

ANIMALS--LIABILITY OF OWNERS AND KEEPERS.

*Preface*

*Owners and keepers of domestic animals are liable for injury or damage proximately caused by their negligence in keeping or handling them.<sup>1</sup> Thus, the common law negligence instructions set out at N.C.P.I.--Civil 102.10 et seq. are sufficient to cover causes of action predicated directly on the negligence of an owner or a keeper of a domestic animal.*

*In addition to common law negligence, six additional grounds for liability have been identified. One of these comes from common law and five are predicated upon (or derived from) statutes or ordinances. Accordingly, the "Animals" series consists of six instructions covering various liability situations other than common law negligence, including the wrongful keeping of vicious domestic animals (N.C.P.I.--Civil 812.00), wrongfully allowing a dog to run at large at night (N.C.P.I.--Civil 812.01), allowing domestic livestock to run at large with the owner's knowledge and consent (N.C.P.I.--Civil 812.02), violation of a leash law or ordinance (N.C.P.I.--Civil 812.04), owning a dog which injures, kills or maims livestock or fowl (N.C.P.I.--Civil 812.05), failing to destroy immediately a*

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<sup>1</sup>*Williams v. Tysinger*, 328 N.C. 55, 399 S.E.2d 108 (1991); *Lloyd v. Bowen*, 170 N.C. 216, 86 S.E. 797 (1915); *Griner v. Smith*, 43 N.C. App. 400, 259 S.E.2d 383 (1979).

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*dog bitten by a rabid dog (N.C.P.I.--Civil 812.06), and strict liability for injury or damage caused by a "dangerous dog" (N.C.P.I.--Civil 812.07).*