

**AN ORDINANCE TO ADOPT SECTION 5-15 OF
THE WINCHESTER CITY CODE
PERTAINING TO PROHIBITION OF ANIMALS IN THE
FESTIVAL AREA DURING SPECIFIED EVENTS**

WHEREAS, §15.2-1102 of the Code of Virginia authorizes municipalities to enact laws necessary to protect the health, safety, and general welfare of its citizens; and

WHEREAS, the Apple Blossom Festival and other events in the downtown mall area cause high volumes of pedestrian traffic to traverse the downtown mall area; and

WHEREAS, the Chief of Police has asserted and Council believes that pets and other animals entering these areas during the Apple Blossom Festival and other events pose a danger to the animals and the attendees of the events; and

WHEREAS, the Chief of Police has expressed and Council believes that the restriction of these animals from entering the downtown mall area during specified events is necessary in order to preserve the public health, safety, and welfare during these events.

WHEREAS, the Chief of Police has proposed that the adoption of Section 5-15 of the City Code is necessary to protect the health, safety, and general welfare of citizens of the City of Winchester during specified events in the downtown mall area.

NOW THEREFORE BE IT ORDAINED, that Section 5-15 of the Winchester City Code is hereby adopted as follows:

SECTION 5-15. ANIMALS PROHIBITED IN FESTIVAL AREA DURING SPECIFIED EVENTS

- A. In furtherance of the protection of public safety, the Chief of Police may prohibit animals from entering designated areas on the "Downtown Mall" (which is defined as the area North of Cork Street, south of Fairfax, east of Braddock and west of Cameron St. inclusive of the named streets) during festivals and events wherein it is determined by the Chief that the high volume of pedestrians attending the event may be endangered by the presence of animals or where it is believed that the animal could suffer injury due to the high volume of attendees.
- B. Two weeks prior to imposing the restrictions, the Chief of Police shall publish, in a paper of general readership within the City, a Notice identifying the dates, times, and location of the restriction. During the event, the Chief shall have posted signs clearly identifying the boundaries and restrictions imposed pursuant to this section.
- C. This section shall not apply to service animals or vendors who have obtained written authorization from the Chief of Police to have animals in the designated area during the restriction period.
- D. Residents living within the designated area shall be permitted to walk their animals to and from their residence during periods of restriction, and may be required to show proof of residency while walking their animals through designated areas.