

Chapter 4, Article II

Sec. 4-25. Animals running at large.

- (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 article, an animal, other than an ordinary domesticated house cat, shall be deemed "running at large" when it is not restrained as specified in subsections (a)(1) through (5) of this section.
- (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 article, the term "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 its property by resolution of its 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 under contract on the property.
- (b) Notwithstanding anything to the contrary in subsection (a) of this section, no animal, excluding ordinary domesticated house cats, shall be allowed on the ocean beaches of the Town from May 15 through September 15 of each year regardless of whether the animal is

under control of its owner or custodian. During this period such animals are banned from the ocean beaches in the Town. For the purpose of this provision, the term "ocean beach" shall mean and be defined as all beach land beginning at the first line of stable, natural vegetation, the toe of the slope of the frontal dune, or the storm trash line, whichever is most apparent to the ordinary observation and located the most ocean ward of the three, and extend to and include the waters and bottoms of the Atlantic Ocean extending eastward one hundred yards from the shoreline. In defining "ocean beaches," such term shall be interpreted consistently with N. C. G. S. 77-20(d) and (e).

- (c) There is exempted from subsection (b) of this section any dog which is accompanied by its owner or custodian while on any part of the ocean beach which is owned or leased by that dog's owner or custodian, and no further eastward than the mean high water mark of the Atlantic Ocean. Provided further, that the dog must be on a leash having a stretched length of no more than ten (10) feet and held by a person who is physically capable of handling the dog. Further, the person accompanying the dog must possess on his or her person a scooping device with which to remove feces in accordance with the following Section 4-27.

- (d) It shall be unlawful for any dog or cat owner to fail to provide their dog or cat with a collar or harness to which a current year rabies vaccination and identification tag are securely attached. A collar or harness with attached current year rabies vaccination and identification tag must be worn at all times except when the dog or cat is confined on the owner's premises or during the time the animals are performing at an event or show sanctioned and supervised by a recognized organization. It shall be unlawful for any person to allow any dog or cat to wear a current year rabies vaccination and identification tag issued for another dog or cat.

- (e) It shall be unlawful for any dog owner to allow their dog to chase, snap at, show aggressive behavior, or attack pedestrians, bicyclists or vehicles or for any cat owner to allow their cat to urinate on, scratch or otherwise damage personal property not belonging to the owner or to allow either their dog or cat to conduct itself so as to be a public nuisance. Dogs declared potentially dangerous by the Dare County Health Director will be confined in accordance with directives issued by the Health Director as authorized by N. C. G. S. 67-4.1.