

Chapter 6

ANIMALS*

Article I. In General

Sec. 6-1. City declared bird sanctuary; molestation of birds; procedure where birds present hazard.

Sec. 6-2. Allowing stock or poultry to run at large.

Sec. 6-3. Allowing animal to graze upon the streets or public places.

Sec. 6-4. Location of horse, pony or donkey lots.

Secs. 6-5--6-35. Reserved.

Article II. Dogs

Sec. 6-36. County ordinance adopted.

* **State Law References:** Municipal authority to regulate domestic animals, G.S. 160A-186.

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE I, OF THE CODE OF ORDINANCES OF THE CITY OF CHERRYVILLE TO ADD SECTION 6-5

Sec 6-5 Effective November 14, 2007, it shall be unlawful for any person to have on any lot or premises within the city limits of Cherryville a combination of more than six (6) dogs or cats over four (4) months of age. This section shall not apply to Veterinary or Animal Hospitals.

(Ord of 5-14-2007) (*NC State law reference: GS 160A-186)

~~Secs. 6-5—6-35. Reserved.~~

~~Secs. 6-6—6-35. Reserved.~~

ARTICLE I.

IN GENERAL

Sec. 6-1. City declared bird sanctuary; molestation of birds; procedure where birds present hazard.

(a) The entire area embraced within the corporate limits of the city is hereby a bird sanctuary.

(b) It shall be unlawful to trap, hunt, shoot or attempt to shoot or molest in any manner any bird or wild fowl or to rob bird nests or wild fowl nests; provided, that if starlings or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property in the opinion of the proper health authorities of the city, then such health authorities shall meet with the representatives of the Audubon Society, bird club, garden club or humane society, or as many of such clubs as are found to exist in the city after having given at least three days' actual notice of the time and place of such meeting to the representatives of such clubs.

(c) If as a result of such meeting no satisfactory alternative is found to abate such nuisance, when such birds may be destroyed in such numbers and in such manner as is deemed advisable by such health authorities under the supervision of the chief of police of the city.

(Code 1973, § 3-1)

Cross References: Use of weapons or missiles prohibited, § 20-4.

State Law References: Municipal authority of city to establish a bird sanctuary, G.S. 160A-188.

Sec. 6-2. Allowing stock or poultry to run at large.

It shall be unlawful for any person to permit stock or poultry to run at large.

(Code 1973, § 3-3)

Sec. 6-3. Allowing animal to graze upon the streets or public places.

It shall be unlawful for any person to stake, hold or in any other manner graze any horse, cow or other animal upon any of the streets or the public squares or lots of the city.

(Code 1973, § 3-4)

Sec. 6-4. Location of horse, pony or donkey lots.

It shall be unlawful for any citizen of the city to maintain a lot in which horses, ponies or donkeys are kept which is closer than 200 feet to any residence. (Code 1973, § 3-5)

Sec. 6-5. Allowed number of dogs and cats

Effective January 1, 2008, it shall be unlawful for any person to have on any lot or premises within the city limits of Cherryville a combination of more than six (6) dogs or cats over four (4) months of age. This section shall not apply to Veterinary or Animal Hospitals.

(Ord of 6-11-2007)(*NC State law reference: GS 160a-186)

Secs. 6-6--6-35. Reserved.

ARTICLE II.

DOGS

Sec. 6-36. County ordinance adopted.

The city adopted the Gaston County ordinance entitled "An ordinance regulating dogs and other animals" on August 10, 1981. The ordinance is not set out herein, but is saved from repeal and is on file and available in the office of the city clerk.

ARTICLE I. IN GENERAL**Sec. 6-1. City declared bird sanctuary; molestation of birds; procedure where birds present hazard.**

(a) The entire area embraced within the corporate limits of the city is hereby a bird sanctuary.

(b) It shall be unlawful to trap, hunt, shoot or attempt to shoot or molest in any manner any bird or wild fowl or to rob bird nests or wild fowl nests; provided, that if starlings or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property in the opinion of the proper health authorities of the city, then such health authorities shall meet with the representatives of the Audubon Society, bird club, garden club or humane society, or as many of such clubs as are found to exist in the city after having given at least three days' actual notice of the time and place of such meeting to the representatives of such clubs.

(c) If as a result of such meeting no satisfactory alternative is found to abate such nuisance, then such birds may be destroyed in such numbers and in such manner as is deemed advisable by such health authorities under the supervision of the chief of police of the city.
(Code 1973, § 3-1)

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(Code 1973, § 3-5)

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ARTICLE II.**DOGS****Sec. 6-36. County ordinance adopted.**

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NEW SECTION FOR CHAPTER 6 (ANIMALS SECTION):

Any person owning, harboring, walking, in possession of, or in charge of any animal, which defecates on any public property, public park property, public right-of-ways OR on any private property without the permission of the property owner, shall remove the feces immediately after it is deposited by the animal and place it properly in a suitable bag or other container that closes/seals and dispose of it properly.

(Cherryville Code of Ordinances Section 6-6)

The above addition to the City of Cherryville Code of Ordinances was discussed and adopted by council **effective 5.8.2017** (jsh)

