

Cary Animal Control
120 Wilkinson Avenue
Cary, North Carolina 27513
Phone (919)319-4517 Fax (919)460-4904



Annoying Animal Sounds Complaint Form

Reporting Party Information

*Information will be needed in order to respond

*Name: _____ *Phone: _____

Address: _____

Animal Owner

*Address: _____

Description of animal(s) (if known): _____

Time of day the sound is more annoying: _____

By signing this complaint form I agree that all the statements I have provided are true and correct to the best of my knowledge and that the animal(s) do make annoying sounds for more than fifteen (15) minutes during any thirty (30) minute period. I also understand if the animal owner appeals the Cary ordinance citation, I may be required to appear in court.

*Complainant's Signature: _____ Date: _____

You may submit this form by mail or fax. If you wish for an Animal Control Officer to pick it up call us so we can make an appointment.

Please review the definition of "Nuisance Animals" Section 6-71 in Cary North Carolina on reverse side

Sec. 6-71. Nuisance animals.

(a) *Prohibited generally; exceptions.* It shall be unlawful for any person to own, keep, possess, harbor or maintain an animal in such a manner as to annoy or disturb rights and privileges common to the public or to annoy or disturb persons in the enjoyment of private property. By way of example and not of limitation, the following are hereby declared to be a public nuisance and are, therefore, unlawful:

(8) Allowing or permitting an animal to make frequent or long continued sounds, including barking, whining, screeching, calling, howling or yowling in an excessive, continuous, habitual or untimely fashion, or to make other noise in such a manner so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises (“annoying sound”). Any such sound which is made for more than fifteen (15) minutes during any thirty (30) minute period shall be deemed to be an annoying sound. Any person owning, using or possessing premises affected by an annoying sound (“person annoyed by sounds”) shall follow the procedures specified in subsection f. below.

(e) *Annoying sounds.* A person annoyed by sounds shall follow the procedures specified below.

(i) Upon receipt of a detailed written and signed complaint by a person annoyed by sounds, the animal control unit shall provide written notice to the owner or possessor of the premises on which the animal making annoying sounds is maintained (“animal owner”) that a complaint has been received about the animal’s annoying sounds. The notice shall detail the complaint and may make suggestions on ways to correct the situation.

(ii) Upon receipt of such notice of complaint, the animal owner shall cure the violation. If the violation is not cured, or if a second complaint is made to the animal control unit about the same animal within any six (6) month period, the animal control unit shall cause the animal possessor to be served by an order to abate the annoying sounds within a reasonable period of time, not to exceed seven (7) days (“Abatement Order”). Such notice shall be served by personal delivery or by certified mail, return receipt requested.

(iii) If the original complainant, or any other affected person notifies the animal control unit that the animal owner has failed or refuses to abate the annoying sounds as provided in the Abatement Order, the animal control unit shall investigate and may issue a civil citation for the violation in the amount of two hundred dollars (\$200). Such citation shall be collected in the manner set forth in Sec. 6-132.

(iv) If the annoying sounds continue after issuance of the citation, the complainant should pursue the action by going to the magistrate and filing a summons against the animal possessor. Nothing in this section shall prevent a private citizen from bringing an action at any time against an animal possessor.