

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 722

Short Title: Raccoons As Pets.

(Public)

Sponsors: Senator Allran.

Referred to: Agriculture/Environment/Natural Resources

April 13, 1995

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE ISSUANCE OF LICENSES TO QUALIFIED
2 INDIVIDUALS AUTHORIZING THE KEEPING OF RACCOONS AS PERSONAL
3 PETS AND AMEND THE PUBLIC HEALTH LAWS TO REQUIRE RACCOONS
4 KEPT AS PETS TO BE SUBJECT TO STATE LAWS REGARDING RABIES.
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 113-272.5 is amended by adding a new subsection to read:

8 "(g) The Wildlife Resources Commission shall issue a captivity license authorizing
9 the possession of a raccoon as a personal pet to an individual providing satisfactory
10 documentation of the following:

11 (1) The person possessing the raccoon is 16 years of age or older;

12 (2) The person has, or is able to provide within 30 days of the issuance of
13 the license, adequate caging facilities for the raccoon. Adequate caging
14 facilities for a raccoon are as follows:

15 a. For each raccoon, a cage six feet by five feet, by six feet high,
16 with two climbing limbs and a resting shelf;

17 b. For each additional raccoon, increase case length by two feet;
18 and

1 (3) The raccoon will be kept in an appropriate neighborhood such that
2 neither possession of the raccoon nor the required caging facilities will
3 violate local zoning or building ordinances;

4 (4) Certification from a licensed veterinarian that the raccoon has received
5 the following schedule of vaccinations:

6 a. Rabies, initially at 16 weeks of age, and annually thereafter;

7 b. Canine distemper virus, initially at eight weeks, 12 weeks, and 16
8 weeks of age, and annually thereafter.

9 If the raccoon is too young to have completed the schedule of required
10 vaccinations at the time it is acquired and application for the license
11 made, the Wildlife Resources Commission shall issue a temporary
12 license valid for the period of time necessary to complete the
13 vaccination schedule, not to exceed 16 weeks. If the vaccinations are
14 not completed and certification is not provided prior to the expiration of
15 the temporary license, the Wildlife Resources Commission shall take
16 possession of the raccoon.

17 The license shall be valid only for the individual and location specified on the license."

18 Sec. 2. G.S. 130A-184 is amended by adding a new subdivision to read:

19 "(5A) 'Raccoon' means a raccoon that is kept as a personal pet under a license
20 issued by the Wildlife Resources Commission pursuant to G.S. 113-
21 272.5(g)."

22 Sec. 3. G.S. 130A-185 reads as rewritten:

23 **"§ 130A-185. Vaccination of all ~~dogs and cats.~~ dogs, cats, and raccoons.**

24 (a) The owner of every ~~dog and cat~~ dog, cat, and raccoon over four months of age
25 shall have the animal vaccinated against rabies. The time or times of vaccination shall be
26 established by the Commission. Rabies vaccine shall be administered only by a licensed
27 veterinarian or by a certified rabies vaccinator.

28 (b) Only animal rabies vaccine licensed by the United States Department of
29 Agriculture and approved by the Commission shall be used on animals in this State."

30 Sec. 4. G.S. 130A-187 reads as rewritten:

31 **"§ 130A-187. County rabies vaccination clinics.**

32 The local health director shall organize or assist other county departments to organize
33 at least one countywide rabies vaccination clinic per year for the purpose of vaccinating
34 ~~dogs and cats.~~ dogs, cats, and raccoons. Public notice of the time and place of rabies
35 vaccination clinics shall be published in a newspaper having general circulation within
36 the area."

37 Sec. 5. G.S. 130A-189 reads as rewritten:

38 **"§ 130A-189. Rabies vaccination certificates.**

39 A licensed veterinarian or a certified rabies vaccinator who administers rabies vaccine
40 to a ~~dog or cat~~ dog, cat, or raccoon shall complete a three-copy rabies vaccination
41 certificate. The original rabies vaccination certificate shall be given to the owner of each
42 ~~dog or cat~~ dog, cat, or raccoon that receives rabies vaccine. One copy of the rabies
43 vaccination certificate shall be retained by the licensed veterinarian or the certified rabies

1 vaccinator. The other copy shall be given to the county agency responsible for animal
2 control, provided the information given to the county agency shall not be used for
3 commercial purposes."

4 Sec. 6. G.S. 130A-190 reads as rewritten:

5 **"§ 130A-190. Rabies vaccination tags.**

6 A licensed veterinarian or a certified rabies vaccinator who administers rabies vaccine
7 to a ~~dog or cat~~ dog, cat, or raccoon shall issue a rabies vaccination tag to the owner of the
8 animal. The rabies vaccination tag shall show the year issued, a vaccination number, the
9 words 'North Carolina' or the initials 'N.C.' and the words 'rabies vaccine.' ~~Dogs and cats~~
10 Dogs, cats, and raccoons shall wear rabies vaccination tags at all times. However, cats
11 may be exempted from wearing the tags by local ordinance. Rabies vaccination tags,
12 links and rivets may be obtained from the Department. The Secretary is authorized to
13 establish by rule a fee for the rabies tags, links and rivets. The fee shall not exceed the
14 actual cost of the rabies tags, links and rivets, plus transportation costs."

15 Sec. 7. G.S. 130A-192 reads as rewritten:

16 **"§ 130A-192. ~~Dogs and cats~~ Dogs, cats, and raccoons not wearing required rabies
17 vaccination tags.**

18 The Animal Control Officer shall canvass the county to determine if there are any
19 ~~dogs or cats~~ dogs, cats, or raccoons not wearing the required rabies vaccination tag. If a
20 ~~dog or cat~~ dog, cat, or raccoon is found not wearing the required tag, the Animal Control
21 Officer shall check to see if the owner's identification can be found on the animal. If the
22 animal is wearing an owner identification tag, or if the Animal Control Officer otherwise
23 knows who the owner is, the Animal Control Officer shall notify the owner in writing to
24 have the animal vaccinated against rabies and to produce the required rabies vaccination
25 certificate to the Animal Control Officer within three days of the notification. If the
26 animal is not wearing an owner identification tag and the Animal Control Officer does
27 not otherwise know who the owner is, the Animal Control Officer may impound the
28 animal. The duration of the impoundment of these animals shall be established by the
29 county board of commissioners, but the duration shall not be less than 72 hours. During
30 the impoundment period, the Animal Control Officer shall make a reasonable effort to
31 locate the owner of the animal. If the animal is not reclaimed by its owner during the
32 impoundment period, the animal shall be disposed of in one of the following manners:
33 returned to the owner; adopted as a pet by a new owner; sold to institutions within this
34 State registered by the United States Department of Agriculture pursuant to the Federal
35 Animal Welfare Act, as amended; or put to death by a procedure approved by the
36 American Veterinary Medical Association, the Humane Society of the United States or of
37 the American Humane Association. The Animal Control Officer shall maintain a record
38 of all animals impounded under this section which shall include the date of
39 impoundment, the length of impoundment, the method of disposal of the animal and the
40 name of the person or institution to whom any animal has been released."

41 Sec. 8. G.S. 130A-193 reads as rewritten:

42 **"§ 130A-193. Vaccination and confinement of ~~dogs and cats~~ dogs, cats, and raccoons
43 brought into this State.**

1 (a) A ~~dog or eat-dog~~, cat, or raccoon brought into this State shall immediately be
2 securely confined and shall be vaccinated against rabies within one week after entry. The
3 animal shall remain confined for two weeks after vaccination.

4 (b) The provisions of subsection (a) shall not apply to:

5 (1) A ~~dog or eat-dog~~, cat, or raccoon brought into this State for exhibition
6 purposes if the animal is confined and not permitted to run at large; or

7 (2) A ~~dog or eat-dog~~, cat, or raccoon brought into this State accompanied by
8 a certificate issued by a licensed veterinarian showing that the ~~dog or eat~~
9 dog, cat, or raccoon is apparently free from and has not been exposed to
10 rabies and that the ~~dog or eat-dog~~, cat, or raccoon has received rabies
11 vaccine within the past year."

12 Sec. 9. G.S. 130A-194 reads as rewritten:

13 "§ **130A-194. Quarantine of districts infected with rabies.**

14 An area may be declared under quarantine against rabies by the local health director
15 when the disease exists to the extent that the lives of persons are endangered. When
16 quarantine is declared, each ~~dog and eat-dog~~, cat, and raccoon in the area shall be confined
17 on the premises of the owner or in a veterinary hospital. However, ~~dogs or eats-dogs, cats,~~
18 or raccoons on a leash or under the control and in the sight of a responsible adult may be
19 permitted to leave the premises of the owner or the veterinary hospital."

20 Sec. 10. G.S. 130A-195 reads as rewritten:

21 "§ **130A-195. Destroying stray ~~dogs and eats~~ dogs, cats, and raccoons in**
22 **quarantine districts.**

23 When quarantine has been declared and ~~dogs and eats-dogs, cats, and raccoons~~
24 continue to run uncontrolled in the area, any peace officer or Animal Control Officer
25 shall have the right, after reasonable effort has been made to apprehend the animals, to
26 destroy the uncontrolled ~~dogs and eats-dogs, cats, and raccoons~~ and properly dispose of
27 their bodies."

28 Sec. 11. G.S. 130A-196 reads as rewritten:

29 "§ **130A-196. Confinement of all biting ~~dogs and eats;~~ dogs, cats, and**
30 **raccoons; notice to local health director; reports by physicians; certain**
31 **dogs exempt.**

32 When a person has been bitten by a ~~dog or eat-~~, dog, cat, or raccoon, the person or
33 parent, guardian or person standing in loco parentis of the person, and the person owning
34 the animal or in control or possession of the animal shall notify the local health director
35 immediately and give the name and address of the person bitten and the owner of the
36 animal. All ~~dogs and eats-dogs, cats, and raccoons~~ that bite a person shall be immediately
37 confined for 10 days in a place designated by the local health director. However, the
38 local health director may authorize a dog trained and used by a law enforcement agency
39 to be released from confinement to perform official duties upon submission of proof that
40 the dog has been vaccinated for rabies in compliance with this Part. After reviewing the
41 circumstances of the particular case, the local health director may allow the owner to
42 confine the animal on the owner's property. An owner who fails to confine his animal in
43 accordance with the instructions of the local health director shall be guilty of a Class 2

1 misdemeanor. If the owner or the person who controls or possesses a ~~dog or cat~~ dog, cat,
2 or raccoon that has bitten a person refuses to confine the animal as required by this
3 section, the local health director may order seizure of the animal and its confinement for
4 10 days at the expense of the owner. A physician who attends a person bitten by an
5 animal known to be a potential carrier of rabies shall report within 24 hours to the local
6 health director the name, age and sex of that person."

7 Sec. 12. G.S. 130A-197 reads as rewritten:

8 "**§ 130A-197. Infected ~~dogs and cats~~ dogs, cats, and raccoons to be destroyed;**
9 **protection of vaccinated ~~dogs and cats~~ dogs, cats, and raccoons.**

10 A ~~dog or cat~~ dog, cat, or raccoon bitten by a proven rabid animal or animal suspected
11 of having rabies that is not available for laboratory diagnosis shall be destroyed
12 immediately by its owner, the county Animal Control Officer or a peace officer unless
13 the ~~dog or cat~~ dog, cat, or raccoon has been vaccinated against rabies in accordance with
14 this Part and the rules of the Commission more than three weeks prior to being bitten, and
15 is given a booster dose of rabies vaccine within three days of the bite."

16 Sec. 13. G.S. 130A-198 reads as rewritten:

17 "**§ 130A-198. Confinement.**

18 A person who owns or has possession of an animal which is suspected of having
19 rabies shall immediately notify the local health director or county Animal Control Officer
20 and shall securely confine the animal in a place designated by the local health director.
21 ~~Dogs and cats~~ Dogs, cats, and raccoons shall be confined for a period of 10 days. Other
22 animals may be destroyed at the discretion of the State Public Health Veterinarian."

23 Sec. 14. G.S. 130A-199 reads as rewritten:

24 "**§ 130A-199. Rabid animals to be destroyed; heads to be sent to State Laboratory of**
25 **Public Health.**

26 An animal diagnosed as having rabies by a licensed veterinarian shall be destroyed
27 and its head sent to the State Laboratory of Public Health. The heads of all ~~dogs and cats~~
28 dogs, cats, and raccoons that die during the 10-day confinement period required by G.S.
29 130A-196, shall be immediately sent to the State Laboratory of Public Health for rabies
30 diagnosis."

31 Sec. 15. This act is effective upon ratification.