

AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF
COMMISSIONERS PROHIBITING TETHERING OF DOGS

WHEREAS, outdoor tethering of dogs can be cruel to the dogs, especially during inclement or severe weather conditions, and

WHEREAS, outdoor tethering of dogs threaten the welfare of those dogs through inadvertent choking, strangulation, or ensnaring of the dogs, and

WHEREAS, outdoor tethering of dogs can cause them to become aggressive or otherwise maladjusted and anti-social, increasing the risk of attacks on people or other animals, and thereby threatening the public health, safety and welfare, and

WHEREAS, outdoor tethering of dogs can make them easy targets for attacks by other animals, harassment from humans, and biting and stinging from insects, and

WHEREAS, outdoor tethering of dogs can cause unsanitary living conditions in a confined area from feces, urine and food waste,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY, N.C.:

Section 1. Section 3.5 of the Cumberland County Code, Definitions, is amended by inserting in appropriate alphabetical order, the following, and re-numbering the existing subsections:

“Tethered” or “tethering” means attaching an animal to a stationary object by means of a chain, cable, rope or similar device.

Section 2. Section 3-21 of the Cumberland County Code, “Keeping of animals; mistreatment, abandonment prohibited; care; restraining of dogs; exercise area for dogs” is amended by deleting subsection (H) and inserting in lieu thereof the following:

“(H) 1. No pet shall be tethered outdoors unless the keeper or owner of the pet is holding the tether.

2. It shall be an affirmative defense to a violation of subsection 1 above that the tethering is required to protect the safety or welfare of a person or the dog, if the keeper or owner of the dog remains with the dog throughout the period of tethering.

3. The provisions of subsection 1 above shall not apply to a temporary tether (a) during a lawful animal event, veterinary treatment, grooming, training, or law enforcement activity, or (b) to a keeper or owner walking a dog with a hand-held leash, or (c) during lawful hunting activities if reasonably necessary for the safety of the dog, or (d) while a dog is actively engaged in shepherding or herding livestock, or (e) when meeting the requirements of a camping or recreation facility, or (f) when the animal’s

caretaker is outside and within eyesight of the animal, or (g) after taking possession of a dog that appears to be a stray dog and after having advised the Animal Control Department of the stray.

4. The provisions of subsection 2 and 3 above shall apply only if (a) the tether is not placed directly around the dog's neck and is attached to a properly fitting collar or harness of nylon or leather worn by the dog, and (b) the weight of the tether does not exceed more than one-tenth of the dog's body weight, and (c) the tether is unlikely to become tangled or twisted, and (d) the tether is arranged to be free of any obstacles which may limit the moveable length of the tether, and (e) the dog is tethered in a manner that permits access to necessary shelter and water."

Section 3. This ordinance shall become effective August 1, 2009.

Adopted by the Cumberland County Board of Commissioners this 2nd day of February, 2009.

JEANNETTE M. COUNCIL
Chairman

MARSHA FOGLE
Clerk to the Board