

SURRY COUNTY RABIES ORDINANCE

SECTION I. COMPLIANCE WITH STATE RABIES LAWS - SUPPLEMENTAL TO STATE RABIES LAWS

A. It shall be unlawful for any animal owner or other person to fail to comply with the state laws relating to the control of rabies.

B. It is the purpose of this ordinance to supplement the state laws by providing a procedure for the enforcement of state laws relating to rabies control, in addition to the criminal penalties provided by state law.

SECTION II. VACCINATION OF DOGS, CATS, AND OTHER PETS

A. It shall be unlawful for an owner or keeper to fail to provide current vaccination against rabies (hydrophobia) for any dog or cat four (4) months of age or older. Should it be deemed necessary by the Health Director or the Board of Health that other pets be vaccinated in order to prevent a threatened epidemic or to control an existing epidemic, it shall be unlawful for an owner or keeper to fail to provide current vaccination against rabies for that pet.

B. A rabies vaccination shall be deemed "current" for a cat if the vaccination has been given within the preceding twelve (12) months. A rabies vaccination shall be deemed "current" for a dog if two vaccinations have been given one year apart and booster doses of rabies vaccine administered every three years thereafter.

C. All antirabic vaccine shall be administered by a licensed veterinarian.

SECTION III. VACCINATION TAG AND CERTIFICATE

A. Upon complying with the provisions of Section I of this ordinance, there shall be issued to the owner or keeper of the dog or cat vaccinated a rabies tag, stamped with a number and the year for which issued, and a rabies vaccination certificate.

B. It shall be unlawful for any dog or cat owner or keeper to fail to provide the dog or cat with a collar or harness to which a current rabies tag issued under this section is securely attached. The collar or harness, with attached tag, must be worn at all times.

C. In addition to all other penalties as prescribed by law, a dog or cat is subject to impoundment in accordance with the provisions of state law if the dog or cat is found not to be wearing a currently valid rabies tag.

D. It shall be unlawful for any person to use for any animal a rabies vaccination tag issued for an animal other than the one using the tag.

SECTION IV. DESTRUCTION OF ANIMALS WHICH CANNOT BE SEIZED BY REASONABLE MEANS

Notwithstanding any other provision of this ordinance, an animal which cannot be seized by reasonable means may be humanely destroyed by order of the Health Director or person duly authorized by the Health Director.

SECTION V. INTERFERENCE WITH ENFORCEMENT

It shall be unlawful for any person to interfere with, hinder or molest the employees of the Surry County Health Department or Rabies Control Officers or persons duly authorized by this ordinance, or to seek to release any animal in the custody of such persons, except as otherwise specifically provided.

SECTION VI. PENALTY FOR VIOLATION

A. The violation of any provision of this ordinance shall be misdemeanor and any person convicted of such violation shall be punishable as provided in G.S. 14-4. Each day's violation of this ordinance is a separate offense. Payment of a fine imposed in criminal proceedings pursuant to this subsection does not relieve a person of his liability for fees imposed under this ordinance.

B. In addition, enforcement of this ordinance may be by appropriate equitable remedy, injunction or order of abatement issuing from a court of competent jurisdiction pursuant to G.S. 153A-123 (d) and (e).

C. In addition to and not in lieu of the criminal penalties and other sanctions provided in this ordinance, a violation of this ordinance may also subject the offender to the civil penalties hereinafter set forth.

(1) Such civil penalties may be recovered by Surry County in a civil action in the nature of debt or may be collected in such other amounts as prescribed herein within the prescribed time following the issuance of notice for such violation.

(2) Such notice shall, among other things:

(a) State upon its face the amount of the penalty if such penalty be paid within 72 hours from and after the issuance of the notice and the late fee (\$10.00) if paid more than 72 hours after its issuance.

(b) Notify such offender that a failure to pay the penalties within the prescribed time shall subject such offender to a civil action in the nature of debt for the stated penalty plus an additional penalty in the amount of \$50.00 together with the cost of the action to be taxed by the Court.

(c) State that such penalties must be paid within 72 hours from issuance of such notice. Such notice shall further state that if such notice of violation is not paid within said 72-hour period, court action by the filing of a civil complaint for collection of such penalty may be taken.

(3) The Health Director is authorized to accept such payments in full and final settlement of the claim or claims, right or rights of action which Surry County may have to enforce such penalty by civil action in the nature of debt. Acceptance of such penalty shall be deemed a full and final release of any and all such claims, or rights of action arising out of such contended violation or violations.

(4) The civil penalty for violation of this ordinance is fifty dollars (\$50.00). Said penalty shall be paid within 72-hours from and after the issuance of the notice referred to above.

(5) The notice of violation referred to herein may be delivered to the person violating the provisions of this ordinance in person, or may be mailed to said person at his last known address.

(6) In addition to the penalty prescribed in subsection (4) above, a ten dollar (\$10.00) penalty shall be imposed in all those cases in which the above penalty has not been paid within the authorized 72-hour period. Should it become necessary to institute a civil action to collect any penalty hereunder, then the violation shall also be subject to an additional penalty of \$50.00.

(7) All penalties paid to the Health Director or as may be recovered in a civil action in the nature of debt as herein provided shall be paid into the general fund of Surry

County.

SECTION VII. EFFECTIVE DATE

This ordinance shall be effective thirty (30) days after its adoption. Adopted this the 19th day of May, 1997.
