

**Town of Southern Shores Council Public Safety Committee Meeting**  
**Members: Mayor Tom Bennett, Councilman Gary McDonald**  
**February 10, 2016 at 2:00 PM - Town Hall Conference Room**

Meeting Minutes

[Note: This meeting had originally been scheduled at the December 8, 2015 regular Council meeting in error for February 15, 2016 – which is a holiday when Town Hall is closed. When this error was discovered, Councilman McDonald made it known to the Town Clerk he could still meet on February 15, but had meeting conflicts for other days on which the Mayor was attempting to reschedule the committee meeting. The Mayor did reschedule (and directed re-notice of) the meeting for February 10, 2016 at 2:00 pm in order to accommodate a citizen who desired to present an idea for vaccination notice of dogs. Councilman McDonald again confirmed he would be unable to attend a rescheduled committee meeting due to meeting conflicts.]

Present:

Committee Member: Mayor Tom Bennett

Town Staff: Town Manager Rascoe, Public Works Director Patrick,  
Police Chief Kole, Fire Chief Limbacher, Lifeguard  
Director Dabrowski

Citizen Representative: Steve Hotchkiss

Attending Citizens: Mary Lou Hoffert and Bill Hoffert, 179 Clam Shell Trail,  
Southern Shores

1. The meeting was called to order by Mayor Bennett. The Mayor welcomed and thanked Southern Shores resident Steve Hotchkiss for agreeing to serve as the Citizen Representative to the committee.
2. The Mayor, Town Manager, and Public Works Director briefed the attendees on ongoing discussions with, and planned actions by, NCDOT regarding possible storm water remediation initiatives along NC Highway 12 at East Dogwood Trail intersection. A meeting with the Mayor, NCDOT District One Highway Commissioner, Town staff, and NCDOT Division One engineers occurred on January 28, 2016 at the site of concern. NCDOT is committed to seek solutions to alleviate the problem with regards to stormwater originating on NC Highway 12. Shoulder grading was recommended along both NC 12 and along East Dogwood Trail as a means of allowing run-off to more easily infiltrate through the road shoulders. NCDOT engineers affirmed that raising the asphalt surface above the level of flooding is not an option as this would simply divert stormwater onto adjacent private properties. A hydrologic team from NCDOT headquarters in Raleigh is due to arrive this week to study conditions within and adjacent to the NC Highway 12 right-of-way boundaries to determine what could be done to allow for offsite accumulation and infiltration of the stormwater. The Public Works Director did mention that approximately 4,000 gallons of water had to be pumped during one incident using all of Public Works

manpower to clear the two western lanes for travel. The Town Manger commented that if the Town had to perform this service on a state-owned and maintained road every time it flooded, the Town would need to consider creating and funding a new utility of resources (equipment and personnel) to take of such a service.

3. The Public Works Director briefed the attendees on the ongoing construction of the new Tall Pine Bridge over Snow Goose Canal along South Dogwood Trail. The project is on schedule, with all “in-water” construction activities scheduled to be completed by the February 15 deadline and permit moratorium on such activities. Once the pilings are finished being set, shoreline sheet piling installed, and rip rap placed, all by February 15, work will commence on the actual new bridge decking.
4. Southern Shores resident Mary Lou Hoffert was introduced. Due to the difficulty she and her husband experienced in November 2015 getting written confirmation of a current rabies vaccination from a visiting and departing non-resident dog owner (after the owner’s dog bit her daughter and dog in Southern Shores), she proposed that the Town require, by ordinance, all property management companies doing rental business on behalf of rental property owners in Southern Shores to collect and maintain written certifications from visiting renter dog owners prior to rental occupancy.

Police Chief Kole reviewed the Town Police Department protocol for dog bites, which requires immediate Police Department notification to the Dare County Animal Control Department (DCAC) upon the police being notified by the Dare Central Communications Center. The DCAC is then responsible for bite investigations and for recommending a quarantine to the Dare County Public Health Director. The circumstances of the subject case were such that the dog owner, who had in fact left his personal contact information with the bite victim, was in the process of departing the Town and state when the bite occurred. The bite victim did not receive actual written proof of rabies vaccination at the scene, although the owner did state the dog had been vaccinated. The bite victim did not notify authorities until after she had returned home in Southern Shores and the dog owner had then departed the area. Subsequent efforts by the DCAC and the SSPD to contact the dog owner out-of-state, resulted in the owner, for reasons unknown, not transmitting written proof of the dog’s rabies vaccination until 12days after the date of incident. This was an extreme inconvenience to the bite victim who was waiting on confirmation in order to avoid being treated for rabies.

The impracticalities of enforcing an adopted Town ordinance against property management companies located out of Town (requiring a certain record be received and kept during a week vacation visit), were discussed by Town staff. Mayor Bennett recommend a conversation with the Dare County Health Director as a means of encouraging Dare County to consider expanding its current ordinance to require such a written certification in addition to the current requirement of attached rabies

certification tag on a dog collar. The Town Manager affirmed his ongoing dialogue with the Property Management Committee of the Outer Banks Association of Realtors to encourage this among its members as a condition of a weekly rental. Mrs. Hoffert and her husband thanked the committee and staff.

5. Police Chief David Kole reported that the SSPD will be requesting budgeting this year for new traffic counters and a message board to assist with seasonal traffic. He is also seeking out possible grant sources to hopefully cover the items.
6. Fire Chief Ed Limbacher reported that in preparation for the summer season, truck maintenance is underway, which is proving costly to the SSVFD due to the age of trucks.
7. Lifeguard Director Mirek Dabrowski reported that hiring for this year's lifeguards is now well underway.

There being only one of two committee members in attendance, no recommendations to the full Council were made or considered by the committee.

There being no further matters for discussion by the committee, the meeting was adjourned.

**Town of Southern Shores Council Public Safety Committee Meeting**  
**Members: Mayor Tom Bennett, Councilman Gary McDonald**  
**February 10, 2016 at 2:00 PM - Town Hall Conference Room**

*Agenda*

1. Mayor/Staff update on ongoing discussions with, and planned actions by, NCDOT regarding possible storm water remediation initiatives along NC Highway 12 at East Dogwood Trail intersection.
2. Staff update on construction of new Tall Pine Bridge over Snow Goose Canal along South Dogwood Trail.
3. Reception of citizen (Mary Lou Hoffert) proposal to regulate property management companies by requiring them to collect vaccination certificates from rental-tenant dog owners prior to rental occupancy (includes review of dog bite incident of November 5, 2015).
4. Report of any timely and important law enforcement matters - Police Chief
5. Report of any timely and important fire protection matters - Fire Chief
6. Report of any timely and important ocean lifeguard matters - Lifeguard Service

**§ 91.025 COLLAR AND TAGS REQUIRED.**

(A) It shall be unlawful for any dog owner to fail to provide his or her dog with a collar or harness to which current vaccination and identification tags are securely attached. A collar or harness with attached tags must be worn at all times except when the dog is confined to an enclosure on the owner's premises or during the time animals are performing at shows, obedience trials, tracking tests, field trials, training schools or other events sanctioned and supervised by a recognized organization.

(B) It shall be unlawful for any dog owner to fail to provide his or her dog with an identification tag or fail to take the action as is necessary to insure that such identification tag is worn by the dog at all times, except as otherwise provided in this chapter.

(C) It shall be unlawful for any dog owner to fail to comply with state laws relating to the control of rabies, and it shall be unlawful for any dog owner to fail to provide any dog he or she owns with a suitable collar or harness for the wearing of the rabies tag to be issued upon compliance with state law or fail to take the action as is necessary to see that the tag is worn by the dog at all times, except as otherwise provided in this chapter.

(D) It shall be unlawful for any person to allow any dog to wear a vaccination tag or identification tag issued for another dog.

(Prior Code, § 91.15) (Ord. passed 11-6-1978) Penalty, see § 10.99

**RABIES VACCINATION AND CONTROL**

**§ 91.065 INOCULATION REQUIRED.**

It shall be unlawful for an owner to fail to provide current inoculation against rabies (hydrophobia) for his or her dog. Should it be deemed necessary by the County Health Director, Board of Commissioners or state public health veterinarian that other pet animals be vaccinated in order to prevent a threatened epidemic or to control an existing epidemic, it shall be unlawful for an owner to fail to provide current inoculation against rabies for that pet animal.

(Prior Code, § 91.45) (Ord. passed 11-6-1978) Penalty, see § 10.99

**§ 91.066 REPORT AND QUARANTINE OF BITING DOGS.**

Every dog which has bitten anyone or which shows symptoms of rabies shall be confined immediately by its owner and shall be promptly reported to the Health Department by its owner or the person having the dog in charge, and thereupon shall be securely quarantined at the direction of the Health Department for a period of 10 days and shall not be released from the quarantine except by written permission from the Health Department. The biting dog and its records of vaccination and registration shall be inspected by the Health Director, who will then observe the following policy:

(A) A properly vaccinated and registered dog may be confined on the owner's premises; provided, that the Health Director determines that the owner has an adequate means of confinement upon his or her own premises and the animal is subject to observation by the owner at any time during the 10-day period.

(B) A dog not properly vaccinated or registered but belonging to an owner shall immediately be confined in a veterinary hospital or the county animal shelter, in which case the expense shall be borne by the owner for the 10-day confinement.

(C) A stray dog shall immediately be confined in the county animal shelter for a 10-day period.

(Prior Code, § 91.46) (Ord. passed 11-6-1978)

**§ 91.067 REFUSAL OF OWNER TO PERMIT INVESTIGATION; REDEMPTION OF DOGS FOUND NOT TO HAVE RABIES.**

Except as provided in § 91.066, it shall be unlawful for the owner to refuse an examination or investigation by the Health Director, upon demand, of any dog which has bitten a human. If the dog is confined in the county animal shelter and if rabies does not develop within 10 days, the dog may be reclaimed, upon payment not to exceed the amount as shall be established from time to time by ordinance for feeding and upon compliance with other provisions of this chapter.

(Prior Code, § 91.47) (Ord. passed 11-6-1978) Penalty, see § 10.99

Request for consideration of new ordinance concerning rabies certificates

Mary Lou Hoffert <mlh6126@gmail.com>

Mon 12/14/2015 1:23 PM

To: council@southernshores-nc.gov <council@southernshores-nc.gov>;

Cc: Mary Lou Hoffert <mlh6126@gmail.com>;

1 attachment (892 KB)

dog-owners-vacation-guide-outer-banks-activities.pdf;

Hello, I am the lady who spoke about the dog bite incident at last Council meeting. I had rehearsed to stay within the 3 minute limit, but unfortunately did not accomplish that during my talk. I provided a description of what happened and the seriousness of rabies, but was unable to express my request.

The point of my talk was that it took 12 days and required our using a lawyer to finally obtain verification that the dogs who bit my daughter and dog were current with rabies vaccination. What made it difficult was not only the reluctance of the owner to comply with the police request but the fact that he had taken his dogs out of NC.

I would like Council to consider a Southern Shores ordinance requiring Landlords & Realty Companies to:

- 1) receive a copy of the rabies certification of animals of transient renters before they allow use of their property,
- 2) keep these certificates on file for 6 months, and
- 3) inform renters of the Southern Shores leash law and the requirement to notify Southern Shores police immediately of any bite incident.

I believe these 3 requirements would be beneficial to the health of our community

and would place only a small administrative task on landlords or realty companies.

Thank you

----- NOTES -----

1. Dare Co requires dogs to be licensed. Obtaining the license requires a current rabies certification. License and rabies tag are to be affixed to dog's collar.

License requires yearly renewal.

From: <http://www.darenc.com/dcas/license.asp>

2. I believe landlords and realty companies might be considered to be "keepers" of animals as defined in 91.01 Definitions of Dare Co Ordinances

From: [www.darenc.com/dcas/Ordinances.pdf](http://www.darenc.com/dcas/Ordinances.pdf)

3. NC law 130A"196 Confinement of all biting dogs and cats states: When a person has been bitten by a dog or cat ...the person owning the animal or in control or possession of the animal shall notify the local health director immediately and give the name and address of the person bitten and the owner of the animal. All dogs and cats that bite a person shall be immediately confined for 10 days...

From: <http://www.obxspca.org/info/display?PageID=2728>

4. Elan Vacations has a very nice brochure, Dog Owners Vacation Guide to the Outer Banks, which maybe Southern Shores could update to include rabies information and provide for those renting in our town.

Attached

Happy Holidays  
Mary Lou Hoffert  
[mlh6126@gmail.com](mailto:mlh6126@gmail.com)

If you can read this, thank your teachers.  
If it is in English, thank your military.

Presented by Mrs. Hoffert :  
2/10/16

## **Request for Southern Shores Ordinance**

Precipitating incident: In November of 2015 my daughter and my dog were attacked by two unrestrained dogs belonging to a tourist. He provided his name and address and stated that his animals had current rabies vaccinations. Then he returned to Chesterfield, VA. When my daughter received medical treatment, OBX Hospital notified local police who contacted the dog owner and told him to FAX the rabies certificates to the Police Office.

Twelve days passed and still no FAX. We contacted a lawyer who sent an email to the dog owner requesting the certificates and within an hour they were received by local police.

So it took 12 days and required our using a lawyer to finally obtain verification that the dogs who bit my daughter and dog were current with rabies vaccinations. What made it difficult was not only the reluctance of the owner to comply with police direction, but the fact that he had taken his dogs out of NC.

Health Issue: Rabies is a deadly viral disease of the central nervous system that is transmitted by the bite of infected animals.

Rabies is fatal. Once a person develops symptoms it is too late to vaccinate against rabies.

The typical vaccination series with rabies and immunoglobulin costs \$4,000 to \$7,000+.

An experimental protocol involving placing the patient in a coma has proven successful in a few cases. Cost of the protocol is \$800,000.00.

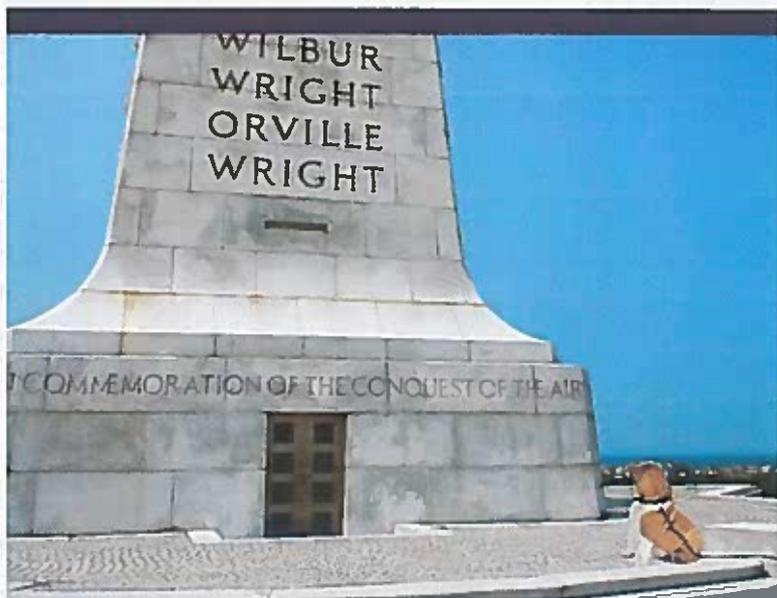
Request: We would like Council to consider a Southern Shores ordinance requiring anyone offering rental properties, landlords or realty companies, to:

- 1) Receive a copy of the rabies certification of animals of long and short term renters before they allow use of their property,
- 2) Keep these certificates on file for 6 months, and
- 3) Inform renters of the Southern Shores leash law and the requirement to notify Southern Shores police immediately of any bite incident.

I believe these 3 requirements would be beneficial to the health of our community and would place only a small administrative task on landlords or realty companies. Thank you



# Dog Owner's VACATION GUIDE to Outer Banks Activities



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### Welcome to the Outer Banks!

At Élan Vacations, we love dogs and are always happy to welcome our canine vacationers into our many pet-friendly rental homes.

Because we know that you want to spend time with your dog during vacation, we created this guide to the Outer Banks that lists each town's leash laws and a list of some of our dog-friendly attractions, pet stores, and dog-friendly restaurants.



### Town Leash Laws

Each township that makes up the Outer Banks enforces its own set of leash laws. Please respect these regulations as violators might receive a citation.

#### Cape Hatteras National Seashore

- ☞ Dogs must be on a leash that is no longer than 6 feet while visiting towns on Hatteras Island.
- ☞ Website: [nps.gov/caha/index.htm](http://nps.gov/caha/index.htm)

#### Corolla

- ☞ Leashes are mandatory in town but there are no length requirements.
- ☞ Website: [co.currituck.nc.us](http://co.currituck.nc.us)

#### Duck

*Duck has been named one of the top 10 dog-friendly beach towns in the United States!*

- ☞ Law requires that dogs be controlled by a leash (10 feet or less), including at the park, on the boardwalk, and on Duck Trail.
- ☞ Website: [townofduck.com](http://townofduck.com)



### Kill Devil Hills

- ☞ Dogs must be restrained by a leash.
- ☞ Website: [kdhnc.com](http://kdhnc.com)

### Kitty Hawk

- ☞ Dogs must be restrained on a leash that is retractable to 12 feet.
- ☞ Website: [townofkittyhawk.org](http://townofkittyhawk.org)

### Nags Head

- ☞ Dogs must be on a leash that is 10 feet or shorter.
- ☞ Website: [townofnagshead.net](http://townofnagshead.net)

### Southern Shores

- ☞ Year-round leash law applies: Dogs must be on leashes no longer than 10 feet.
- ☞ Website: [southernshores-nc.gov](http://southernshores-nc.gov)



### Dog-Friendly Attractions

The Outer Banks is a vacation spot where it is fun to bring your dog. Not only do we have many **pet-friendly vacation rental homes** like those at Élan Vacations, we also have attractions that welcome your canine companion. Before you leave on vacation, make sure your dog is current on its vaccinations and licenses.

#### The Beach

To read our beach leash and accessibility laws, safety tips, and a link to the veterinary clinics on the Outer Banks, download our free whitepaper "**Dog Owner's Vacation Guide to the Outer Banks Beaches**".

#### Currituck Heritage Park

1100 Club Road,  
Corolla, NC 27927  
252-453-9040  
Website: [visitwhalehead.com](http://visitwhalehead.com)



The grounds of the park is fun place to walk your dog and to picnic with your family, but remember that your dog must remain on a leash at all times.

### Wright Brothers National Memorial

1000 North Croatan Highway  
Kill Devil Hills, NC 27948  
252-473-2111  
Website: [nps.gov/wrbr/index.htm](http://nps.gov/wrbr/index.htm)



This official site of Orville and Wilbur Wright's first powered flight welcomes pets on the grounds but they must be on a leash no longer than 6 feet.

#### Fort Raleigh National Historic Site

1401 National Park Drive  
Manteo, NC 27954  
252-473-5772  
Website: [nps.gov/fora/index.htm](http://nps.gov/fora/index.htm)

This historic site preserves known portions of England's first New World settlements from 1584 to 1590 and protects the "cultural heritage of the Native Americans, European Americans and African Americans who have lived on Roanoke Island".

Dogs are welcome if restrained by a leash.

### Roanoke Island Festival Park

1 Festival Park  
Manteo, NC 27954  
252-475-1500  
Website: [roanokeisland.com/](http://roanokeisland.com/)

Located across from the Manteo waterfront, the park includes living history exhibits and a life-size replica of a 16th century ship. This park also hosts many events and art shows.

Dogs must be leashed at all times and are allowed along the boardwalks only.

#### Nags Head Woods Preserve

701 West Ocean Acres Drive  
Kill Devil Hills, NC 27948  
252-441-2525  
Website: [nature.org](http://nature.org)

Dogs on leashes (no length requirements) are allowed on the lightly-traveled road that wind through the Preserve, but not on the walking trails.

### Jockey's Ridge State Park

300 W Carolista Drive  
Nags Head, NC 27959  
252-441-7132  
Website: [jockeysridgestatepark.com](http://jockeysridgestatepark.com)

You are welcome to bring your dog to the largest natural sand dune on the east coast, if it is on a leash that does not exceed 6 feet.

If you plan to visit Jockey's Ridge with your dog, exercise caution. If it is windy, the sand will likely blow into your dog's eyes. And on hot, sunny days, leave your dog at your rental home because the scorching sand on Jockey's Ridge will burn its pads.



#### Duck Trail

Town of Duck, NC 27949  
Website: [townofduck.com/ducktrail/](http://townofduck.com/ducktrail/)

On this trail is a seven-mile, multi-use path that runs the length of the Town, dogs are welcome if restrained by a leash that is 10 feet or shorter.

### Dare County Dog Park

900 W Kitty Hawk Road

Kitty Hawk, NC 27949

Website: [darenc.com/parksrec/parksnb\\_khp.asp](http://darenc.com/parksrec/parksnb_khp.asp)

To enjoy this fenced dog park where dogs can run and play, Dare county requires that owners fill out a **registration form** and show a current rabies vaccination for every dog. Your dog will not be allowed in the park until registration is complete.

Registration forms are only accepted at the Northern Beach recreation office located at 602 Mustain Street in Kill Devil Hills at the Youth Center.



## 3

### Pet Stores

Take your dog shopping for some OBX-themed goodies to take home!

#### Outer Barks

Scarborough Lane Shoppes

1171 Duck Road

Duck, NC 27949

252-261-6279

Once a week, between Easter and Thanksgiving, the Outer Barks hosts a dog party. The parties feature frozen dog daiquiris, puppy pasta, cake and other treats. They also have an agility course, paw painting, and baby pools.

#### The Cyberdog USA

3105 N Croatan Highway

Kill Devil Hills, NC 27948

252-449-0331

The Cyberdog USA offers all-natural dog food and supplies, plus dog daycare services, grooming, and private training.

### Salty Paws Biscuits

Jockey's Ridge Crossing

3933 S Croatan Highway

Nags Head, NC 27959

252-480-2284

Loblolly Pines Shopping Center

1187 Duck Road

Duck, NC 27949

252-255-0492

Salty Paws Biscuits contain no added salt, by-products, artificial flavorings or preservatives. Salty Paws offers dog treats for all dogs, including those with special dietary needs for diabetes, obesity, and allergies.

## 4

### Dog-Friendly Restaurants

North Carolina state law prohibits dogs in restaurants; however, some restaurants owners welcome dogs in their outdoor seating areas.

#### Steamer's Shellfish To Go

TimBuck II Shopping Center

798-B Sunset Blvd

Corolla, NC 27927

252-453-3305

Steamer's Shellfish To Go serves fresh seafood in their outdoor seating area where they welcome dogs and even provide bowls of water for them!

#### Bacchus Wine & Cheese

Monterey Plaza

891 Albacore Street

Corolla, NC 27927

252-453-4333

Enjoy a gourmet sandwich, salad, or sub with your best friend in the sidewalk cafe. Dogs even receive a special treat.

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**American Pie**

1600 S Virginia Dare Trail  
Kill Devil Hills, NC 27948  
252-441-3332

American Pie is known for its pizza and ice cream.  
Dogs are welcome on their patio.

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**John's Drive-In**

3716 N Virginia Dare Trail  
Kitty Hawk, NC 27949  
252-261-6227

John's Drive-In serves mahi-mahi, trout, and tuna sandwiches or boats and are also famous for their milkshakes. Dogs are always welcome and even get their own "puppy cup" of soft-serve vanilla ice cream.

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**Jimmy's Buffet**

MP 3.5, US 158 Bypass  
Kitty Hawk, NC 27949  
252-261-4973

In addition to a buffet, Jimmy's also offers a carry-out menu. Guests with dogs can order and eat at their outside tables. Dogs must be leashed.



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**BK Shuckers**

4020 N Croatan Highway  
Kitty Hawk, NC 27949  
252-261-7800

BK Shuckers is a sports bar, oyster bar and grill rolled into one. Well-behaved, leashed dogs are allowed on the outdoor patios where you can watch sports events.

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**Soeey's BBQ**

3919 S Croatan  
Nags Head, NC 27959  
252-449-6465

Leashed, well-mannered dogs are welcome at their outer tables. Visit their website to learn about their other [locations](#) on the Outer Banks.

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*Elan Vacations offers a wide selection of **dog-friendly** vacation homes from south Nags Head to Corolla!  
Contact us today at 866-760-3526.*

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