorney's Office.
- B. Each member shall complete the training prior to serving on a hearing panel.

SECTION VI. RULES

- A. The Animal Services Hearing Panel Pool shall be governed by Orange County Code of Ordinances § 4-53.
- B. Should the Animal Services Hearing Panel Pool determine modifications to policies and procedures are necessary they may petition the Board of County Commissioners for such modifications.