

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

- MEETING DATE:** July 15, 2026
- SUBJECT:** Proposed Revisions to Henderson County Code - Chapter 16 - Animals
- PRESENTER:** Brad Rayfield, Animal Services Center Director
- ATTACHMENT:** Yes
1. 16-1. Definitions
 2. 16-30. Community Cat Initiative
 3. 16-52. Report and confinement of dogs and cats, biting persons or showing symptoms of rabies
 4. 16-53. Destruction or confinement of animal bitten by known rabid animal
 5. 16-57. Failure to surrender dog or cat for quarantine or euthanasia
 6. 16-58. Civil penalties

SUMMARY OF REQUEST:

The proposed revisions are the result of a collaborative effort between the Henderson County Department of Public Health, the Henderson County Sheriff's Office, and the Henderson County Animal Services Center. The Animal Services Advisory Committee reviewed each of the proposed amendments and voted in support of the revisions.

The proposed changes include the following:

1. **Section 16-1. Definitions:** If Section 16-30, *Community Cat Initiative*, is adopted, additional definitions are necessary to provide clarity and ensure consistent interpretation of the ordinance.
2. **Section 16-30. Community Cat Initiative:** This new section establishes a Community Cat Initiative to help manage cat overpopulation through defined management practices and procedures.
3. **Section 16-52. Report and Confinement of Dogs and Cats Biting Persons or Showing Symptoms of Rabies:** The proposed revisions align the ordinance with North Carolina State law, establish a process for eligible owners to complete bite confinement at home rather than at the animal shelter, and authorize the seizure of animals when owners fail to comply with confinement requirements.
4. **Section 16-53. Destruction or Confinement of an Animal Bitten by a Known Rabid Animal:** The proposed revisions update the language to better align with North Carolina State law.

5. **Section 16-57. Failure to Surrender a Dog or Cat for Quarantine or Euthanasia:** The proposed revisions align the ordinance with North Carolina State law and establish penalties for violations.
6. **Section 16-58. Civil Penalties:** Additional civil penalties are proposed for violations of Sections 16-52(B) and 16-57.

BOARD ACTION REQUESTED:

The Board is requested to approve the proposed revisions to Chapter 16-1, 16-30, 16-52, 16-53, 16-57, and 16-58 of the Henderson County Code as presented.

Suggested Motion:

I move to approve the changes to Chapter 16-1, 16-30, 16-52, 16-53, 16-57, and 16-58 to the Henderson County Code as presented.

16-1 Definitions.

(48) Community Cat- A cat that is abandoned, stray, lost, or feral and cared for by a community cat sponsor or community cat caregiver pursuant to this chapter.

(49) Community Cat Caregiver-

A. A person who, in accordance with the Community Cat Initiative defined in this chapter

1. Provides care, including food, shelter, or medical care to a community cat; or
2. Has temporary custody over a community cat

(50) Community Cat Sponsor-

A. A nonprofit organization, in accordance with the Community Cat Initiative defined in this chapter

1. Provides care, including food, shelter, or medical care for a community cat
2. Actively partners with Henderson County to maintain the Community Cat Initiative outlined in this chapter

16-30. Community Cat Initiative.

A. Community Cat Requirements

1. Trapped using humane trapping techniques.
2. Vaccinated for rabies.
3. Assessed by a veterinarian and deemed healthy at the time of spay/neuter surgery.
4. Spayed or neutered.
5. Ear tipped or microchipped.
6. Microchips implanted in community cats shall;
 - a. Be kept up to date with community cat sponsors contact information.
 - b. When applicable the community cat caregiver must be listed as a secondary contact on the microchip.
7. Cat bites must be reported to Animal Enforcement.

B. Individuals, businesses or religious institutions that engage in Trap/Neuter/Return (TNR) are encouraged to register as a community cat caregiver through a community cat sponsor.

C. Responsibilities of the community cat sponsor.

1. Provide the Henderson County Animal Services Center and Animal Enforcement with addresses where they are supporting community cats.
2. Attempt to notify the appropriate community cat caregiver when notified by the Animal Services Center or Animal Enforcement about trapped or impounded eartipped or microchipped cats.
3. Provide a single point of contact to the Animal Services Center and Animal Enforcement for;
 - a. Coordination of community cat returns.
 - b. Calls about at large cats.
 - c. Calls about complaints related to community cats

D. Responsibilities of Henderson County Animal Services Center and Henderson County Animal Enforcement.

1. People who contact Henderson County Animal Services Center or Henderson County Animal Enforcement about stray or community cats shall be provided with information about TNR and referred to community cat sponsors.
2. When a person contacts Animal Enforcement with a complaint about an ear-tipped or microchipped community cat, county staff will contact the appropriate community cat sponsor(s) for assistance in resolving the complaint.

E. Notice to Community Cat Sponsoring Organization.

Immediately upon impounding an ear-tipped or microchipped animal, the Animal Services Center or Animal Enforcement shall make reasonable efforts to notify the owner or community cat sponsor and inform the owner or community cat sponsoring organization of the conditions whereby the animal may be redeemed. If the owner or community cat sponsoring organization is unknown or cannot be located, the animal shall be impounded in accordance with provisions provided in §16-14.

F. Redemption by Owner or Community Cat Caregiver.

1. The owner or community cat caregiver of an animal impounded under this chapter may redeem the animal and regain possession thereof within 72 hours of impoundment, as required by §16-01 by complying with all applicable provisions of this chapter and paying any necessary veterinarian's fee, intake and boarding fee approved by the Board of County Commissioners.
2. Animal Services Center Director or the Director's designee may reduce or exempt fees for community cat sponsors and caregivers registered with a community cat sponsor.

16-52. Report and confinement of ~~dogs and cats~~, **dogs, cats, or ferrets** biting persons or showing symptoms of rabies.

- A. Quarantine. Every ~~dog or cat~~ **dog, cat, or ferret** which has bitten any person or which shows symptoms of rabies shall be confined immediately and shall be promptly reported to the ~~Animal Service Center~~ **Henderson County Sheriff's Office**, and thereupon shall be securely quarantined, at the direction of the ~~Animal Service Center~~ **Public Health Director or his/her designee**, for 10 days commencing from the time of the bite. Animals quarantined under this section shall be confined at the expense of the owner.
1. All dogs and cats shall be housed at the County Animal Service Center unless approved by the Public Health Director or his/her designee in writing.
 2. Animals may be quarantined in approved veterinary quarantine at the veterinarian's office. This must be approved by the County Director of Public Health in writing. In instances where this option is used, the owner must sign a document produced by the County where the owner accepts all liability for the animal. At the end of the quarantine, the owner or the veterinarian must provide documentation stating the animal does not have rabies and has been properly vaccinated against rabies.
 3. Animals quarantined at the Henderson County Animal Shelter must be claimed no more than 24 hours after the end of the quarantine period. After this period the animal shall be considered relinquished to Henderson County Animal Services.
- B. **Home confinement. Under certain conditions a domestic animal may be confined at the owner's home if approved by the local Health Director/Designee. This must be approved by the County Director of Public Health, in writing. Failure to complete the home confinement owner agreement within 48-hours of notice by an animal control officer or Health Director/Designee is subject to penalties as prescribed in § 16-58.**
- ~~B. Authority to seize animals for noncompliance. If the owner or the person who controls or possesses the dog or cat refuses to confine the animal as required by this section, the County Director of Public Health may order seizure of the animal and its confinement for 10 days in such~~
- C. Authority to seize animals for noncompliance. If the owner or the person who controls or possesses the dog or cat refuses to confine the animal as required by this section, the County Director of Public Health may order seizure of the animal and its confinement for 10 days in such**

- ~~C. Disposition of animal other than dog, cat or ferret. An animal other than a dog or cat or ferret Any wildlife or hybrid animal that bites a person shall be immediately euthanized and its head forwarded to the North Carolina State Laboratory of Public Health for rabies testing.~~
- D. Disposition of **wildlife or hybrid** animal. ~~other than dog, cat or ferret. An animal other than a dog or cat or ferret Any wildlife or hybrid animal, susceptible to rabies,~~ that bites a person shall be immediately euthanized and its head forwarded to the North Carolina State Laboratory of Public Health for rabies testing.
- ~~D. Quarantine of stray animals. In the case of stray animals whose ownership is not known, the supervised quarantine required by this section shall be at the County Animal Service Center.~~
- E. Quarantine of stray animals. In the case of stray animals whose ownership is not known, the supervised quarantine required by this section shall be at the County Animal Service Center.**
- ~~E. Authority to euthanize unclaimed animals. If any animal is unclaimed after a 10 day confinement, then the County Animal Service Director may have the animal euthanized~~
- F. Authority to euthanize unclaimed animals. If any animal is unclaimed after a 10 day confinement, the County Animal Service Director may have the animal euthanized.**
- ~~F. Release from quarantine. If rabies does not develop within the 10 day quarantine period under this section, the animal may be released from quarantine to its owner. If the animal has been confined by the Henderson County Sheriff's Department upon reclaiming the animal, the owner shall pay any such fee established by resolution of the Board of County Commissioners for each day of confinement to defray the cost of sheltering the animal.~~
- G. Release from quarantine. If rabies does not develop within the 10 day quarantine period under this section, the animal may be released from quarantine to its owner. If the animal has been confined by the Henderson County Sheriff's Department Animal Services Center upon reclaiming the animal, the owner shall pay any such fee established by resolution of the Board of County Commissioners for each day of confinement to defray the cost of sheltering the animal.**
- ~~G. Report of bites. Every physician or other medical practitioner who treats a person or persons for any animal bite or scratch or any person having knowledge of an animal bite or scratch shall within 12 hours, report such treatment to the Animal Service Center giving the name, age, sex and precise location of the bitten/scratched person or persons and such other information as the officer or agency may require.~~

- H. Report of bites. Every physician or other medical practitioner who treats a person or persons for any animal bite or scratch or any person having knowledge of an animal bite or scratch shall within 12 hours, report such treatment to the ~~Animal Service Center~~ **Henderson County Sheriff's Office**, giving the name, age, sex and precise location of the bitten/scratched person or persons and such other information as the officer or agency may require.
- I. Euthanization of wounded, diseased or suffering animals. Badly wounded, diseased, or suffering animals, which are suspected of having rabies, may be humanely euthanized immediately, and the head forwarded for rabies testing.

16-53. Destruction or confinement of animal reasonably suspected to have been exposed to the saliva or nervous tissue of a proven rabid animal or an animal reasonably suspected to be infected with rabies. ~~bitten by known rabid animal.~~

- A. Any dog, cat or ferret reasonably suspected to have been exposed to the saliva or nervous tissue of a proven rabid animal, or animal reasonably suspected of having rabies that is not available for laboratory diagnosis, shall be considered to have been exposed to rabies. In any case where the dog, cat, or ferret in question is without a current rabies vaccination, or vaccination status cannot be verified, the exposed animal shall be seized immediately and held at the expense of the owner, or person who controls or possesses the animal.
- ~~A. Animals not vaccinated against rabies which are bitten by or exposed to a known rabid animal or rabies suspect shall be immediately destroyed, unless the owner agrees to strict isolation of the animal at a veterinary hospital for a period of up to 6 months at the owner's expense unless a similar quarantine facility is approved by the Public Health Director.~~
- B. Animals not vaccinated against rabies which are bitten by or exposed to a known rabid animal or rabies suspect shall be immediately destroyed, unless the owner agrees to strict isolation of the animal at a veterinary hospital for a period of up to 6 months at the owner's expense unless a similar quarantine facility is approved by the Public Health Director.
- ~~B. If the animal has a current rabies vaccination, it shall be revaccinated within 72 hours of the bite.~~
- C. If the owner can provide appropriate documentation of the animal receiving a previous rabies vaccination, it shall be revaccinated within 96 hours of exposure and the exposure shall be reported to the Henderson County Department of Public Health.

16-57. Failure to surrender ~~dog or cat~~ **dog, cat, or ferret** for quarantine or euthanasia.

It shall be unlawful for any person to fail or refuse to surrender any ~~dog or cat~~ **dog, cat, or ferret** for quarantine or euthanasia as required in this Chapter when demand is made therefore by the County Director of Public Health or his/her designee. **Violation of this section shall be subject to penalties as prescribed in § 16-58.**

16-58. Civil penalties.

In addition to and independent of any criminal penalties and other sanctions provided in this article, violation of this article may also subject the offender to the civil penalties hereinafter set forth:

- A. The Animal Service Director, Animal Enforcement Officers, Sheriff, or Sheriff's Deputies may issue to the known owner of any animal, or to any other violator of the provisions of this Chapter, a citation. Citations so issued may be delivered in person or mailed by certified or registered mail to the person charged if that person cannot be readily found. The citation shall impose upon the violator a minimum civil penalty of \$50 or such greater amounts for offenses as may be set by ordinance. The imposed civil penalty shall be paid in full to the Animal Service Center within 30 days of receipt of the citation assessing the civil penalty. This civil penalty is in addition to other fees or costs authorized by this Chapter.
- B. In the event that the owner of an animal or other alleged violator does not appear in response to the above-described citation, or the applicable civil penalty is not paid within the time period prescribed, a civil action may be commenced to recover the penalty and costs associated with collection of the penalty, and/or criminal summons may be issued against the owner or other alleged violator of this Chapter, and upon conviction, the owner shall be punished as provided by state law. The Sheriff is expressly authorized to initiate and prosecute small claims actions in District Court to collect civil penalties and fees due to the Department and may call on the County Legal Department for assistance as needed.
- C. The following civil penalties are hereby established and subject to revision by the Board of County Commissioners for each incident violation of this Chapter:

Section Violated	Animal Service Civil Penalty Fee Schedule Description	Civil Penalty Fee
16-51C	Failure to have current rabies vaccination for an animal (per day, not including quarantine time)	\$100
16-52B	Failure to complete the home confinement owner agreement within 48 hours of notice by an animal enforcement officer or Health Director/Designee. (per day)	\$250
16-56	Killing or release of an observed animal	\$500
16-57	Failure to surrender an animal for rabies quarantine Failure or refusal to surrender dog, cat, or ferret for quarantine or euthanasia as required in this Chapter when demand is made by the County Director of Public Health or his/her designee. (per day)	\$250