

## **ORDINANCE NO. 14-4(1)**

AN ORDINANCE TO AMEND CHAPTER 4, ANIMALS AND FOWL, ARTICLE 1, IN GENERAL, ARTICLE II, DOGS, DIVISION 1, IN GENERAL, DIVISION 2, LICENSES, ARTICLE III, IMPOUNDMENT, AND ARTICLE IV, RABIES CONTROL, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 4, Animals and Fowl, Article I, In General, Article II, Dogs, Division I, In General, Division 2, Licenses, Article III, Impoundment, and Article IV, Rabies control, is hereby amended and reordained as follows:

### **By Amending:**

<b>Sec. 4-100</b>	<b>Definitions</b>
<b>Sec. 4-105</b>	<b>Care of companion animals; penalty</b>
<b>Sec. 4-106</b>	<b>Noise from animals; penalty</b>
<b>Sec. 4-107</b>	<b>Abandonment of animal; penalty</b>
<b>Sec. 4-201</b>	<b>Dogs killing, injuring or chasing livestock or poultry--Generally</b>
<b>Sec. 4-202</b>	<b>Compensation for livestock and poultry killed by dogs</b>
<b>Sec. 4-209</b>	<b>Amount of license tax</b>
<b>Sec. 4-302</b>	<b>Dogs killing, injuring or chasing livestock or poultry—Impoundment and disposition</b>
<b>Sec. 4-303</b>	<b>Disposition of unlicensed dogs; running at large</b>
<b>Sec. 4-401</b>	<b>Rabid animals</b>
<b>Sec. 4-403</b>	<b>Inoculation for rabies at animal shelters</b>

## **CHAPTER 4. ANIMALS AND FOWL**

### **ARTICLE I. IN GENERAL**

#### **4-100 Definitions**

The following words as used in this chapter shall have the following meanings:

(1) *Abandon*. The term "abandon" means to desert, forsake, or absolutely give up an animal without having secured another owner or custodian for the animal or by failing to provide the elements of basic care as set forth in Virginia Code § 3.2-6503 for a period of five (5) consecutive days.

(2) *Adequate care or care*. The term "adequate care" or "care" means the responsible practice of good animal husbandry, handling, production, management, confinement, feeding, watering, protection, shelter, transportation, treatment, and, when necessary, euthanasia, appropriate for the age, species, condition, size and type of the animal and the provision of veterinary care when needed to prevent suffering or impairment of health.

(3) *Adequate exercise*. The term "adequate exercise" or "exercise" means the opportunity for the animal to move sufficiently to maintain normal muscle tone and mass for the age, species, size, and condition of the animal.

(4) *Adequate feed*. The term "adequate feed" means access to and the provision of food which is of sufficient quantity and nutritive value to maintain each animal in good health; is accessible to each animal; is prepared so as to permit ease of consumption for the age, species, condition, size and type of each animal; is provided in a clean and sanitary manner; is placed so as to minimize contamination by excrement and pests; and is provided at suitable intervals for the species, age, and condition of the animal, but at least once daily, except as prescribed by a veterinarian or as dictated by naturally occurring states of hibernation or fasting normal for the species.

(5) *Adequate shelter*. The term "adequate shelter" means provision of and access to shelter that is suitable for the species, age, condition, size, and type of each animal; provides adequate space for each

animal; is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; is properly lighted; is properly cleaned; enables each animal to be clean and dry, except when detrimental to the species; and, for dogs and cats, provides a solid surface, resting platform, pad, floormat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner. Under this chapter, shelters whose wire, grid, or slat floors (i) permit the animals' feet to pass through the openings, (ii) sag under the animals' weight, or (iii) otherwise do not protect the animals' feet or toes from injury are not adequate shelter. In addition, the following are also deemed to be inadequate shelters: (i) metal or plastic barrels, (ii) airline crates or carrying crates, (iii) dog houses with no floors.

(6) *Adequate space.* The term "adequate space" means sufficient space to allow each animal to (i) easily stand, sit, lie, turn about, and make all other normal body movements in a comfortable, normal position for the animal and (ii) interact safely with other animals in the enclosure. When an animal is tethered, "adequate space" means a tether that permits the above actions and is appropriate to the age and size of the animal; is attached to the animal by a properly applied collar, halter, or harness configured so as to protect the animal from injury and prevent the animal or tether from becoming entangled with other objects or animals, or from extending over an object or edge that could result in the strangulation or injury of the animal; and is at least five times the length of the animal, as measured from the tip of its nose to the base of its tail, and terminates at both ends with a swivel, and weights no more than 1/8 of the animal's weight, and if multiple animals, each animal shall be on its own tether, except when the animal is being walked on a leash or is attached by a tether to a lead line. When freedom of movement would endanger the animal, temporarily and appropriately restricting movement of the animal according to professionally accepted standards for the species is considered provision of adequate space. When an animal is on a pulley or running line, "adequate space" means a pulley or running line that permits the above actions and is appropriate to the age and size of the animal; is attached to the animal by a properly applied collar and is at least fifteen feet in length and less than seven feet above the ground and configured so as to protect the animal from injury, and prevent the line from becoming entangled with other objects or animals or resulting in strangulation or injury of the animal, and if multiple animals, each animal shall be on its own tether.

(7) *Adequate water.* The term "adequate water" means provision of and access to clean, fresh, potable water of a drinkable temperature which is provided in a suitable manner, in sufficient volume, and at suitable intervals, but at least once every twelve (12) hours, to maintain normal hydration for the age, species, condition, size and type of each animal, except as prescribed by a veterinarian or as dictated by naturally occurring states of hibernation or fasting normal for the species; and is provided in clean, durable receptacles which are accessible to each animal and are placed so as to minimize contamination of the water by excrement and pests or an alternative source of hydration consistent with generally accepted husbandry practices.

(8) *Adoption.* The term "adoption" means the transfer of ownership of a dog or cat, or any other companion animal, from a releasing agency to an individual.

(9) *Agricultural animals.* The term "agricultural animals" means all livestock and poultry.

(10) *Ambient temperature.* The term "ambient temperature" means the temperature surrounding the animal.

(11) *Animal.* The term "animal" means any nonhuman vertebrate species except fish. For the purposes of Article IV, Rabies Control, animal shall mean any species susceptible to rabies. For the purposes of section 4-109, animal shall mean any nonhuman vertebrate species including fish captured and killed or disposed of in a reasonable customary manner.

(12) *Animal control officer.* The term "animal control officer" means any person employed, contracted, or appointed by the Commonwealth or any political subdivision for the purpose of aiding in the enforcement of any other law or ordinance relating to the licensing of dogs, control of dogs and cats,

cruelty to animals, or seizure and impoundment of companion animals and includes any state or county police officer, animal control officer, sheriff or other employee whose duties in whole or in part include assignments which involve seizure or taking into custody of any dog or other animal.

(13) *Boarding establishment.* The term "boarding establishment" means a place or establishment other than a public or private animal shelter where companion animals not owned by the proprietor are sheltered, fed, and watered in exchange for a fee.

(14) *Clearly visible sign.* The term "clearly visible sign" means a sign that is (i) unobstructed from view, (ii) contains legible writing, and (iii) may be read by any person without assistance while standing ten feet away from the sign.

(15) *Collar.* The term "collar" means a well-fitted device, appropriate to the age and size of the animal, attached to the animal's neck in such a way as to prevent trauma or injury to the animal.

(16) *Commercial dog breeder.* The term "commercial dog breeder" means any person who, during any twelve (12) month period, maintains thirty (30) or more adult female dogs for the primary purpose of the sale of their offspring as companion animals.

(17) *Companion animal.* The term "companion animal" means any domestic or feral dog, domestic or feral cat, non-human primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, exotic or native bird, or any feral animal or any animal under the care, custody, or ownership of a person or any animal which is bought, sold, traded, or bartered by any person. Agricultural animals, game species, or any animals regulated under federal law as research animals shall not be considered companion animals for the purposes of this chapter.

(18) *Emergency veterinary treatment.* The term "emergency veterinary treatment" means veterinary treatment to stabilize a life-threatening condition, alleviate suffering, prevent further disease transmission, or prevent further disease progression.

(19) *Enclosure.* The term "enclosure" means a structure used to house or restrict animals from running at large.

(20) *Euthanasia.* The term "euthanasia" means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death or by a method that involves anesthesia, produced by an agent which causes painless loss of consciousness, and death during such loss of consciousness.

(21) *Foster care provider.* The term "foster care provider" means a person who provides care or rehabilitation for companion animals through an affiliation with a public or private animal shelter, home-based rescue, releasing agency, or other animal welfare organization.

(22) *Hearing dog.* The term "hearing dog" means a dog trained to alert its owner by touch to sounds of danger and sounds to which the owner should respond.

(23) *Injury to a person.* The term "injury to a person" means any superficial cut, scratch, scrape, or minor tear to the skin, or any bruise to bone or skin area resulting from an unfriendly encounter. An injury shall be presumed to have occurred when a dog knocks a person to the ground or tears that person's clothing or any possession on his or her person.

(24) *Kennel.* The term "kennel" means any establishment in which five (5) or more canines, felines, or hybrids of either are kept for the purposes of breeding, hunting, training, renting, buying, boarding, selling, or showing.

(25) *Leash.* The term "leash" means any rope, strap, chain, or other material not exceeding four (4) feet in length, being held in the hand of a person capable of controlling the dog to which it is attached.

(26) *Livestock*. The term "livestock" includes all domestic or domesticated: bovine animals; equine animals; ovine animals; porcine animals; cervidae animals; caprae animals; animals of the genus *Lama*; ratites; fish or shellfish in aquaculture facilities, as defined in Virginia Code § 3.2-2600; enclosed domesticated rabbits or hares raised for human food or fiber; or any other individual animal specifically raised for food or fiber, except companion animals.

(27) *Owner*. The term "owner" means any person who: (i) has a right of property in an animal, (ii) keeps or harbors an animal, (iii) has an animal in his care, or (iv) acts as a custodian of an animal.

(28) *Person*. The term "person" means any individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity.

(29) *Poultry*. The term "poultry" includes all domestic fowl and game birds raised in captivity.

(30) *Primary enclosure*. The term "primary enclosure" means any structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, cage, compartment, or hutch. For tethered animals, the term includes the shelter and the area within reach of the tether.

(31) *Private animal shelter*. The term "private animal shelter" means a facility that is used to house or contain animals and that is owned or operated by an incorporated, nonprofit, and nongovernmental entity, including a human society, animal welfare organization, society for the prevention of cruelty to animals, or any other organization operating for the purpose of finding permanent adoptive homes for animals.

(32) *Properly cleaned*. The term "properly cleaned" means that carcass, debris, food waste and excrement are removed from the primary enclosure with sufficient frequency to minimize the animals' contact with the above-mentioned contaminants; the primary enclosure is sanitized with sufficient frequency to minimize odors and the hazards of disease; and the primary enclosure is cleaned so as to prevent the animals confined therein from being directly or indirectly sprayed with the stream of water, or directly or indirectly exposed to hazardous chemicals or disinfectants.

(33) *Public animal shelter*. The term "public animal shelter" means a facility operated by the Commonwealth, or any locality, for the purpose of impounding or sheltering seized, stray, homeless, abandoned, unwanted, or surrendered animals or a facility operated for the same purpose under a contract with any locality.

(34) *Releasing agency*. The term "releasing agency" means (i) a public animal shelter or (ii) a private animal shelter, humane society, animal welfare organization, society for the prevention of cruelty to animals, or other similar entity or home-based rescue that releases companion animals for adoption.

(35) *Serious injury to a person*. The term "serious injury to a person" means any bodily injury for which medical attention was sought and obtained, having a reasonable potential to cause death, or any injury other than a strain or sprain which involves a serious laceration requiring stitches to more than one puncture wound, serious disfigurement, serious impairment of health, or serious impairment of bodily function, or which is serious in the opinion of a licensed physician.

(36) *Service dog*. The term "service dog" means a dog trained to do work or perform tasks for the benefit of a mobility-impaired or otherwise disabled person. The work or tasks performed by a service dog shall be directly related to the individual's disability or disorder. Examples of work or tasks include providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting an individual to the presence of allergens, retrieving items, carrying items, providing physical support and assistance with balance and stability, and preventing or interrupting impulsive or destructive behaviors. The provision of emotional support, well-being, comfort, or companionship shall not constitute work or tasks for the purpose of this definition.

(37) *Sterilize or sterilization.* The term "sterilize" or "sterilization" means a surgical or chemical procedure performed by a licensed veterinarian that renders a dog or cat permanently incapable of reproducing.

(38) *Treatment or adequate treatment.* The term "treatment" or "adequate treatment" means the responsible handling or transportation of animals in the person's ownership, custody or charge, appropriate for the age, species, condition, size and type of the animal. When any such animal is being transported in an open-bed truck or similar vehicle, such carrier shall be secured to the vehicle so as to be immovable, and shall permit normal postural movements of the animal. The following shall not be deemed "adequate treatment": (i) tethering of a dog six months old or younger; (ii) the tying up or tethering of a female dog in heat; (iii) transporting an animal in the back of an open-bed truck or similar vehicle in an unsecured carrier and/or tethered to a collar.

(39) *Veterinary treatment.* The term "veterinary treatment" means treatment by or on the order of a duly licensed veterinarian.

(Code 1967, § 4-4; 4-13-88; Code 1988, § 4-4; Ord. 98-A(1), 8-5-98; Ord. 09-4(1), 7-8-09; Ord. 11-4(1), 2-2-11; Ord. 13-4(1), 7-3-13)

State law reference—Va. Code §§ 3.2-6500, 6528.

#### **4-105 Care of companion animals; penalty**

A. Each owner shall provide the following for his companion animal:

1. Adequate feed;
2. Adequate water;
3. Adequate shelter that is properly cleaned;
4. Adequate space in the primary enclosure for the particular type of animal depending upon its age, size, species, and weight;
5. Adequate exercise;
6. Adequate care, treatment, and transportation; and
7. Veterinary care when needed or to prevent suffering or disease transmission.

The provisions of this section shall also apply to every public or private animal shelter, or other releasing agency, and every foster care provider, dealer, pet shop, exhibitor, kennel, groomer, and boarding establishment. This section shall not require that animals used as food for other animals be euthanized.

B. Violation of this section is a Class 4 misdemeanor. A second or subsequent violation of subdivision A1, A2, A3, or A7 is a Class 2 misdemeanor and a second or subsequent violation of subdivision A4, A5, or A6 is a Class 3 misdemeanor.

(Ord. 09-4(1), 7-8-09; Ord. 10-4(1), 9-1-10)

State law reference—Va. Code § 3.2-6503.

#### **4-106 Noise from animals; penalty.**

A. *Noise from animals.* It shall be unlawful and shall be a nuisance for an owner or custodian of an animal to harbor or keep any animal within the county which frequently or for a continued duration howls, barks or makes other excessive, continuous or untimely sounds which are audible on the property of a complainant in the county; provided however, this section shall not apply to any animal located on property zoned Rural Areas District of five (5) acres or more, to any animal in a public or private animal shelter or commercial kennel as defined in chapter 18 of the zoning ordinance, or to sounds caused by livestock or poultry. For the purposes of this section, "excessive, continuous or untimely

sounds” shall mean any howling, barking or other animal noise which continues for thirty (30) consecutive minutes or more with no cessation of such sounds for time periods greater than five (5) minutes during the thirty (30) consecutive minutes.

B. *Complaints of animal noise.* Notwithstanding section 4-101 of this Code, no person shall be charged with a violation of this section unless the complainant appears before a magistrate and requests a summons to be issued. However, when a violation is committed in the presence of an animal control officer or police officer, he shall have the authority to initiate all necessary proceedings.

C. *Penalty for violation.* A violation of this section shall be punishable as a class 3 misdemeanor, and any owner or custodian of an animal found guilty under this section shall be required to abate the disturbance. Upon a third conviction within twelve (12) months of any offense under this section involving the same animal, in addition to imposing a fine, the court shall order the animal to be removed from any area of the county covered by this section. If the owner or custodian of the animal fails to comply with such order within two (2) weeks, the animal control officer shall seize the animal and offer the animal to a public or private animal shelter for adoption in a home outside of the area of the county covered by this section.

(Ord. 08-4(1), 6-11-08, § 4-601, § 4-602, §4-603; Ord. 09-4(1), 7-8-09)

#### **4-107 Abandonment of animal; penalty.**

No person shall abandon or dump any animal. Violation of this section shall be punishable as a class 3 misdemeanor. Nothing in this section shall be construed to prohibit the release of an animal by its owner to a public or private animal shelter, or other releasing agency.

(Ord. 09-4(1), 7-8-09)

State law reference—Va. Code § 3.2-6504.

## **ARTICLE II. DOGS**

### **DIVISION 1. IN GENERAL**

#### **Sec. 4-201 Dogs killing, injuring or chasing livestock or poultry--Generally.**

A. It shall be the duty of any animal control officer who may find a dog in the act of killing or injuring livestock or poultry to seize or kill such dog forthwith, whether such dog bears a tag or not. Any person finding a dog committing any of the depredations mentioned in this section shall have the right to kill such dog on sight, as shall any owner of livestock or his agent finding a dog chasing livestock on land utilized by the livestock when the circumstances show that such chasing is harmful to the livestock. Any court shall have the power to order the animal control officer or other officer to kill any dog known to be a confirmed livestock or poultry killer, and any dog killing poultry for the third time shall be considered a confirmed poultry killer. The court, through its contempt powers, may compel the owner, custodian, or harbinger of the dog to produce the dog.

(Code 1967, § 4-9; 4-13-88; Code 1988, § 4-9; Ord. 98-A(1), 8-5-98, § 4-203; Ord. 09-4(1), 7-8-09)

State law reference--Va. Code § 3.2-6552.

#### **Sec. 4-202 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 seven hundred and fifty dollars (\$750) per animal or ten dollars (\$10.00) per fowl if: (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 control officer 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.

Ord. 09-4(1), 7-8-09)

State law reference—Va. Code § 3.2-6553.

## **DIVISION 2. LICENSES**

### **4-209 Amount of license tax.**

A. Dog license taxes shall be as follows:

1. *Spayed Female/Neutered Male.*  
One year tag: Five dollars (\$5.00)  
Two year tag: Ten dollars (\$10.00)  
Three year tag: Fifteen dollars (\$15.00)
2. *Unspayed Female/Unneutered Male.*  
One year tag: Ten dollars (\$10.00)  
Two year tag: Twenty dollars (\$20.00)  
Three year tag: Thirty dollars (\$30.00)
3. *Kennel license.* Fifty dollars (\$50.00) per block of ten dogs

B. No license tax shall be levied on 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, or any dog that is trained and serves as a service dog for a mobility-impaired or otherwise disabled person.

(Code 1967, § 4-20; 12-20-73; 80-11-76; 2-13-85; 4-13-88; Code 1988, § 4-23; Ord. 98-A(1), 8-5-98, § 4-303; Ord. 08-4(2), 9-3-08, § 4-304; Ord. 09-4(1), 7-8-09)

State law reference-- Va. Code § 3.2-6528.

## **ARTICLE III. IMPOUNDMENT**

### **4-302 Dogs killing, injuring or chasing livestock or poultry--Impoundment and disposition.**

In the event any animal control officer or other person has reason to believe that any dog is killing livestock or committing any of the depredations mentioned in section 4-201, and a warrant or summons is issued by a magistrate of the county, as set out in section 4-201, the alleged killer dog may be seized or impounded by the animal control officer until such time as the owner or custodian thereof shall provide evidence of the adequate provisions to be made to protect livestock or poultry from such dog, which provisions may include, but not be limited to, securing of such dog on the premises of the owner or custodian, with defined limitations of access. Any dog released under such conditions shall be kept under such securing provisions, and any person failing to keep such dog so secured shall be deemed in violation of this section. The owner or custodian redeeming such dog from impoundment as provided above shall also furnish the license(s) and pay the fee(s) as provided by sections 4-205 and 4-208, respectively. If the court finds such dog is not a livestock killer or has not committed any of the depredations mentioned in section 4-201, any dog not re-deemed within ten (10) days of disposition of the original charge by the

court shall be dealt with by the animal control officer in the same manner as provided for the disposition of unlicensed dogs in section 4-303.

(5-2-79; 4-13-88; Code 1988, § 4-9.1; Ord. 98-A(1), 8-5-98, § 4-204; Ord. 09-4(1), 7-8-09)

#### **4-303 Disposition of unlicensed dogs; running at large.**

A. The animal control officer shall have the authority to capture, euthanize or turn over to a public or private animal shelter any dog of unknown ownership found running at large on which the license tax has not been paid.

B. Any dog captured and confined pursuant to this section, shall be kept for a period of not less than five (5) days, such period to commence on the day immediately following the day the animal is initially confined in a public or private animal shelter or facility, unless sooner claimed by the rightful owner thereof. The animal control officer and/or the operator of the public or private animal shelter shall make a reasonable effort to ascertain whether the dog has a collar, tag, license, tattoo, or other form of identification. If such identification is found on the dog, the dog shall be held for an additional five (5) days, unless sooner claimed by the rightful owner. If the rightful owner of the animal can be readily identified, the animal control officer and/or the public or private animal shelter shall make a reasonable effort to notify the owner of the dog's confinement within the next forty-eight (48) hours following its confinement.

If any dog confined pursuant to this section is claimed by its rightful owner, such owner may be charged with the actual expenses incurred in keeping the animal impounded.

If the dog confined pursuant to this section has not been claimed upon expiration of the appropriate holding period as set-forth above, it shall be deemed abandoned and become the property of the county or the public or private animal shelter.

Following the appropriate holding period set forth above, the animal control officer or other officer may deliver such dog to any person in the county who will pay the required license fee on such dog, with the understanding that should the legal owner thereafter claim the dog and prove his ownership, he may recover such dog by paying to the person to whom it was delivered by the animal control officer the amount of the license fee paid by him and a reasonable charge for the keep of the dog while in his possession.

Any person, animal control officer or other officer euthanizing a dog under this chapter shall cremate, bury or sanitarily dispose of the same. Prior to disposition by euthanasia or otherwise, all the provisions of Virginia Code § 3.2-6563 shall have been complied with.

C. All drugs and drug administering equipment used by animal control officers or other officers to capture dogs pursuant to this section shall have been approved by the state veterinarian.

(Code 1967, § 4-10; 8-11-76; 4-13-88; Code 1988, § 4-10; Ord. 98-A(1), 8-5-98, § 4-205; Ord. 09-4(1), 7-8-09)

**State law reference** - Va. Code §§ 3.2-6546 (c); 3.2-6562.

### **ARTICLE IV. RABIES CONTROL**

#### **4-401 Rabid animals.**

Any dogs or cats showing active signs of rabies or suspected of having rabies that is not known to have exposed a person, companion animal, or livestock to rabies shall be confined under competent observation for such a time as may be necessary to determine a diagnosis. If, in the discretion of the director of the Charlottesville/Albemarle Health Department, confinement is impossible or impracticable, such dog or cat shall be euthanized by one of the methods approved by the state veterinarian as provided



in Virginia Code § 3.2-6546. The disposition of other animals showing active signs of rabies shall be determined by the director of the Charlottesville/Albemarle Health Department and may include euthanasia and testing.

Every person having knowledge of the existence of an animal that is suspected to be rabid and that may have exposed a person, companion animal, or livestock to rabies shall report immediately to the Charlottesville/Albemarle Health Department the existence of such animal, the place where seen, the owner's name, if known, and the signs suggesting rabies.

Any dog or cat, for which no proof of current rabies vaccination is available, and that may have been exposed to rabies through a bite, or through saliva or central nervous system tissue, in a fresh open wound or mucous membrane, by an animal suspected to be rabid, shall be isolated in a public or private animal shelter, kennel or enclosure approved by the Charlottesville/Albemarle Health Department for a period not to exceed six (6) months at the expense of the owner or custodian in a manner and by a date certain as determined by the director of the Charlottesville/Albemarle Health Department. A rabies vaccination shall be administered by a licensed veterinarian prior to release. Inactivated rabies vaccine may be administered at the beginning of isolation. Any dog or cat so bitten, or exposed to rabies through saliva or central nervous system tissue, in a fresh open wound or mucous membrane with proof of current vaccination, shall be revaccinated by a licensed veterinarian immediately following the exposure and shall be confined to the premises of the owner or custodian, or other site as may be approved by the Charlottesville/Albemarle Health Department, at the expense of the owner or custodian, for a period of forty-five (45) days. If the director of the Charlottesville/Albemarle Health Department determines that isolation is not feasible or maintained, such dog or shall be euthanized by one of the methods approved by the State Veterinarian as provided in Virginia Code § 3.2-6546. The disposition of such dogs or cats not so confined shall be at the discretion of the director of the Charlottesville/Albemarle Health Department.

At the discretion of the director of the Charlottesville/Albemarle Health Department, any animal that may have exposed a person shall be confined under competent observation for ten (10) days at the expense of the owner or custodian, unless the animal develops active signs of rabies, expires, or is euthanized before that time. A seriously injured or sick animal may be euthanized as provided in Virginia Code § 3.2-6546.

When any suspected rabid animal, other than a dog or cat, exposes or may have exposed a person to rabies through a bite, or through saliva or central nervous system tissue, in a fresh open wound or mucous membrane, decisions regarding the disposition of that animal shall be at the discretion of the director of the Charlottesville/Albemarle Health Department and may include euthanasia as provided in Virginia Code § 3.2-6546, or as directed by the state agency with jurisdiction over that species. When any animal, other than a dog or cat, is exposed or may have been exposed to rabies through a bite, or through saliva or central nervous system tissue, in a fresh open wound or mucous membrane, by an animal suspected to be rabid, decisions regarding the disposition of that newly exposed animal shall be at the discretion of the director of the Charlottesville/Albemarle Health Department.

When any animal may have exposed a person to rabies and subsequently expires due to illness or euthanasia, either within an observation period, where applicable, or as part of a public health investigation, its head or brain shall be sent to the Division of Consolidated Laboratory Services of the Department of General Services or be tested as directed by the Charlottesville/Albemarle Health Department.

Any person who fails to comply with the provisions of this section shall be guilty of a class 1 misdemeanor.

(Code 1967, § 4-37; Code 1988, § 4-40; Ord. 98-A(1), 8-5-98, § 4-502; Code 1967, § 4-38; Code 1988, § 4-41; Ord. 98-A(1), 8-5-98, § 4-503; Ord. 09-4(1), 7-8-09; Ord. 10-4(1), 9-1-10)

**State law reference**—Va. Code § 3.2-6522.

**4-403 Inoculation for rabies at animal shelters.**

Dogs and cats being adopted from a public or private animal shelter during the period an emergency ordinance is in force, as provided in section 4-401 may be inoculated for rabies by a certified animal technician at such shelter if the certified animal technician is under the immediate and direct supervision of a licensed veterinarian.

(Ord. 09-4(1), 7-8-09)

State law reference—Va. Code §3.2-6523.

**This ordinance shall be effective on and after July 1, 2014.**

I, Ella W. Jordan, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of \_\_\_\_\_ to \_\_\_\_\_, as recorded below, at a regular meeting held on \_\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of County Supervisors

	Aye	Nay
Mr. Boyd	_____	_____
Ms. Dittmar	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Sheffield	_____	_____