

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

SESSION LAW 2011-313  
SENATE BILL 602

AN ACT TO MAKE IT A CLASS 3 MISDEMEANOR FOR A PERSON TO ALLOW CERTAIN FOWLS TO RUN AT LARGE ON CERTAIN LANDS AFTER RECEIVING ACTUAL OR CONSTRUCTIVE NOTICE OF THE RUNNING AT LARGE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 68-25 reads as rewritten:

"§ 68-25. **Domestic fowls running at large after notice.**

(a) If any person shall permit any turkeys, geese, chickens, ducks or other domestic fowls to run at large on the lands of any other person while such lands are under cultivation in any kind of grain or feedstuff or while being used for gardens or ornamental purposes, after having received actual or constructive notice of such running at large, ~~he shall be the person~~ is guilty of a Class 3 misdemeanor.

(b) If any person permits any domestic fowls to run at large on the lands of a commercial poultry operation of any other person after having received actual or constructive notice of such running at large, the person is guilty of a Class 3 misdemeanor. For purposes of this subsection, a commercial poultry operation means any premises or operation where domestic poultry are fed, caged, housed, or otherwise kept for meat or egg production until sold or marketed.

(b1) If any person who owns or operates a commercial poultry operation permits any of the commercial poultry operation's fowls to run at large on adjoining property after having received actual or constructive notice of such running at large, the person is guilty of a Class 3 misdemeanor. For purposes of this subsection, a commercial poultry operation means any premises or operation where domestic poultry are fed, caged, housed, or otherwise kept for meat or egg production until sold or marketed.

(c) If it shall appear to any magistrate that after three days' notice any person persists in allowing his fowls to run at large in violation of this section and fails or refuses to keep them upon his own premises, then the said magistrate may, in his discretion, order any sheriff or other officer to kill the fowls when they are running at large as herein provided."

**SECTION 2.** This act becomes effective December 1, 2011, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 17<sup>th</sup> day of June, 2011.

s/ Walter H. Dalton  
President of the Senate

s/ Thom Tillis  
Speaker of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 10:53 a.m. this 27<sup>th</sup> day of June, 2011

