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**A Resolution Adopting Revisions to Section 28-32 of the
Pender County Code of Ordinances Related to the Regulation of Animals in Parks**

WHEREAS, the Pender County Code of Ordinances, Section 28-32 provides that it is unlawful to bring pets/horses/animals in a County park except for service animals and further provides that it is unlawful to dispose of or release waterfowl, deer, rabbits, or other pets/ animals in a County park; and

WHEREAS, the Pender County Parks and Recreation Advisory Board has recommended that the Board of Commissioners adopt revisions to Chapter 28, Section 28-32, permitting any person to enter a park with a leashed canine and permitting canines to be unleashed in park areas that are designated as off-leash dog park.

**NOW, THEREFORE, THE PENDER COUNTY BOARD OF COMMISSIONERS
RESOLVES THAT:**

1. Section 28-32 of the Pender County Code of Ordinances shall be, and the same is hereby revised to read as follows:

- (a) It is unlawful to bring pets/horses/animals in the park except for service animals. It shall be unlawful for any person to intentionally allow any animal owned by them or in their custody or control to enter a park or park area, except as authorized by this section, including the disposal or releasing of any animal in a park or park area.
- (b) It shall be unlawful to dispose of or release waterfowl, deer, rabbits, or other pets/animals in the park. Domesticated dogs (*canis lupus familiaris*) are authorized to enter a park or park area subject to the following requirements:
 1. The dog shall be restrained by a leash of no greater than six (6) feet in length and under the control of a human handler;
 2. The dog shall not be allowed to enter into any athletic field or facility, playground facility, or indoor park facilities;
 3. The human handler shall immediately collect any feces left by the dog and deposit it into a trash receptacle or remove it from the park or park area;
 4. The dog shall be vaccinated against rabies (hydrophobia) as required pursuant to Section 6-61 of the Code and wear a vaccination tag on a collar or harness as required pursuant to Section 6-62 of the Code.

(c) Exceptions.

1. The prohibition in subsection (a) of this section on animals entering a park or park area and the requirements and prohibitions of subsection (b)(1) and (b)(2) of this section shall not apply to a dog that is in service to a person who has a *bona fide* disability and is wearing a vest, harness, or other apparatus displaying the words "Service Animal;"
2. This section does not apply to a dog that is in service to a law enforcement officer.
3. The requirement in subdivision (b)(1) of this section to restrain a dog by leash while in a park or park area does not apply to any park area that is designated as an off-leash dog park area.

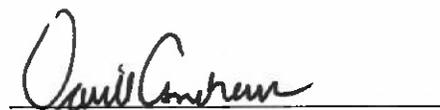
(d) Enforcement; Penalties.

1. A violation of this section is a misdemeanor as provided by G.S. 14-4, punishable by a fine in excess of fifty dollars (\$50.00), but not more than hundred dollars (\$500.00).
2. In addition to criminal penalties the prohibitions and requirements of this section may be enforced by civil remedies, including civil penalties in excess of fifty dollars (\$50.00), but not more than five hundred dollars (\$500.00) which the County may recover in a civil action in the nature of debt if the offender does not pay the penalty within a prescribed period of time after the offender has been cited for violation of the provisions of this section.
3. In addition to the criminal and civil penalties provided in this section, the County may enforce the provisions of this section by an appropriate equitable remedy issuing from a court of competent jurisdiction, including a mandatory or prohibitory injunction and order of abatement.

Adopted by the Pender County Board of Commissioners this the 5 day of ~~February~~ 2024.


Brad George,
Chair of the Board of Commissioners

ATTEST:


David Andrews,
Clerk to the Board of Commissioners