

ORDINANCE NO. 2020-1020-34

AN ORDINANCE TO AMEND SECTION 4-3 OF APEX TOWN CODE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX AS FOLLOWS:

Section 1. Subsection (b) of 4-3 of the Town of Apex Code of Ordinances is hereby amended to read as follows with additions shown as bold underlined text and deletions shown as struck-through text:

Sec. 4-3. – Prohibition of certain animals.

(b) *[Exemptions.]* The following animals are exempt from this section:

- (1) Horses;
- (2) Ponies;
- (3) Rabbits; and
- (4) Fowl except male chickens.
- (5) Miniature pigs—provided that no more than two are kept per dwelling, that all pigs over the age of eight weeks are neutered, that they be no more than 20 inches in height at the shoulders when full grown, and that they are kept within the dwelling house of the owner or possessor unless outside in a fenced area for exercise or controlled by a leash in the same manner as required for dogs.
- (6) Dwarf/Pygmy goats - provided that no more than two are kept per dwelling, that all dwarf/pygmy goats over the age of eight weeks are neutered, that they be no more than 24 inches in height at the shoulders when full grown, and that they are kept within the dwelling house of the owner or possessor, outside in a fenced area that is a minimum of 135 square feet per animal with a shelter that is a minimum of 20 square feet per animal, or controlled by a leash in the same manner as required for dogs.**

Section 2. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances and the sections of this ordinance may be renumbered to accomplish such intention.

Section 3. Severability, Conflict of Laws. If this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective upon adoption.

Introduced by Council Member: _____

Seconded by Council Member: _____

This the 20th day of October 2020.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney