

REVISED Chapter 4 of the Hickory City Code  
9-15-2015 Approved on first reading  
9-15-2015 Approved on second reading

ORDINANCE NO. 15-42

ORDINANCE AMENDING CHAPTER 4 (ANIMALS AND FOWL) OF THE CODE OF  
ORDINANCES OF THE CITY OF HICKORY

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WHEREAS, the City of Hickory has the authority, pursuant to N.C.G.S. § 160A-186, to regulate the keeping of domestic animals; and

WHEREAS, the authority to regulate the keeping of domestic animals is applicable to the keeping of animals on public properties and at public events; and

WHEREAS, the City Council has determined it is in the interest of the public's health, safety and welfare to amend Chapter 4 of the City Code to address certain animal matters in relationship to their impact upon public properties and public events;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HICKORY THAT:

**Section 1. Amended.**

Chapter 4 of the Hickory City Code is amended as set forth herein.

**Section 2. Amendment**

Section 4-25 which has been reserved shall now be utilized and the following provision assigned to that section in its entirety:

**4-25. Animals at events.**

**(a) Applicability.** This section shall apply to any public event on city property, in which a special event application is required. The presence of animals at these events poses health and safety concerns for both the spectators and animals. Sponsors of other events may also request the city manager or his authorized designee in writing to apply the provisions of this section to such events.

**(b) Unlawful to have animal at an event.** It shall be unlawful for any person owning, having possession, charge, custody or control of any animal, as defined in subsection (f) herein, to take that animal, whether on a leash or otherwise, into or allow the animal to enter the boundaries of any event. The boundaries and the interior of a special event shall consist

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of any area part of the event or parade route and shall include any public street, road, highway, sidewalk, alley, parking lot, grassy area, right-of-way or other publicly owned area.

(c) Failure to remove animal. It shall be unlawful for any person with an animal within the boundaries of a special event to fail to obey the command of a law enforcement officer or animal control officer to remove such animal from the event.

(d) **Exceptions.** This section shall not apply to those animals part of an authorized event, exhibit, or parade. The special event operator and sponsor shall be responsible for immediately cleaning up and removing any animal waste from animals that are part of an authorized exhibit or parade. All animal waste shall be disposed of properly. This section also shall not apply to service dogs or other animals relied upon by persons with disabilities, to animals owned and controlled by public law enforcement agencies, or to animals used by a vehicle for hire in accordance with applicable City ordinances.

(e) **Waivers.** An organizer of an event to which this ordinance applies may request a waiver from this ordinance. The sponsor shall submit plans specifying how the public will be protected from the animals. Requests shall be reviewed as part of the special event permitting process and may be approved or denied as part of that process.

(f) **Definitions.** For the purposes of this section, the term "animal" shall mean every vertebrate and invertebrate nonhuman species of animal, wild or domestic, male or female, including but not limited to, dogs, cats, livestock and other mammals, birds, reptiles, amphibians and fish. The term "event" is applicable to all public events on city property for which a special event application is required.

### **Section 3: Severability.**

If any portion of this Section is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed severable, and such holding shall not affect the validity of the remaining portions hereof.

### **Section 4. Repealed.**

All ordinances or provisions of the Hickory City Code of Ordinances which are not in conformance with the provisions of the Amendment occurring herein are repealed as of the effective date of this Ordinance.

### **Section 5. Effective Date.**

This Ordinance shall become effective immediately upon adoption.

ORDAINED by the City Council of Hickory, North Carolina, this the 15th day of September, 20135

(SEAL)  
ATTEST:



THE CITY OF HICKORY  
A North Carolina Municipal Corporation

By: Rudy Wright  
Rudy Wright, Mayor

Debbie D. Miller  
Debbie Miller, City Clerk

Approved as to form this 21<sup>st</sup> day of August, 2015.

Arnita M. Dula  
Arnita M. Dula, Deputy City Attorney