

**ORDINANCE NO. 25-O-001**

**AN ORDINANCE AMENDING CHAPTER 90  
OF THE CODE OF ORDINANCES  
OF THE VILLAGE OF SIMPSON, NORTH CAROLINA**

**BE IT ORDAINED** by the Village Council of the Village of Simpson, North Carolina, that Chapter 90 of the Code of Ordinances of the Village of Simpson are hereby amended as follows:

**CHAPTER 90: ANIMALS AND FOWL**

The words "AND FOWL" are hereby removed. The title of Chapter 90 is now "CHAPTER 90: ANIMALS".

**§90.01 RUNNING AT LARGE OR TETHERING IN STREETS, LOTS AND THE LIKE.**

This section is deleted in its entirety.

**§90.02 KEEPING HOGS AND LIVESTOCK.**

This section is deleted in its entirety.

**§90.03 DEAD ANIMALS AND FOWL; REMOVAL.**

This section is deleted in its entirety.

**§90.04 WHOLESALE POULTRY YARDS.**

This section is deleted in its entirety.

**§90.05 SANITARY, INOFFENSIVE CONDITIONS WHERE ANIMALS OR FOWL KEPT.**

This section is deleted in its entirety.

**§90.06 RESPONSIBILITY OF OWNERS.**

This section is deleted in its entirety.

**§90.07 CRUELTY TO ANIMALS.**

This section is deleted in its entirety.

**§90.08 STRAY ANIMALS OR SUFFERING ANIMALS; DISPOSITION.**

This section is deleted in its entirety.

**§90.09 ANIMAL SANITATION.**

This section is deleted in its entirety.

The following is hereby added as a new section of Chapter 90:

**§90.01 DEFINITIONS.**

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

- (A) ANIMAL - any living vertebrate in the classes Amphibia, Reptilia, Aves, and Mammalia except human beings.
- (B) LIVESTOCK – a domestic animal normally kept for use on a farm and/or raised for sale or profit. The term includes, but is not limited to, cattle or cows (of every variety), sheep, swine, horses, mules, donkeys, poultry and goats.
- (C) POULTRY - domesticated birds kept or raised for their eggs, meat or feathers. The term includes, but is not limited to, chickens, turkeys, ducks, geese, quail, guinea fowl, pheasants, ostrich and emu.

**§90.02 KEEPING LIVESTOCK AND POULTRY.**

It shall be unlawful for any person, firm or corporation to keep ponies, horses, mules, goats, cows, swine, sheep, poultry or other livestock within the village.

- (A) Exceptions; domesticated hens. Up to four (4) hens may be kept in any single lot or tract in the village as long as the hens do not, by reason of noise, odor, or attraction of flies, become a nuisance of health hazard, and the following conditions are met.

- (1) Hens are only allowed by a single family detached home;
- (2) No roosters are allowed in the village;
- (3) No hens will be permitted to free roam, and must be kept in a secure enclosed pen or chicken house or coop of suitable construction and size for the number of hens maintained in it;
- (4) All pens or coops, regardless of number of hens, shall be cleaned and sprayed with a suitable disinfectant as often as needed but no less than once per week. All waste material removed from the pen or coop shall be disposed of in a manner that does not cause odor or attract flies.
- (5) No pen or coop shall be erected within the front or side yard, and not within fifty (50) feet of another residence or principal building and must meet all regulations of the village zoning ordinance;
- (6) Domestic hens shall only be for personal use. No resale of hens or eggs shall be permitted in the village;
- (7) No backyard slaughter is allowed within the village; and
- (8) A violation of any provision of this section is hereby declared to be prejudicial to the public health or safety and to constitute a public nuisance. Such nuisance bird shall be abated as set forth in Section §90.02(B).

- (B) Nuisance Animal.

- (1) Complaints of nuisance animals. Complaints may be submitted to the Animal Warden. Upon receiving the complaint, the Animal Warden shall notify the owner against whom the complaint is directed and issue them a warning. Such person shall have forty-eight (48) hours to abate the declared nuisance.
- (2) Second complaint of nuisance animal. Upon the second offense, the animal shall be declared a nuisance and the animal owner is issued a citation for Fifty & 00/100 dollars (\$50.00). All subsequent offenses may be fined at One Hundred & 00/100 dollars (\$100.00) each.

**§90.03 RUNNING AT LARGE OR TETHERING IN STREETS, LOTS AND THE LIKE.**

It shall be unlawful for any person, firm or corporation to suffer or permit any animal to roam at large or to be tethered in any of the streets or public lots of the village.

**§90.04 DISPOSAL AND REMOVAL OF DECEASED ANIMALS.**

It shall be unlawful for any person owning an animal, of any kind or description, which shall die within the village, to neglect or refuse to dispose of the carcass thereof in accordance with the regulations of the county's Health Department.

**§90.05 WHOLESALE POULTRY YARDS.**

It shall be unlawful for any person to conduct a wholesale poultry yard, wherein quantities of poultry of any and all description are gathered and kept for call or shipment, within any residential district of the village or within eighty (80) feet of any place of human abode within the corporate limits.

**§90.06 SANITARY, INOFFENSIVE CONDITIONS WHERE ANIMALS ARE KEPT.**

All owners and persons in possession or control of stables, corrals, pens, coops, warrens and other places where animals are kept shall maintain such places in a clean, sanitary and unoffensive condition at all times, and in such manner as meets with approval of the county's Health Department; and shall remove all manure therefrom and spray such places with suitable disinfectant as needed, but no less than once per week.

**§90.07 RESPONSIBILITY OF OWNERS.**

- (A) Any person owning, harboring or keeping an animal or poultry, shall be responsible for the acts thereof and accountable for any nuisance committed by such animal or poultry upon the property of another and for injury to another's person or property.
- (B) Persons owning, harboring or keeping an animal or poultry shall provide humane shelter from heat, cold, rain, wind and snow, and shall provide food and water adequate to keep the animal or poultry in good health and comfort, and veterinary care when needed to prevent suffering, if such veterinary care is available. Animals requiring exercise shall be given reasonable opportunity therefore, as needed.

**§90.08 CRUELTY TO ANIMALS**

It shall be unlawful for any person to willfully overdrive, overload, wound, injure, torture, torment, deprive of necessary sustenance, cruelly beat, needlessly mutilate or kill or cause or procure to be overdriven, overloaded, wounded, injured, tortured, tormented, deprived of necessary sustenance, cruelly beaten, needlessly mutilated or killed as aforesaid any useful beast or animal. In this section, the words "torture", "torment" or "cruelly" shall be held and include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted; but such terms shall not be construed to prohibit lawful shooting of birds and game for human food.

**§90.09 STRAY ANIMALS OR SUFFERING ANIMALS; DISPOSITION.**

Whenever the Animal Warden encounters a stray animal suffering pain, he or she shall take the animal to a veterinarian where the cost of any care or treatment shall be borne by the owner of such animal. If ownership of the animal cannot be determined, the Warden shall act in accordance with instructions from the Mayor.

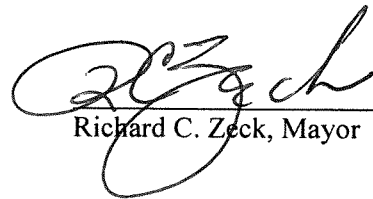
**§90.10 ANIMAL SANITATION.**

For the purpose of this subchapter, the following restrictions shall apply.

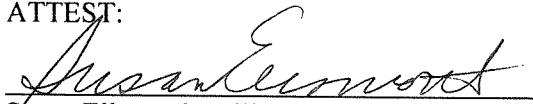
- (A) Any person owning, harboring, walking, in possession of or in charge of an animal which defecates on public property, public park property, public right-of-way or any private property without the permission of the private property owner, shall remove all feces immediately after it is deposited by the animal. All feces removed in accordance with this section shall be placed in a suitable bag or other container that closes and disposed of in a lawful manner.
- (B) Any person, while harboring, walking, in possession of or in charge of an animal on public property, public park property, public right-of way or any private property without the permission of the private property owner, shall have in his or her possession a bag or other container that closes, which is suitable for removing feces deposited by the animal.
- (C) The provisions of this section shall not apply to blind persons using dogs as guides.

**The remainder of Chapter 90 is not amended pursuant to this Ordinance.**

Adopted this 27 day of October, 2025.

  
Richard C. Zeck, Mayor

ATTEST:

  
Susan Ellsworth, Village Clerk