

OR 01 - 2053

1 AN ORDINANCE TO AMEND AND
2 REORDAIN SECTION 6-5 OF THE
3 CODE OF THE CITY OF VIRGINIA
4 BEACH, VIRGINIA, PERTAINING TO
5 BEACHES, BOATS AND WATERWAYS.

6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA
7 BEACH, VIRGINIA:

8 That Section 6-5 of the Code of the City of Virginia Beach, Virginia, is hereby
9 amended and reordained to read as follows:

10 Section 6-5. Pets on beach.

11 (a) It shall be unlawful for any person who owns or has control of any pet to
12 permit such pet to be on the public sand beaches, the boardwalk or the grassy area west
13 of the boardwalk to the property lines from Rudee Inlet on the south to 42nd Street on
14 the north during the period from ~~May-fifteenth~~ 6:00 p.m. on the Friday before Memorial
15 Day through September-thirtieth 6:00 p.m. Labor Day of each year, such period
16 hereinafter referred to as the "season."

17 (b) It shall be unlawful for any person who owns or has control of any pet to
18 permit such pet to be on any other public sand beaches within the city during the season;
19 provided, however, that such pet may be permitted on said beaches in the custody of or
20 under the control of a responsible person during the season between the hours of ~~7:00~~
21 ~~p.m. and 9:00 a.m. the following day~~ 6:00 p.m and 10:00 a.m. the following day.

22 (c) In accordance with the provisions of Section 51.5-44 of the Code of Virginia,
23 the provisions of subsections (a) and (b) of this section shall not be applicable to a guide
24 dog, hearing dog or service dog trained to accompany a person with a disability when
25 being accompanied by such person.

26 (d) Any person who owns or has control of any pet shall not knowingly or willfully
27 permit such pet to litter any public sand beaches within the city or to litter the boardwalk
28 or the grassy area west of the boardwalk to the property lines from Rudee Inlet on the

29 south to 42nd Street on the north, at any time during the season or at any other time.
30 In the event such pet shall defecate on the public sand beaches within the city, or on the
31 boardwalk or the grassy area west of the boardwalk to the property lines from Rudee
32 Inlet on the south to 42nd Street on the north at any time, the person who owns or has
33 control of such pet shall immediately remove all feces deposited thereon by such pet and
34 dispose of same in a sanitary manner approved by the department of public health, such
35 as by encasing same in an airtight wrapper or container and placing same in a garbage
36 receptacle. Failure to so remove said feces in accordance with the provisions of this
37 subsection shall constitute a Class 1 misdemeanor.

38 (e) Notwithstanding the above, it shall be unlawful for any person who owns or has
39 control of any pet to permit such pet to be on any public sand beaches within the city,
40 at any time, unless such person shall have in his possession a container of sufficient size
41 and adequate design to remove and dispose of all feces deposited thereon by such pet,
42 in accordance with the provisions of subsection (d).

43 Adopted by the Council of the City of Virginia Beach, Virginia on the 23rd day
44 of April, 1991.

45 CA-4197
46 \ordin\proposed\06-005.pro
47 R-5