

CHAPTER 94A: LIVESTOCK

AN ORDINANCE RESTRICTING THE KEEPING OF LIVESTOCK, GALLINACEOUS BIRDS, BIRDS OF PREY, MAMMALS OF PREY, CROCODILIANS, POISONOUS SNAKES, AND NON-DOMESTICATED PRIMATES WITHIN CERTAIN AREAS OF THE TOWN OF JONESVILLE

Section

94A.01	Definitions
94A.02	Keeping Certain Animals in Town
94A.03	Effective Date – Extension Of Town Jurisdiction
94A.99	Penalty

§ 94A.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SERVICE ANIMALS - any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of a person with a disability.

GALLINACEOUS BIRDS – species of birds including, but not limited to, chickens, ducks, geese, quail, pheasant, guineas, turkeys, grouse, and all domesticated and non-domesticated fowl.

CROCODILIANS – Including, but not limited to, any of various reptiles of the order Crocodylia (i.e. alligators, crocodiles and gavials)

BIRDS OF PREY – Including, but not limited to, eagles, hawks, owls, and falcons.

MAMMALS OF PREY- Including, but not limited to, large cats and bears.

NON-DOMESTICATED PRIMATES – Including, but not limited to, monkeys, gorillas, and orangutans.

§94A.02. KEEPING CERTAIN ANIMALS IN TOWN

- (A) The requirements of this section shall not apply to any animal properly registered as a service animal for the benefit of a person with a disability.
- (B) It shall be unlawful for any person firm, or corporation to keep, harbor or maintain any swine, large mammals of prey, birds of prey, crocodilians, poisonous snakes, and non-domesticated primates within the corporate limits of the Town of Jonesville.
- (C) It shall be unlawful for any person, firm, or corporation with less than eight (8) acres of land upon which to keep the livestock to keep, harbor or maintain mules, cattle, goats, horses, sheep, llamas, emus, gallinaceous birds, or other “livestock” within the corporate limits of the Town of Jonesville.
- (D) Any person, firm, or corporation owning or controlling a lot or parcel of land consisting of eight (8) or more contiguous acres may keep, harbor or maintain mules, cattle, goats, horses, sheep, llamas, emus, gallinaceous birds, or other “livestock” within the corporate limits of the Town of Jonesville subject to the following restrictions.
 - (1) Not more than 1 animal(s) classified as livestock and weighing more than 100 pounds may be maintained for each acre of land.
 - (2) Not more than 10 animal(s) classified as gallinaceous birds may be maintained.
 - (3) All chicken houses and lots must be maintained in a clean and sanitary condition at all times.
 - (4) It shall be unlawful to raise chickens for commercial purposes within the corporate limits of the town.
 - (5) It shall be unlawful for any person to maintain, keep or house any fowl within 200 feet of any residential or commercial building, school, or church, or other establishment.
 - (6) It shall be unlawful to permit any fowl, including but not limited to chickens, ducks, geese, pheasant, quail, grouse, turkeys, guineas, or other gallinaceous birds to run at large.
 - (7) Any gallinaceous birds kept within the corporate limits of the Town of Jonesville must be contained by a fence, building, or other enclosure that will ensure the birds will not run at large.
 - (8) Any gallinaceous birds found running at large may be taken into possession and/or destroyed by the Jonesville Police Department or Yadkin County Animal Control Department.

§94A.03. EFFECTIVE DATE – EXTENSION OF TOWN JURISDICTION

All persons, firms, or corporations now keeping or maintaining any livestock within areas which become subject to the provisions of this ordinance through the extension of corporate city limits, of said zoning district or districts, by ordinance extending said district by amendment to the present Zoning Map of the Town of Jonesville, shall within 3 years of the effective date of the expansion of said area comply with all provisions of this Ordinance.

§ 94A.99 PENALTY.

Violations of the provisions of this chapter shall not constitute a misdemeanor or infraction punishable under G.S. 14-4, but instead shall be subject to a civil penalty of \$20.00 for each day that the violation continues and the civil remedies provided in G.S. 160A-175. Where there is reasonable cause to believe that any person has violated any provision of this chapter, a citation for the violation may be issued, requiring that the violation be abated within five days of the date of the citation. Failure to abate the violation within five days shall subject the violator to a civil penalty of \$20.00 per day for each day the violation continues after the fifth day.

A violation of the provisions of this chapter shall constitute a nuisance. If the city abates the nuisance in accordance with the Town's Nuisance Ordinance, the costs of abatement, a lien, and the civil penalty shall be assessed against the property owner. If a violator fails to pay the civil penalty within ten days after being notified of the amount due, the Town shall seek to recover the penalty, together with all costs, by filing a civil action in the general court of justice in the nature of a suit to collect a debt.

ADOPTED this the _____ of _____, 2010 by the Board of Commissioners of the Town of Jonesville, North Carolina.

Lindbergh Swaim, Mayor

ATTEST:

Lynn Trivette, Town Clerk