



Ordinance #2024-08-12-2

**AN ORDINANCE TO AMEND THE TOWN OF LANDIS
CODE OF ORDINANCES, CHAPTER 90, ANIMALS,
TO INCLUDE SECTION 90.113, PUBLIC NUISANCE,
CONTROL OF DOMESTIC ANIMAL FECES**

WHEREAS, the North Carolina Legislature has, through Article 8 of Chapter 160A-174 of the North Carolina General Statutes, delegated to municipalities the power to regulate by ordinance acts, omissions, or conditions detrimental to the health, safety, and welfare of its citizens and the peace and dignity of the Town; and

WHEREAS, the Town of Landis Board of Aldermen, pursuant to their authority granted under Article 8 of Chapter 160A-174 of the North Carolina General Statutes, enacted an Animal Ordinance to regulate acts, omissions, and conditions detrimental to the health, safety, and welfare of its citizens and the peace and dignity of the Town; and

WHEREAS, the Town of Landis Board of Aldermen wish to amend the Animal Ordinance to address concerns of the public health, safety, and welfare and in furtherance thereof hereby addresses animal waste removal on public and private property by amending Chapter 90, Animals, to include section 90.113, Public Nuisance, entitled Control of Domestic Animal Feces.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LANDIS BOARD
OF ALDERMEN THAT:**

1) This Chapter 90, of the Town of Landis Code of Ordinances is hereby amended to include:

§ 90.113 CONTROL OF DOMESTIC ANIMAL FECES.

A) It shall be unlawful for the owner or custodian of any domestic animal to take it off the owner's own property limits without the means to properly remove and dispose of the domestic animal's feces from any public or private property.

B) It is the responsibility of a domestic animal's owner or custodian to clean up the domestic animal's feces from any public or private property outside of the domestic animals' owner's own property limits. Such property includes, but is not limited to, parks, rights-of-way, paths, and public access areas.

C) "Means to properly remove and dispose of feces" shall consist of having on or near one's person a device such as a plastic bag, or other suitable plastic or paper container, that can be used to fully clean up and contain domestic animal's waste until it can be disposed of in an appropriate

container. Such a device must be shown, upon request, to anyone authorized to enforce this chapter.

D) This provision shall not apply to handicapped persons assisted by trained guide or assistance domestic animals.

E) Any offender found to be in violation of § 90.113 shall be charged a civil penalty in the amount of \$50.00 for the first offense, and \$100.00 for each subsequent offense for violation of said section.

F) Any court costs in which a violation is judged to have occurred will be borne by the owner of the domestic animal.

G) For the purpose of this Ordinance, a domestic animal is considered any animal that has been tamed and genetically adapted over generations to live with humans. Examples of domesticated animals include, but are not limited to dogs, cats, horses, birds, rabbits, etc.

This ordinance shall be effective upon adoption.

Adopted this 12th day of August 2024.

By: _____
Meredith Bare Smith, Mayor

ATTEST:

Madison Stegall, Town Clerk

APPROVED AS TO FORM:

Rick Locklear, Town Attorney