

**ORDINANCE ESTABLISHING THE PROHIBITION  
OF ANIMALS IN TOWN-OWNED BUILDINGS**

**WHEREAS**, the Town of Mills River is committed to maintaining the health, safety, and welfare of its residents, employees, and visitors; and

**WHEREAS**, it is necessary to establish clear guidelines regarding the presence of animals in Town-owned buildings to ensure a clean and safe environment for all; and

**WHEREAS**, certain exceptions are deemed appropriate, including for parks facilities, as well as leased properties where lease agreements specifically allow for the presence of animals; and

**WHEREAS**, the Town is establishing a new chapter titled "Town-Owned Property and Facilities" within Title IX: General Regulations in the town code to contain these rules and regulations;

**NOW, THEREFORE BE IT ORDAINED** by the Town Council of the Town of Mills River, North Carolina that the following ordinance is adopted:

**Section 1. Purpose and Scope (§91.001)**

The purpose of this ordinance is to maintain public health, safety, and welfare by prohibiting animals in town-owned buildings, with certain exceptions as outlined herein. This is intended to minimize the occurrence of offensive odors, excretion, fleas, biological agents, etc., in Town-owned buildings, where these or the animal itself may cause health hazards or other concerns to employees and the public or could interfere with the quality of service provided to the citizens of the Town of Mills River.

The ordinance applies to dogs, cats, gerbils, mice, rats and other mammals; snakes, lizards and other reptiles; canaries, parrots, parakeets and other birds, but is also applicable to other animals which are likely to create similar health hazards, concerns, and/or nuisances.

**Section 2. Definitions (§91.002)**

For the purposes of this ordinance, the following terms shall have the meanings set forth below:

**Animal:** Any living creature, excluding humans, including but not limited to mammals, birds, fish, reptiles, and insects.

**Town-Owned Building:** Any structure or facility owned, leased, or controlled by the Town of Mills River.

**Service Animal:** As defined by the Americans with Disabilities Act (ADA), a service animal is a dog or miniature horse that is individually trained to do work or perform tasks for a person with a disability.

**Parks Facilities:** All outdoor and indoor facilities maintained by the Town of Mills River for parks use, including but not limited to parks, playgrounds, and associated restrooms.

**Section 3: Prohibition (§91.003)**

Except as provided in Section 4 of this ordinance, no person shall bring or allow any animal to enter or remain within any town-owned building.

**Section 4: Exceptions (§91.004)**

- a. **Service Animals:** Service animals, as defined by the ADA, accompanying persons with disabilities.
- b. **Law Enforcement Animals:** Animals used by law enforcement agencies in the performance of their duties.
- c. **Special Events:** Animals that are part of events approved by the town where animals are specifically permitted.
- d. **Wildlife:** Animals under the care or control of a licensed wildlife rehabilitator or similar organization, with prior written approval from the town.
- e. **Parks Facilities:** This ordinance does not apply to outdoor Parks Facilities or other outdoor spaces, such as covered facilities and restrooms, owned or managed by the Town of Mills River. The presence of animals in these areas is governed by applicable local ordinances and park regulations.
- f. **Leased Property:** Animals may be allowed in leased properties if the lease agreement specifically permits the presence of animals. The Town Manager must review and approve any such exemptions.
- g. **Other Exceptions:** Any other exceptions as approved in writing by the Town Manager or their designee.

**Section 5: Enforcement (§91.005)**

Town officials, employees, and agents are responsible for ordinance enforcement. Signage shall be placed at the entrances of town-owned buildings to notify the public of the prohibition of animals.

**Section 6: Penalties (§91.006)**

Any person who violates this ordinance may be subject to a fine of \$50 per violation. Each day that a violation continues shall constitute a separate offense.

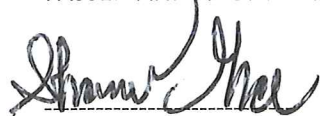
**Section 7: Severability**

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

**Section 8: Effective Date**

This ordinance shall take effect immediately upon its passage and adoption.

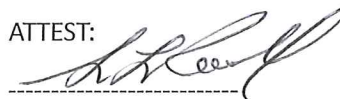
PASSED AND ADOPTED by the Town Council of Mills River, on this 12<sup>th</sup> of September, 2024



Shanon Gonce

Mayor, Town of Mills River

ATTEST:



Sue Powell,

Clerk, Town of Mills River

