

REQUEST FOR BOARD ACTION

HENDERSON COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: 17 November 2010

SUBJECT: Animal Ordinance changes for dog park

ATTACHMENT(S): Draft ordinance language

SUMMARY OF REQUEST:

At this Board's October 20th meeting, a proposed dog park at Westfeldt Park was discussed in the Town of Fletcher. County Staff was directed to amend the Henderson County Animal Ordinance to permit dog parks under the Ordinance. Draft amendments were brought to the Animal Services Advisory Committee to review and on their November 3rd meeting, this Committee unanimously voted to recommend these changes to the Board of Commissioners. These amendments concern allowing dogs off-leash in designated areas and a prohibition against dangerous or aggressive dogs in dog parks.

County staff will be present and prepared if requested to give further information on this matter.

BOARD ACTION REQUESTED:

Approval of the draft ordinance language.

If the Board is so inclined, the following motion is suggested:

I move that the Board approve the draft language to the Henderson County Animal Ordinance.

Animal Ordinance Amendments for Dog Park

*Changes are **bold highlighted**

66A-8 Public Nuisance

B. Animal behavior constituting a nuisance. It shall be unlawful for an owner to permit an animal to habitually do the following, but not limited to: chases bicycles or motor vehicles or pedestrians, damages private or public property, turns over garbage cans or deposits feces on another's private property or on public property. **The prohibition against running at large does not apply to animals in designated off-leash areas.**

66A-10 Dangerous Dog restricted.

E (1)(d) Any dog deemed dangerous shall not be permitted in public recreation areas, including dog parks.

§ 66A-24. Restraint/confinement of domestic animals required. [Added 5-19-2006]

C. This section pertains to all domestic animals with the following exceptions:

(5) Dogs may be allowed to run at large in off-leash areas of such properties as may be designated by Henderson County or the related municipality, who shall have the authority to establish such rules and regulations as reasonably necessary for the operation of such properties. Dogs in designated off-leash areas must be accompanied by their owner, be under vocal control, in the line of sight, and not cause a public nuisance, safety hazard, or harass people, other dogs, or wildlife

§66A -27 Aggressive Dog Controls

D. Control Measures

1. Restraint. An animal deemed aggressive must be under restraint by a competent person who by means of a leash, chain, or rope has the animal under control at all times. Voice command is not an adequate restraint. **Aggressive dogs shall not be permitted in public recreation areas including parks, dog parks, or greenways.**