

# Discussion of Proposed Pooper Scooper Ordinance

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# Introduction

- May 2018 – A concerned citizen requested consideration to implement a “Pooper Scooper Ordinance.”
- Action Item – Staff tasked with reviewing this item and providing a recommendation of findings.

# Reviewed With

- David Ellis – Wake County Manager
- Ken Murphy – Senior Assistant Wake County Attorney
- Joseph Threadcraft – Environmental Services Director

# Benchmarking – Raleigh Animal Control

- Ordinance – Yes
- Citation issued based upon photo or two witnesses
- Difficult to enforce
- Number of court cases – N/A

# Benchmarking – Cary Animal Control

- Ordinance – Yes
- Citation issued based upon video
- Difficult to enforce when residence of dog owner is unknown
- Number of court cases – None

# Benchmarking – Holly Springs Animal Control

- Ordinance – Yes
- Citation issued based upon video or multiple witnesses
- Difficult to enforce
- Number of court cases – None

# Benchmarking – Garner Animal Control

- Ordinance – Yes
- Citation issued based upon proof of violation
- Number of court cases – N/A

# Benchmarking – Mecklenburg County

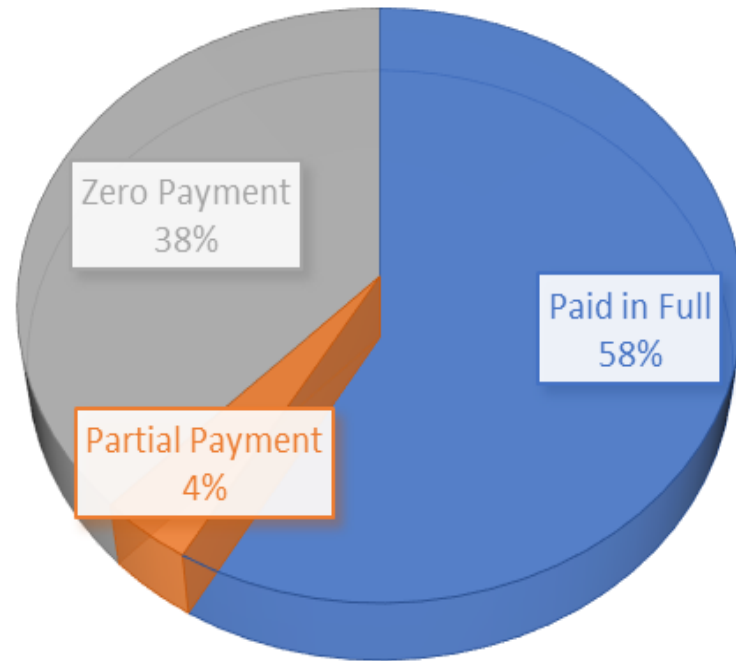
- Ordinance – Yes
- Citation – Officer must observe violation; will not accept photos or video
- First Violation – Notify by mail of violation and corrective actions
- Subsequent Violations – Officer is dispatched
- Number of court cases – N/A



# Current Citations Issued by Wake County

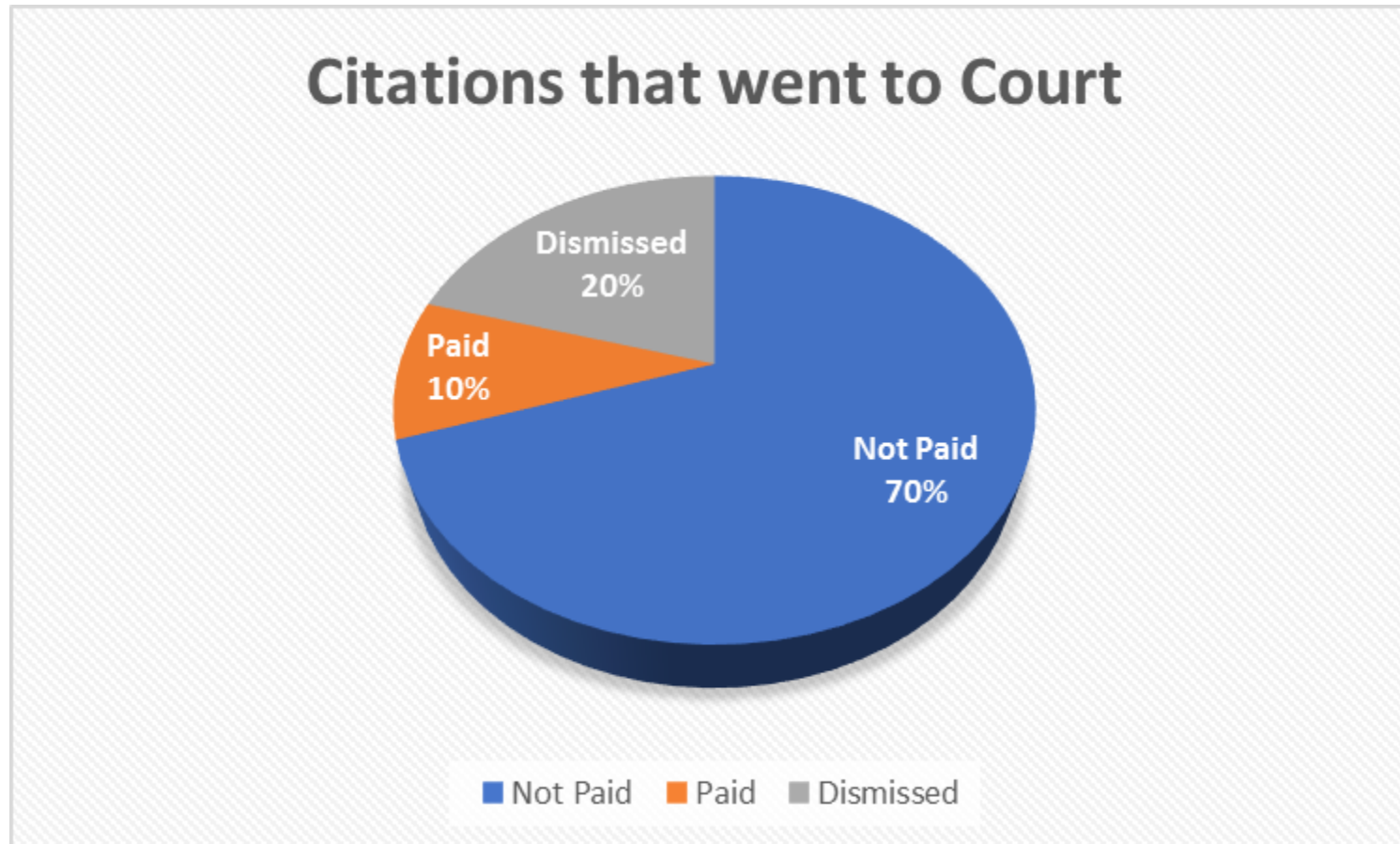
- Running at Large and Public Nuisance

ANIMAL CONTROL CITATIONS FY15 TO FY18



# Current Citations Issued by Wake County

- Running at Large and Public Nuisance



# Current Citations Issued by Wake County

- 55 Citations (\$ 126 each) for court cost of \$ 6,930
- 30 Outstanding with cost of \$ 5,922
- 17 Dismissed
- 8 Paid in Full \$ 1,008

# Summary

- Legal authority exists to write a Pooper Scooper Ordinance
- These ordinances are typically suited for municipalities
- It is difficult to enforce these type of ordinances
- It is difficult to collect fees for violations

# Summary

- Conflicts with ACO's primary missions
  - Protect public health and safety
  - Ensure animal welfare
- Current Ordinance has a provision to address a nuisance
  - Pursue available judicial remedies by filing the action with the appropriate judicial authority
- Based on the findings, staff does not recommend a Pooper Scooper Ordinance

# Questions?

