

ORD-93-2213

APPROVED AS TO
LEGAL SUFFICIENCY



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

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

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

9 **Section 6-5. Pets Animals on beach and adjacent areas.**

10 (a) It shall be unlawful for any person who owns or has
11 control of any pet animal to permit such pet animal to be on the
12 public sand beaches, the boardwalk or the grassy area west of the
13 boardwalk to the property lines from Rudee Inlet on the south to
14 42nd Street on the north during the period from 6:00 p.m. on the
15 Friday before Memorial Day through 6:00 p.m. Labor Day of each
16 year, such period hereinafter referred to as the "season."
17 (b) It shall be unlawful for any person who owns or has
18 control of any pet animal to permit such pet animal to be on any
19 other public sand beaches within the city during the season;
20 provided, however, that such pet a dog or cat may be permitted on
21 said beaches in the custody of or under the control of a
22 responsible person during the season between the hours of 6:00 p.m
23 and 10:00 a.m. the following day.

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

29 (c) It shall be unlawful during the season for any person to
30 have in his possession or under his control any animal, other than
31 a dog or cat, on Atlantic Avenue or in the parks and connector
32 streets between Atlantic Avenue and the boardwalk, from Rudee Inlet
33 to 42nd Street, unless such animal is in an escape-proof container.

34 (d) Any person who owns or has control of any ~~pet~~ animal shall
35 not knowingly or willfully permit such ~~pet~~ animal to litter any
36 public sand beaches within the city or to litter the boardwalk or
37 the grassy area west of the boardwalk to the property lines from
38 Rudee Inlet on the south to 42nd Street on the north, at any time
39 ~~during the season or at any other time.~~ In the event such ~~pet~~
40 animal shall defecate on the public sand beaches within the city,
41 or on the boardwalk or the grassy area west of the boardwalk to the
42 property lines from Rudee Inlet on the south to 42nd Street on the
43 north at any time, the person who owns or has control of such ~~pet~~
44 animal shall immediately remove all feces deposited thereon by such
45 ~~pet~~ animal and dispose of same in a sanitary manner approved by the
46 department of public health, such as by encasing same in an
47 airtight wrapper or container and placing same in a garbage
48 receptacle. Failure to so remove said feces in accordance with the
49 provisions of this subsection shall constitute a Class 1
50 misdemeanor.

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

58 (f) With the exception of subsections (d) and (e), the
59 provisions of this section shall not be applicable to a guide dog,
60 hearing dog or service dog trained to accompany a person with a
61 disability while being accompanied by such person, or to any dog or
62 horse in the custody or control of a law enforcement officer while
63 such officer is in the performance of his duties.

64 (g) For purposes of this section, the term "animal" shall be
65 deemed to include, but not be limited to, any mammal, bird, or
66 reptile.

67 Adopted by the Council of the City of Virginia Beach, Virginia
68 on the 4th day of May, 1993.

69 CA-5062
70 \ORDIN\PROPOSED\06-005.PRO
71 R-4
72 PREPARED: April 7, 1993

APPROVED AS TO CONTENT:


James B. Ricketts
Department of Convention
and Visitor Development