

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: October 4, 2021

SUBJECT: Modification of Code Section 16-4. B. (4)

PRESENTER: Brad Rayfield, Animal Services Director
Marcus Jones, County Engineer

ATTACHMENTS:

SUMMARY OF REQUEST:

In instances when an animal is being held until a case is adjudicated staff have been utilizing a cost recovery procedure under N.C.G.S. §19A-70. This statute gives a Judge the authority to order an animal owner to pay the shelter to maintain the animal during the time an animal is expected to stay awaiting trial. If the owner does not post the amount of funds ordered by the Judge, the animals become property of the County under operation of the law. Staff wanted this statute placed in Chapter 16. It was placed on the Animal Services Advisory Committee's July 8, 2021, Meeting Agenda. The Committee voted to recommend this modification to the Board of Commissioners.

The proposed modification of Code 16-4. B. (4), to read:

§ 16-4. General duties of Animal Services Center and Animal Enforcement

- A. Duties and responsibilities of Animal Services Director:
 - (1) Enforcing all County ordinances relating to the care, custody, and control of domestic animals.
 - (2) Operating the County Animal Services Center pursuant to policies adopted by the County Board of Commissioners.
 - (3) Keeping, or causing to be kept, accurate and detailed records of:
 - a. Impoundment and disposition of all animals coming into custody of the Animal Services Center.
 - b. All monies derived from fees and civil penalties.
 - c. Any other matters deemed necessary by the Animal Services Director.
- B. Duties and responsibilities of Animal Enforcement
 - (1) Enforcing all County ordinances relating to the care, custody, and control of domestic animals.
 - a. Investigating all reported animal bites or other human physical contact with a suspected rabid animal, enforcing quarantine ordered for any dog or cat involved and submitting bite reports and reports of human contacts to the County Director of Public Health.
 - (2) Investigating complaints with regard to animals arising under this Chapter.
 - (3) Protecting animals from neglect; investigating animal mistreatment, as defined in

- §16-11.
- (4) Subject to the provisions of N.C.G.S §19A-70, seizing and arranging for impoundment, where deemed necessary, of any animal involved in a violation of this Ordinance or the General Statutes.
 - (6) Keeping, or causing to be kept, accurate and detailed records of:
 - a. Seizure, impoundment, and disposition of all animals coming into custody of the Animal Services Center.
 - b. Bite cases, violations and complaints, and investigation of same, including names and addresses of persons bitten, date, circumstances, and breed.
 - c. All monies derived from fees and civil penalties.
 - d. Any other matters deemed necessary by the Sheriff.

BOARD ACTION REQUESTED:

The Board is requested to approve the modification as written.

Suggested Motion:

I move that the Board approve the modification to Code Section 16-4.B. (4) as proposed.