

ORDINANCE NO. 7A-8

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, ANIMALS AND FOWL, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, DOGS.

BE IT ORDAINED by the Board of Supervisors of the County of James City that the Code of the County be amended and reordained by amending Chapter 3 as follows:

ADOPTED

NOV 19 1984

ANIMALS AND FOWL

**BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA**

Article II. Dogs.

Sec. 3-3. Vaccination of dogs; license of dogs.

(a) It shall be unlawful for any person to own, keep, hold or harbor any dog over the age of six (6) months within the County, unless such dog shall have been vaccinated by a licensed veterinarian with a modified live virus rabies vaccine approved by the state department of health within a period of thirty-six (36) months or with a killed rabies vaccine approved by the state department of health within a period of twelve (12) months. If, however, such vaccination would threaten the physical well being of such dog, the owner of such dog shall obtain a certificate, signed by a licensed veterinarian, certifying such fact, and the owner shall keep such dog in quarantine until the same is vaccinated.

(b) Any person transporting a dog into the County from some other jurisdiction shall comply with the requirements of subsection (a) of this section within thirty (30) days subsequent to bringing such dog into the county.

(c) A veterinarian vaccinating a dog as required by this section shall issue to the owner of the dog a certificate of vaccination showing:

- (1) Date of vaccination;
- (2) Sex and breed of the dog;
- (3) The dog's weight, color and marks;
- (4) Rabies tag number;
- (5) Name of the owner;
- (6) Amount and kind of vaccine injection; and
- (7) Method of injection.

(d) Every owner or custodian of a dog over the age of six (6) months owned, possessed or kept in the County of James City shall obtain a dog license by making oral or written application with the county treasurer, or his designee.

(e) Each application shall be accompanied by the amount of license tax and a certificate of vaccination.

Sec. 3-5. Annual tax imposed on dogs and kennels; amount of tax, when and where payable.

There is hereby imposed an annual dog license tax upon all dogs over the age of six (6) months which are owned, possessed or kept in the county, as follows:

All dogs regardless of sex	\$ 4.00
Kennel for up to 10 dogs	10.00
Kennel for 11 to 20	15.00
Kennel for over 20 dogs	25.00
Duplicate for lost tag	1.00

The tax shall be payable to the county treasurer by January 1st of each year.

EXCEPTION: While tags shall be worn by all dogs over the age of six (6) months, as provided in section 3-4 of this article, there shall be no charge for the tag of any dog that is trained and serves

as a guide dog for a blind person or that is trained and serves as a hearing dog for a deaf or hearing impaired person. As used in this section, "hearing dog" means a dog trained to alert its owner by touch to sounds of danger and sounds to which the owner should respond.

Sec. 3-7. Running at large prohibited April 15th through July 15th; violations.

(a) Dogs are prohibited from running at large in the county in each calendar year during the period from April 15th to July 15th. During this time all dogs shall be kept on a leash or under direct control of the owner or custodian to insure that the dog is not roaming, running or self-hunting off the property of the owner or custodian.

(b) Any dog observed or captured during this restriction period, without proper identification, shall be disposed of in accordance with sections 3-10 and 3-11.

(c) Any dog identified as to ownership or custodianship: If such dog can be captured, the owner shall reimburse the county at the rate of four dollars (\$4.00) per day for impoundment, and a fine of not less than fifteen dollars (\$15.00) nor more than fifty dollars (\$50.00). Owners of dogs not impounded shall be issued a warrant for violation of this provision, and each day thereafter that this section is not complied with shall constitute a separate offense.

Sec. 3-9. Enforcement of dog laws; dog warden and deputies.

In accordance with Section 29-213.73 of the Code of Virginia, the enforcement of the dog laws for this county, and the enforcement of this article is vested in a dog warden and deputy dog warden, who shall be appointed pursuant to Section 29-213.73 of the Code of Virginia.

Sec. 3-10. Impoundment and redemption of dogs not wearing tags.

The dog warden and other officials appointed under the provisions of this article are hereby required to impound any dog not wearing a collar with a current dog license tag securely attached thereto as prescribed by section 3-6 or any dog in violation of section 3-7. Such dogs shall be impounded in a dog pound designated by the board of supervisors for a period of five (5) days, such period to commence on the day immediately following the day the dog is initially confined in the facility, unless sooner claimed by the owner thereof. During this five-day period, the dog may be returned to its owner or custodian, upon proof of ownership, purchase of dog tag and display of certificate of vaccination. A charge of four dollars (\$4.00) per day for boarding the dog shall be paid by the owner to the treasurer before the dog may be released.

Article III. Rabies Regulations

Sec. 3-18. Report of existence of rabid animal.

Every person having knowledge of the existence of an animal apparently afflicted with rabies shall report immediately to the health department the existence of such animal, the place where seen, the owner's name, if known, and the symptoms suggesting rabies.

Sec. 3-19. Emergency ordinance requiring confinement or restraint of dogs and cats when rabid animal at large.

When there is sufficient reason to believe that a rabid animal is at large, the board of supervisors shall have the power to pass an emergency ordinance, which shall become effective immediately upon passage, requiring owners of all dogs and cats in the county to keep the same confined on their premises, unless leashed under restraint of the owner in such a manner that persons or animals will not be subject to the danger of being bitten thereby. Any emergency ordinance enacted pursuant to the provisions of this section shall be operative for a period not to exceed thirty (30) days, unless renewed by the board of supervisors.

Sec. 3-20. Confinement or destruction of dogs or cats showing signs of, or suspected of having, rabies.

Dogs or cats showing active signs of rabies or suspected of having rabies shall be confined under competent observation for such a time as may be necessary to determine a diagnosis. If confinement is impossible or impracticable, such dog or cat shall be euthanized by one of the methods prescribed or approved by the state veterinarian.

Sec. 3-21. Destruction or confinement of dog or cat bitten by rabid animal.

Any dog or cat for which no proof of current rabies vaccination is available, and which is bitten by an animal believed to be afflicted with rabies shall be confined in a pound, kennel or enclosure approved by the health department for a period not to exceed six (6) months, at the expense of the owner; however, if this is not feasible, the dog or cat shall be euthanized by one of the methods approved by the state veterinarian. A rabies vaccination shall be administered at the beginning of confinement. Any dog or cat so bitten, with proof of a valid rabies vaccination, shall be revaccinated immediately after the bite and shall be confined to the premises of the owner, or other site as may be approved by the health department, for a period of ninety (90) days.

Sec. 3-21. Confinement or destruction of animal which has bitten person.

At the direction of the director of health, any animal which has bitten a person shall be confined under competent observation for ten (10) days, unless the animal develops active symptoms of rabies or expires before that time; provided, that a seriously injured or sick animal may be humanely euthanized as provided by Section 5-103 and its head sent to the health department for evaluation.

Sec. 3-22. Unlawful acts; penalties.

The following shall be unlawful and be punishable by fines of up to one hundred dollars (\$100.00):

- (1) License application. For any person to make a false statement in order to secure a dog license to which he is not entitled.
- (2) License tax. For any dog owner to fail to pay the license tax required by this chapter before February 1st for the year in which it is due. In addition, the court may order confiscation and the proper disposition of the dog.
- (3) Dead animals or fowl. For any owner to fail to dispose of the body of his animal or fowl in violation of section 3-2.
- (4) Diseased dogs. For the owner of any dog with a contagious or infectious disease to permit such dog to stray from his premises if such disease is known to the owner.

- (5) Removing collar and tag. For any person, except the owner or custodian, to remove the legally acquired license tag from a dog.
- (6) Concealing a dog. For any person to conceal or harbor any dog on which the license tax has not been paid, or to conceal a mad or vicious dog to keep the same from being killed.
- (7) Roaming at large. For the owner or custodian of any dog to permit such animal to roam at large in violation of section 3-8.
- (8) Rabies vaccination. For any dog owner to fail to have a current rabies vaccination certificate.
- (9) Rabies regulations. For any person to fail to obey Sections 3-18 through 3-21.

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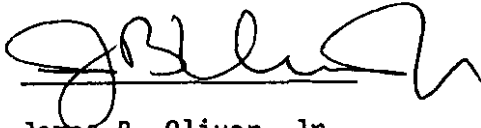


Stewart U. Taylor, Chairman

Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
BROWN	AYE
DEPUE	AYE
EDWARDS	AYE
MAHONE	NAY
TAYLOR	NAY

Attest:



James B. Oliver, Jr.

Clerk to the Board

Adopted by the Board of Supervisors of James City County,
Virginia this 19th day of November, 1984.