

ORDINANCE AMENDING
CHAPTER 90— ANIMALS
OF THE TOWN CODE OF ORDINANCES

BE IT ORDAINED by the Town Board of Commissioners of the Town of Biltmore Forest:

Section 1. That Chapter 90.04 be amended as follows, including the new title Pens and Enclosures.

90.04 (A) All pens where household pets of any kind are kept within the town limits shall be temporary, shall be kept in a clean and sanitary condition, and may only be located in the rear yard.

90.04 (B) If, in the opinion of the Chief of Police or Town Administrator, or upon complaint of any person, any such pen is deemed to be unsanitary so as to create a health hazard or a nuisance from offensive odors, said official shall have the authority to close such pen and require removal of any animal kept therein.

Section 2. That Chapter 90.05, Limitation on Household Pets, be amended as follows.

It shall be unlawful for any person to keep on any lot or premises more than 6 household pets, no more than three of which may be dogs. Household pets ("Household Pets") means dogs, cats and rabbits but shall not include (a) small domesticated rodents such as gerbils, guinea pigs, hamsters, rats or mice; (b) small birds such as canaries, parakeets, finches, parrots, or mynas or; (c) any amphibian, fish or non-venomous reptiles. It shall be unlawful for any person to keep on any lot or premises any venomous reptile.

Should a person have more than 6 Household Pets as a result of a litter or litters, the person shall notify the Town Administrator within 30 days of the birth of the litter. The person shall have up to 6 months to reduce the number of Household Pets so that the number is in compliance with this Ordinance.

Persons keeping Household Pets shall provide appropriate care and exercise appropriate control over the Household Pets and shall not allow or cause the condition or behavior of Household Pets to constitute a nuisance. Should the condition or behavior of Household Pets unreasonably interfere with the use and enjoyment of other residents of Biltmore Forest, the Town may require the owner of the Household Pets to take action to abate the nuisance including the removal of some or all of the Household Pets.

Section 3. That Chapter 90.06 (B), Certain Animals Expressly Prohibited, be amended as follows.

It shall be unlawful to keep within the corporate limits of the Town any hog, pig, horse, pony, cattle, goat, sheep, chicken, duck, turkey, goose, swan or any other animals or fowl commonly known as farm animals. Property owners keeping horses on their property, as of the effective date of this ordinance, shall be allowed to continue keeping horses so long as they own the property. If the property is sold or transferred, this permission to keep horses shall terminate.

Section 4. That Chapter 90.40 be added to the chapter as follows, including the new title Wild Animals.

- (A) Wild Animal - means any animal normally found in wild state, particularly feral, dangerous, non-domesticated animals which generally do not live in or about human habitation. Wild animals include, but are not limited to: bears, non-human primates, all felines other than domesticated house cats, raccoons, skunks, squirrels, venomous snakes, elephants, camels, coyotes, wolves and any hybrid or crossbreed of such animals having similar characteristics of the animals specified herein.
- (B) No person shall keep a Wild Animal on any lot or premises within the Town Limits.

Adopted this the 11th day of April, 2017.



Mayor George F. Goosmann, III

ATTEST:



Jonathan B. Kanipe, Town Clerk

