

JUL 7 1986

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, ANIMALS AND FOWL, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE II, DOGS, SECTION 3-3. VACCINATION OF DOGS; LICENSE OF DOGS; AND SECTION 3-13.1. COMPENSATION FOR LIVESTOCK AND POULTRY KILLED BY DOGS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 3, Animals and Fowl, is hereby amended and reordained by amending Section 3-3. Vaccination of dogs; license of dogs; and Section 3-13.1. Compensation for livestock and poultry killed by dogs.

Chapter 3. Animals and Fowl

Article II. Dogs

Section 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.

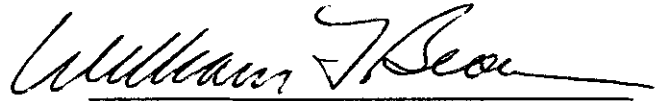
(d) Every owner or custodian of a dog over the age of six (6) months owned, possessed or kept in the County of James City shall obtain a dog license by making oral or written application with the county treasurer, or his designee.

(e) Each application shall be accompanied by the amount of license tax and a certificate of vaccination which will not expire during the license period.

Section 3-13.1. Compensation for livestock and poultry killed by dogs.

Any person who has any livestock or poultry killed or injured by any dog not his own shall be entitled to receive as compensation the fair market value of such livestock or poultry not to exceed \$400.00 per animal or fowl, provided that: (i) the claimant has furnished evidence within sixty (60) days of discovery of the quantity and value of the dead or injured livestock and the reasons the claimant believes that death or injury was caused by a dog; (ii) the animal warden or other officer shall have been notified of the incident within seventy-two (72) hours of its discovery; and (iii) the claimant first has exhausted his legal remedies against the owner, if known, of the dog doing the damage for which compensation under this section is sought. Exhaustion shall mean a judgment against the owner of the dog upon which an execution has been returned unsatisfied.

If there are not sufficient monies in the dog pound to pay these claims, they shall be paid in the order they are received when monies become available. Upon payment under this section, James City County shall be subrogated to the extent of compensation paid to the right of action to the owner of the livestock or poultry against the owner of the dog and may enforce the same in an appropriate action at law.



William F. Brown, Chairman
Board of Supervisors

ATTEST:



James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia,
this 7th day of July, 1986.

0158U

<u>SUPERVISOR</u>	<u>VOTE</u>
BROWN	AYE
DEPUE	AYE
MAHONE	AYE
TAYLOR	AYE
Edwards	Absent