



# TOWN OF SOUTHERN SHORES

"A Town of Volunteers"

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Ordinance No. 2004-10-03

## AN ORDINANCE OF THE SOUTHERN SHORES TOWN COUNCIL RELATING TO ANIMAL CONTROL

Dare County, North Carolina

Be It Ordained by the Southern Shores Town Council as follows:

### Article I: Purpose

The purpose of this Ordinance is to amend the Zoning Ordinance of Southern Shores, Dare County, North Carolina, which was originally adopted by the Town Council on July 7, 1981 and subsequently amended.

### Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Language of the adopted Town Code shall be shown in italics (*italics*).

### Article III. Amend Section 6-91, Southern Shores Town Code – Mandatory Removal of Feces.

Section 6-91 of the Southern Shores Town Code is hereby amended to read as follows:

*Each and every person, owner, keeper or custodian of any dog shall immediately remove all feces deposited by the dog they are accompanying ~~on the ocean beaches~~. The removal of feces shall be accomplished by depositing such feces in a sanitary container. Burying feces in the sand or depositing in any body of water is prohibited and constitutes a violation of this chapter.*

### Article IV. Amend Section 6-90, Southern Shores Town Code – Animals running at large.

Section 6-90(a) of the Southern Shores Town Code is hereby amended to read as follows by adding subsection (5):

*(a) It shall be unlawful for the owner or custodian of any dog or other animal, other than an ordinary domesticated house cat, to fail to keep the same from running at large within the town. For the purposes of this chapter, an animal, other than an ordinary domesticated house cat, shall be deemed "running at large" when it is not restrained as specified below:*

*(1) When the animal is located upon the premises of the owner or custodian, it must not be able to enter upon public property or the premises of another person. Any animal off the*

premises of the owner or custodian shall be restrained by a leash, cord, or chain not exceeding ten (10) feet in length, held by a person who is physically able to control the animal.

(2) For the purposes of this chapter, "premises of the owner or custodian" shall be defined as the residence of the owner or custodian, including the attached property surrounding the residence that is owned or leased by such owner or custodian but not including any common area, park, or recreational property jointly owned or leased by the members of a property owners' or tenants' association unless such association desires to include it's property by resolution of it's governing board.

(3) No animal shall be deemed to be "running at large" when the animal is upon the premises of the owner or custodian and when the animal is contained on or restricted to such premises by any means, including verbal commands.

(4) Any animal enclosed within the automobile or other vehicle of its owner or custodian shall be deemed to be upon the owner's or custodian's premises.

(5) Any animal brought onto property and not contained or restrained in a vehicle where the custodian of the animal is performing work for pay or under contract on the property.

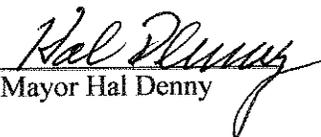
#### Article V. Severability

If any words, phrases, language, section or other portion of this Ordinance is held invalid by a court of competent jurisdiction, then all remaining words, phrases, language, section or other portion of this Ordinance shall remain in full force and effect.

#### Article VI: Effective Date

This Ordinance is effective immediately upon adoption.

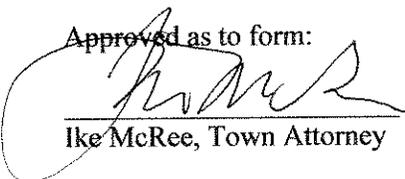
Adopted this the 17<sup>th</sup> day of November 2004.

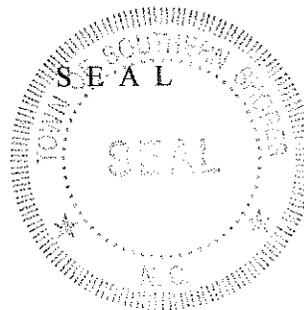
  
Mayor Hal Denny

ATTEST:

  
Carrie Gordin, Town Clerk

Approved as to form:

  
Ike McRee, Town Attorney



Date Introduced: 10/05/2004