

CHAPTER 10

REGULATION, CONTROL AND CARE OF ANIMALS

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Article I

REGULATIONS UNDER GASTON COUNTY ANIMAL CONTROL ORDINANCE

Section 10-1 Enforcement within Town of Gaston County Animal Control Ordinance.

- a) The Town of McAdenville here authorizes Gaston County to enforce within the town that certain Animal Control Ordinance adopted by the County Board of Commissioners and made effective July 1, 1981, as such ordinance is amended from time to time.

- b) Sections 10-2 and 10-3 set forth provisions that are more restrictive than the provisions contained in the Gaston County Animal Control Ordinance. To the extent that there is a conflict between the provisions set forth below and the Gaston County Animal Control Ordinance, the provisions of this chapter shall take precedence. The Gaston County Animal Shelter Superintendent and Animal Control Officer are authorized to enforce Sections 10-2 and 10-3 on behalf of the town, and the town clerk is authorized if necessary to enter into an agreement with Gaston County for such enforcement.

Section 10-2 Dog Lease Law.

- a) Every person owning or having possession, charge, care, custody, or control of any dog shall keep such dog exclusively upon his own premises, or on the private premises of another with prior consent only, provided, however, that a dog may leave such premises only if:
  - 1) A dog is under restraint by virtue of being in the custody of a competent person and held by a leash, chain or other device of sufficient strength to maintain control by that person;
  - 2) A dog is under direct control by virtue of being in the custody of a competent person and sufficiently near that person to hear that person's commands and is obedient to those commands;
  - 3) A dog is under direct control by virtue of being held within a secure enclosure as defined in the Gaston County Animal Control Ordinance;
  - 4) A dog is engaged in organized hunting activities on private property with the consent of the owner of that property, providing that said dog is obedient to the commands of its owner.
- b) A dog belonging to an identifiable owner or other person not complying with the provisions of subsection (a) shall be deemed to be at large and a stray animal. A dog that roams at large with no apparent ownership shall also be deemed to be at large and a stray animal.
- c) The Gaston County Animal Shelter and its superintendent and animal control officers are hereby authorized to capture and impound and, in certain cases, tranquilize or humanely destroy stray animals under this section, in accordance with applicable sections of the Gaston County Animal Control Ordinance.

Section 10-3 Wild Animals and Livestock Prohibited.

- a) For purposes of this section:
  - 1) The term “wild animal” means an animal that (i) is typically found in a nondomesticated state and that, because of its size or vicious propensity or because it is poisonous or for any other substantial reason, poses a potential danger to persons, other animals or property, or (ii) is classified as a wild animal by the North Carolina Wildlife Resources Commission (W.L.C.) so that any person wishing to possess the same is required by state law to obtain a permit from the W.R.C.
  - 2) The term “livestock” includes horses, mules, cows, pigs, goats, sheep, fowl (such as chickens, ducks, turkeys, etc.), rabbits, and all other animals that typically are kept primarily for productive or useful purposes rather than as pets.
- b) No person may keep within the town any wild animals or any livestock, except that this provision shall not apply to animals kept within the McAdenville Aviary Garden.

Sections 10-4 through 10-6 Reserved.

Article II

FEEDING OF MIGRATORY BIRDS AND GEESE PROHIBITED ALONG  
WESLEYAN DRIVE

Section 10-7 Prohibition of Feeding.

No person shall feed migratory ducks or geese in the Town of McAdenville at or near the lake on Wesleyan Drive. This ordinance does not apply to birds or geese kept within McAdenville Aviary Garden.

Section 10-8 Notice to be Posted.

The Town Clerk is hereby authorized and instructed to post conspicuous signage along Wesleyan Drive, indicating that feeding migratory ducks and geese is prohibited.

Sections 10-9 through 10-10 Reserved.

Article III

HORSES AND LIVESTOCK PROHIBITED ON MAIN STREET AND WESLEYAN DRIVE IN DECEMBER

Section 10-11 Prohibition of Horses and Livestock.

- A. No person shall ride or walk any horse, mule, donkey, llama, alpaca or other ungulate or ruminant that is used to transport people, equipment or materials within the Town of McAdenville during the month of December between the hours of 4:00 p.m. and 11:00 p.m.
- B. It shall not be a violation of this section if the horse, mule, donkey, llama, alpaca or other ungulate or ruminant use has been approved as a part of a Special Event Permit issued by the Town pursuant to Chapter 7, Article III of the Town of McAdenville Code of Ordinances.

Section 10-12 Prohibition of Animal-Drawn Vehicles

- A. No person shall operate or allow to be operated any vehicle; including but not limited to: any cart, carriage, wagon, trailer or sled, drawn by any animal; to include but not limited to: any horse, mule, donkey, llama, alpaca or other ungulate or ruminant within the Town of McAdenville during the month of December between the hours of 4:00 p.m. and 11:00 p.m.
- B. It shall not be a violation of this section if the use of an animal-drawn vehicle has been approved as a part of a Special Event Permit issued by the Town pursuant to Chapter 7, Article III of the Town of McAdenville Code of Ordinances.

Section 10-13 Reserved

Article IV

PET PIGS PROHIBITED IN TOWN

Section 10-14 Pet Pigs Prohibited.

No person shall keep one or more pet pigs or swine in the Town of McAdenville. This ordinance shall not apply to McAdenville Aviary Garden.

Article V

Section 10-15 Penalties

Violations of this Ordinance shall be governed as provided in Section 1-10.