

FORSYTH COUNTY
BOARD OF COMMISSIONERS

**BRIEFING
DRAFT**

MEETING DATE: First Reading: October 24, 2016
Second Reading: November 14, 2016

AGENDA ITEM NUMBER:

9

**SUBJECT: ORDINANCE AMENDING CHAPTER 6 OF THE FORSYTH COUNTY CODE TO
REPLACE CURRENT SECTION RELATING TO THE TETHERING OF DOGS**

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

SUMMARY OF INFORMATION:

ATTACHMENTS: YES NO

SIGNATURE: _____ DATE: _____
COUNTY MANAGER

ORDINANCE AMENDING CHAPTER 6 OF THE FORSYTH COUNTY CODE TO REPLACE CURRENT SECTION RELATING TO THE TETHERING OF DOGS

BE IT ORDAINED by the Board of Commissioners of Forsyth County that Chapter 6 of the Forsyth County Code is hereby amended to read as follows:

That section 6-6 of the Forsyth County Code is hereby amended by replacing section 6-6(d) with the following, so as amended, to read:

(d) Tethering. It shall be unlawful for any person to restrain a dog using a chain, wire or other type of tethering device in a manner prohibited by this subsection.

1. No person shall tether, fasten, chain, tie, or restrain a dog, or cause such restraining of a dog, to a tree, fence, post, dog house, or other stationary object. During periods of tethering that are not unlawful under this subsection, any tethering device used shall be at least ten feet in length and attached in such a manner as to prevent strangulation or other injury to the dog or entanglement with objects.

2. No person shall tether, fasten, chain, tie, or restrain a dog, or cause such restraining of a dog, to a cable trolley system, that allows movement of the restraining device. During periods of tethering that are not unlawful under this subsection, the length of the cable along which the tethering device can move must be at least ten feet, and the tethering device must be of such length that the dog is able to move ten feet away from the cable perpendicularly and attached in such a manner as to prevent strangulation or other injury to the dog and entanglement with objects. During periods of lawful tethering under this subsection, tethers must be made of rope, twine, cord, or similar material with a swivel on one end or must be made of a chain that is at least ten feet in length with swivels on both ends and which does not exceed ten percent of the dog's body weight. All collars or harnesses used for the purpose of the lawful tethering of a dog must be made of nylon or leather.

3. No person shall tether a dog with a chain or wire or other device to, or cause such attachment to, any collar other than a buckle type collar or body harness.

4. No person shall tether with a chain or a wire or other device to, or cause such attachment to, a head harness, choke-chain type collar or spiked/pointed studded/pronged collar to a dog.

5. No person shall tether with a chain, wire or other device to a dog where the weight of the tethering device and the collar combined exceeds ten percent of the dog's body weight.

6. No person shall tether with a chain or wire or other device a dog in such a manner that does not allow the dog full access to adequate food, water and shelter.

7. No person shall tether a sick, diseased and/or injured dog, or puppy (a dog that is one year of age or younger).

8. Notwithstanding the provisions of 6-6(d) 1. and 2. of this section, a person may, subject to:

- the provisions of subsections 6-6(d) 3.- 8.;
- the requirements that any stationary tethering device used, shall be at least ten feet in length; and
- the requirements that for any cable trolley system used, the length of the cable along which the tethering device can move, must be at least ten feet, and the tethering device must be of such length that the dog is able to move ten feet away from the cable perpendicularly:

Tether and restrain a dog while actively engaged in:

- a. Usage of the dog in shepherding or herding livestock, or
- b. Use of the dog in the business of cultivating agricultural products, if the restraining is reasonably necessary for the safety of the dog, or
- c. Use of the dog in lawful hunting activities if the restraint is reasonably necessary for the safety of the dog, or
- d. Use of the dog at dog training or performance events, including but not, limited to the field trials and obedience trials where tethering does not occur for a period exceeding seven consecutive days, or
- e. Camping or other recreation where tethering is required by the camping or recreational area where the dog is located, or
- f. Any activity where a tethered dog is in visual range of its owner or keeper, and the owner or keeper is located outside with the dog, or
- g. Taking possession of a dog that appears to be a stray dog in accordance with these provisions for a period not to exceed seven days, after advisory animal control authorities of the capture of the dog, as the person having taken possession of the dog is seeking the identity of the dog, or
- h. Walking a dog with a handheld leash.

That section 6-6 of the Forsyth County Code is hereby amended by replacing section 6-6(e) with the following, so as amended, to read:

Section 6-6(d) shall become effective 12 months after the adoption of this amendment. Any person who violates Section 6-6(d) after its adoption date, but prior to the 12 month period following the date of this amendment shall be issued a written warning giving the violator notice of the provisions of this amendment. The written warning shall include information about sources that provide assistance to the public with providing enclosures which do not require the dog to be tethered. Any person who violates this amendment after the expiration of the 12 month period following the date of adoption of this amendment shall be subject to the penalties established in Section 6-55, Violations and Penalties of the Forsyth County Code.

Adopted on first reading this 24th day of October 2016.

Adopted on second reading this 14th day of November 2016.