

CITY OF CLAREMONT

NORTH CAROLINA

ORDINANCE # 34-21

AMENDMENT TO THE CODE OF ORDINANCES

TITLE 8, OFFENSES
CHAPTER 2, ANIMALS
SECTIONS 8-2-2 and 8-2-3

WHEREAS, the City of Claremont proposes to amend the Animal Ordinance regulating permitted animals and the allowed location of their enclosures within the City of Claremont.

WHEREAS, municipal regulation of farm animals has a long history in North Carolina with G.S. 160A-186 first adopted in 1917 which authorizes ordinances on keeping within a city and in 1887 the courts upheld an ordinance prohibiting hogs running at large; and

WHEREAS, notification of the public hearing was duly published.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLAREMONT, that Title Eight (8), Chapter 2, Animals, Sec 8-2-2 and 8-2-3 is hereby amended by changing the following:

Sec. 8-2-2 Keeping of animals - Enclosures.

~~No person shall keep or maintain any hog pen, pig pen, barn, stable, or other enclosure, or keep any horse, goat, cattle or other animal therein within 150 feet of any dwelling within the city; provided, that this section shall not apply to enclosures for dogs and cats. (Ord. of 5/4/66, Sec. 2)~~

- (a) ~~As of April 5, 2021, any person currently in possession and keeping or maintaining~~ No person shall keep or maintain any hog pen, pig pen, barn, stable, or other enclosure, or keeping any horse, goat, cattle or other animal therein ~~shall be no closer than~~ within 150 feet of any dwelling ~~(including owners), school, church, business, commercial or professional establishment~~ within the city; provided, that this section shall not apply to enclosures for dogs and cats. (Ord. of 5/4/66, Sec. 2)
- (b) ~~The City shall catalog and maintain a list of existing and compliant possessions as of April 5, 2021.~~
- (c) ~~Upon adoption of this section, it shall be unlawful for any new possession, keeping, maintaining or harbor of any horse, goat, cattle, sheep, domestic fowl, swine or other animal within the corporate limits; provided this section shall not apply to enclosures for dogs and cats.~~

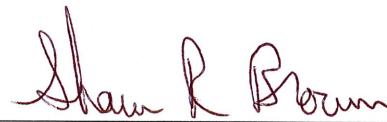
Sec. 8-2-3 Animals not permitted.

~~No person shall keep or maintain any horse, goat, cattle or other animals within 150 feet of any dwelling within the city; provided, that this section shall not apply to dogs and cats. (Ord. of 5/4/66, Sec. 3)~~

- (a) As of April 5, 2021, any person shall be allowed to maintain currently in possession any horse, goat, cattle or other animals no closer than 150 feet of any dwelling (including owners), school, church, business, commercial or professional establishment within the city; provided, that this section shall not apply to dogs and cats.
- (b) The City shall catalog and maintain a list of existing and compliant possessions as of April 5, 2021.
- (c) Upon adoption of this section, it shall be unlawful for any new possession, keeping, maintaining or harbor of any horse, goat, cattle, sheep, domestic fowl, swine or other animal within the corporate limits; provided this section shall not apply to enclosures for dogs and cats.

Section 2. This ordinance shall be effective upon passage.

Adopted this the 5th day of April 2021.



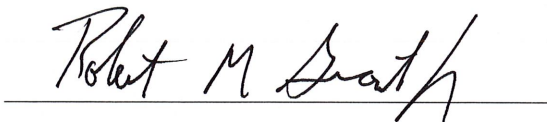
Shawn R. Brown, Mayor

ATTEST:



Wendy L. Helms, City Clerk

APPROVED AS TO FORM:



Robert M. Grant, Jr., City Attorney