

**AN ORDINANCE TO ORDAIN SECTION 4-155 OF THE CULPEPER COUNTY CODE OF ORDINANCES TO RESTRICT
CERTAIN TETHERING PRACTICES FOR DOGS AND OTHER CANINES;
AND TO SET THE PENALTY FOR VIOLATING THE ORDINANCE**

BE IT ORDAINED BY THE CULPEPER COUNTY BOARD OF SUPERVISORS that Section 4-155 of the Culpeper County Code (Tethering Restrictions for Dogs and Other Canines) be Ordained as follows:

CHAPTER 4. ANIMALS AND FOWL

Article IX. Cruelty to Animals

§ 4-155. Tethering Restrictions for Dogs and Other Canines.

A. "Tether" shall mean, when used as a noun, any device, including but not limited to a chain, leash, cable, tie down, or tie out, attached to a stationary point or object, trolley or run used to contain or restrain a dog or other canine (as used in this ordinance, "canine" shall mean a hybrid of the domestic dog and any other species of the *Canidae* family). When used as a verb, "tether" shall mean to attach such a device to a dog or other canine.

B. No person shall tether or cause to be tethered any dog or other lawfully permitted canine, except when the tether meets the following conditions:

- (1) The tether is appropriate to the age and size of the dog or other canine; the tether shall weigh no more than ten percent (10%) of the animal's weight; the tether shall comply with any and all requirements otherwise articulated in the Code of Virginia (1950), as amended, Title 3.2, Subtitle V, Chapter 65.
- (2) The tether is attached to the dog or other canine by a properly applied collar, halter, or harness, configured so as to protect the dog or other canine from injury, and prevent the dog or other canine 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 dog or other canine; and
- (3) The tether is at least three (3) times the length of the dog or other canine, as measured from the tip of its nose to the base of its tail, except when the dog or other canine is being walked on a leash or is attached by a tether to a lead line.

C. It shall be unlawful for a person to tether any dog or other lawfully permitted canine:

- (1) When the dog or other canine is four (4) months old or younger; or
- (2) When the dog or other canine is a female in estrus; or
- (3) When the temperature is less than thirty-two (32) degrees Fahrenheit or greater than ninety degrees Fahrenheit unless the dog or other canine is provided adequate food, water, and shelter under the Code of Virginia (1950), as amended, Sections 3.2-6500 et seq; or
- (4) If the tether weighs more than ten percent (10%) of the dog's or other canine's body weight; or
- (5) On the same tether concurrently with another dog or other canine; or
- (6) For longer than fourteen (14) hours in any twenty-four hour period on a movable tether such as a cable run; or
- (7) For longer than eight (8) consecutive hours in any twenty-four hour period on a fixed tether.

D. Any person found to be in violation of this section shall be guilty of a Class 3 misdemeanor, punishable by imposition of a fine of not more than five hundred dollars (\$500.00).

Nothing contained in this section shall be interpreted as limiting the authority of any animal control officer or other law enforcement officer to seize an unlawfully tethered dog or other canine pursuant to the authority articulated in the Code of Virginia (1950), as amended, Title 3.2, Subtitle V, Chapter 65, including but not limited to Section 3.2-6569.

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION

This ordinance is enacted pursuant to the enabling authority in Code of Virginia (1950), as amended, Section 3.2-6543 et seq., which authorizes localities to pass ordinances preventing cruelty to animals.

DONE this 6th day of February, 2018.

VOTING AYE: DEAL, FRITZ, HANSOHN, ROSENBERGER, WALKER

VOTING NAY: CHASE, FRAZIER

ABSTAINING: NONE

ABSENT: NONE

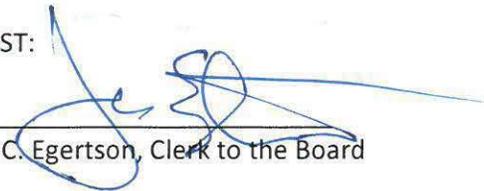
Witness this signature and seal.



William C. Chase, Jr. Chairman
Board of Supervisors of Culpeper County, Virginia

DATE: February 6, 2018

ATTEST:



John C. Egertson, Clerk to the Board