

## Legislation Text

---

File #: 15-19109, Version: 1

---

### Amend Code of Ordinances Chapter 3 - Animals

#### **Action:**

**Adopt an ordinance amending Chapter 3 - Animals.**

#### **Staff Resource(s):**

Johnny Jennings, Police  
Joshua Fisher, Police

#### **Explanation**

- One of the stated purposes of the City of Charlotte Code of Ordinance Chapter 3 - Animals is "the protection of animals from abuse or conditions harmful to their well-being."
- When animals are found to be in conditions that violate terms in the city's ordinance, whenever feasible Charlotte-Mecklenburg Animal Care & Control (AC&C) attempts to reconcile the conditions with the owner through education. If efforts to mitigate violations are not successful or if the situation is too extreme, AC&C has the authority to implement a seizure process consistent with the criteria set out in city code chapter 3 section 3-134.
- In conjunction with the city's ability to seize animals, Chapter 3-133(k) of the code provides the owners of seized animals the ability to appeal the city's decision to permanently seize an animal in superior court; this provision grants the owner of the seized animal 30 days to file a *writ of certiorari* in superior court (to petition the court for review).
- To address recent concerns over the amount of time an animal must be held after being seized from its owner, changes to the city's code of ordinance are proposed that would update the provision of time from 30 days to 10 days for the owner of a seized animal to file for a court review.
- The proposed update allows for sufficient time for an owner to appeal a permanent seizure decision while also providing for a seized animal to be held for less time at the shelter.
- Proposed changes also include administrative process updates to section 3-33 (b).
- The proposed effective date of revisions to the Animal Ordinance is January 1, 2023.

#### **Attachment(s)**

Chapter 3 Animals Ordinance Proposed Revisions