

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF
FLUVANNA, VIRGINIA”, BY ENACTING § 4-2-5 TO PROHIBIT DOGS FROM RUNNING
UNRESTRICTED WITHIN THE BOUNDARIES OF PROPERTY OWNED, LEASED,
CONTROLLED OR OPERATED BY THE COUNTY WITH EXEMPTIONS FOR (I) DOGS
WITHIN DESIGNATED OFF-LEASH AREAS; (II) SERVICE DOGS; (III) LAW
ENFORCEMENT CANINES; AND (IV) DOGS IN COUNTY APPROVED OFF-LEASH
EVENTS

BE IT ORDAINED by the Board of Supervisors of Fluvanna County:

(1) That The Code of the County of Fluvanna, Virginia is amended by enacting § 4-2-5, as follows:

Sec. 4-2-5. Unrestricted dogs prohibited.

A. Definition. For purposes of this section, the following term shall have the meaning indicated:

“Unrestricted” means not under the control of the owner or his agent either by leash, cord, chain, or primary enclosure when off the property or premises of the owner or custodian. An electronic device does not qualify as a leash, cord or chain.

B. Prohibition. No dog shall run unrestricted within the boundaries of any property owned, leased, controlled or operated by the County.

C. Enforcement. The provisions of this section shall be enforced only by sworn law enforcement officers.

D. Exceptions. This Section shall not apply to any person who uses a dog as follows:

- i) Dogs within areas designated by a resolution approved by the Fluvanna County Board of Supervisors as off-leash trails, dog parks and dog exercise areas.
- ii) Service dogs whose handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe effective performance of work or tasks.
- iii) Dogs under the control of Law Enforcement.
- iv) Dogs involved in County approved events including obedience training classes or shows, agility training or field trials, or similar activities where dogs are under the control of the owner or custodian.

E. Impoundment. Any dog found unrestricted shall be impounded, except that if the rightful owner of the dog can be immediately ascertained and located, then that owner shall be allowed to have custody of the animal, but may be subject to issuance of a civil penalty for violation of this section.

- F. Penalty. A violation of this section by a habitual offender, defined as an owner or custodian having three or more violations of this section within two years, may result in a civil penalty of fifty dollars (\$50.00).

That the Ordinance shall be effective thirty days after adoption.