

Chapter 4 ANIMALS AND FOWL¹

ARTICLE I. IN GENERAL

Sec. 4-1. Violations of chapter generally.

Unless otherwise specifically provided, a violation of any provision of this chapter shall constitute a Class 4 misdemeanor.

Sec. 4-4. Trespass by animals.

- (a) It shall be unlawful for the owner, possessor or custodian of any animal, after being requested by the owner or tenant of any premises not to allow the same to trespass upon such premises, to allow such animal to go upon such premises.
- (b) It shall be unlawful for the owner, possessor or custodian of any animal to willfully allow same to trespass and run at large upon the public highways of the county, whether such highways be enclosed by a fence or not.

(Ord. No. 77-40-26, 11-1-77; Ord. No. 83-1006, 12-20-83)

State law reference(s)—Authority of county to prevent trespassing by animals, Code of Virginia, § 15.2-1218.

Sec. 4-11. Allowing animals to urinate or defecate.

It shall be unlawful for any person knowingly or willingly to allow any animal belonging to that person to urinate or defecate on any public property, or the property of another without the consent of the owner of the property, or his agent, provided that it shall not be unlawful to allow urination or defecation by such animal within the curb or gutter area of a public street or roadway, and provided further that defecation by an animal on public property shall not be unlawful if the owner of the animal removes the animal's excrement immediately and disposes of it in a public trash receptacle or in a public sanitary sewer, or on the owner's own property in a lawful manner.

¹Cross reference(s)—Applicability of traffic regulations to persons riding or driving animals, § 13-4; noise from animals, § 14-3; molesting, hunting, etc., wildlife in parks, § 17-43; abandoning animals or fowl in parks, § 17-44; control of pets in parks, § 17-45; riding horses in parks, § 17-46; transportation of animals in taxicabs, §§ 27-12, 27-154; zoning, Ch. 32.

State law reference(s)—Comprehensive animal laws, Code of Virginia, §§ 3.1-796.66 et seq.; general authority of county to regulate keeping of animals and fowl, Code of Virginia, § 3.1-796.94:1; general authority of county to control and protect animals and administer and enforce animal laws, Code of Virginia, § 3.1-796.94.

ARTICLE III. DOGS GENERALLY²

Sec. 4-23. Running at large—Generally.

- (a) It shall be unlawful for the owner of any dog, except dogs used for hunting, to permit or allow such dog to run or be at large within the county, For the purposes of this section, a dog shall be deemed to be "at large" when off the property or premises of its owner or custodian and not under the control of the owner or custodian or his agent, either by leash, cord or chain. "Property or premises of its owner," for purposes of this section, shall not refer to townhouse, condominium or RPC property held in common.
- (b) The owner or custodian of any dog found running at large in a pack shall be subject to a civil penalty of \$100.00 per dog so found. For the purpose of this section, a dog shall be deemed to be running at large in a pack if it is running at large in the company of one or more other dogs that are also running at large. Any civil penalty collected pursuant to such ordinance shall be deposited by the treasurer of the locality pursuant to the provisions of Code of Virginia, § 3.2-6534.
- (c) This section shall not apply to any person while engaged in a supervised, formal obedience training class or show, or during formally sanctioned field trials, or while engaged in lawful hunting with a dog during open season or during bona fide hunting or field trial dog training, or while accompanying a dog within the confines of a dog park designated by the County and complying with all regulations governing the use of such dog park. It shall be unlawful for the owner of a dog to place such dog or allow it to be placed in the custody of any other person not physically capable of maintaining effective control of such dog.

(Code 1965, § 3-17.1; Ord. No. 77-40-26, 11-1-77; Ord. No. 77-40-27, 11-1-77; Ord. No. 96-55, 6-25-96, effective 7-1-96; Ord. No. 03-96, 10-7-03; Ord. No. 13-23, Attch., 6-4-13; Ord. No. 19-27 , Attch., 6-25-19, effective 7-1-19)

State law reference(s)—Similar provisions, Code of Virginia, § 46.2-832; Authority of county to prohibit dogs running at large, Code of Virginia, § 3.1-796.94 repealed, now § 3.2-6543.

e(s)—Similar provisions, Code of Virginia, § 3.1-796.117.

Sec. 4-26. Urinating or defecating on property of others or public property.

It shall be unlawful for the owner of a dog to allow such dog to urinate or defecate on the private property of other persons or on publicly owned property, except parts of parks posted as dog run areas. For the purposes of this section, private property shall include townhouse, condominium or RPC property held in common.

(Code 1965, § 3-17.3; Ord. No. 77-43-32, 11-29-77)

²State law reference(s)—Dog laws, Code of Virginia, §§ 3.1-796.84 et seq.