

CHAPTER 4

ANIMALS AND FOWL – Changelog

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Article I. In General.

Sec. 4-1. Keeping of hogs; penalty for violation.

[THE 1987 AMENDMENT, in the first sentence, added the finding language and substituted language following “feet of” for “the residence of any other person.”]

[THE FEBRUARY 2, 1998, AMENDMENT inserted “or other buildings” following “residences” and “springs, streams, creeks, or brooks” following “wells.”]

[THE AUGUST 7, 2000 AMENDMENT added the second sentence.]

[THE JULY 6, 2004 AMENDMENT added the second paragraph.]

Sec. 4-2. Abandonment or dumping of animal; penalty.

[THE 1987 AMENDMENT rewrote this section.]

[THE 1988 AMENDMENT substituted “§3.1-796.68” for “§29-213.38.”]

[THE 1993 AMENDMENT deleted the former second sentence in the first paragraph defining “Abandonment,” substituted “is a Class 3 misdemeanor punishable” for “shall be punishable” in the present second sentence of the first paragraph, added a new second paragraph and a new definition of “abandon.”]

[THE JULY 7, 2003 AMENDMENT inserted “or dump” in the first paragraph, substituted “a pound, animal shelter, humane society, or other releasing agency” for “an animal shelter, pound, or humane society establishment” in second paragraph, and substituted “the terms ‘abandon’ and ‘dump’ shall have the meanings ascribed to them by §4-4 of this Code” for former definition of “abandon.”]

[THE JULY 6, 2004 AMENDMENT deleted “humane society” following “animal shelter” in the second paragraph.]

[THE DECEMBER 2, 2014 AMENDMENT substituted “public or private” before “animal shelter,” and deleted “pound.”]

[THE DECEMBER 4, 2018 AMENDMENT substituted “Class 1” for “Class 3” and deleted “punishable by a fine of not less than \$500.”]

Sec. 4-2.1. Cruelty to animals; penalties.

[THE 1987 ACT adopted this section.]

[THE 1990 AMENDMENT substituted “\$2,500.00” for “\$1,000.00” near the end of the first paragraph.]

[THE 1991 AMENDMENT substituted “procedures” for “purposes” at the end of the third paragraph.]

[THE 1992 AMENDMENT added subsection designations A through D and added the last two sentences in subsection A.]

[THE MAY 17, 1999 AMENDMENT, in clause (ii) in the first sentence of subsection A, substituted “food, drink, shelter or emergency veterinary treatment;” for “sustenance, food, drink, or shelter.”]

[THE AUGUST 7, 2000 AMENDMENT inserted “Class I” following clause (v) in the first sentence in subsection A and deleted the former last two sentences in subsection A., which had provided that prosecutions for violations of this subsection must commence within five years after commission of the offense, except that prosecutions involving agricultural animals must commence within one year of offense; inserted new B; redesignated former B, C and D as present C, D and E and inserted “Class 3” in present C; and added new F and G.]

[THE JULY 7, 2003 AMENDMENT, in subsection A., deleted “or” at the end of clauses (i), (ii) and (iv), redesignated former clauses (iii) through (v) as present clauses (iv) through (vi) and inserted a new clause (iii); in subsection B., deleted “or” at the end of clause (i), redesignated former clauses (ii) and (iii) as present clauses (iii) and (iv), inserted a new clause (ii), deleted “of this subsection” at the end of present clause (iii) and substituted “clauses (i) through (iii)” for “subdivisions (i) and (ii) of this subsection” in present clause (iv); and in subsection C., inserted “or dumps” and substituted “companion” for “domesticated” in the first sentence and added the second sentence; and added H. and I.]

[THE JULY 6, 2004 AMENDMENT deleted former subsection C. regarding abandonment and dumping of companion animals on public property, public highway, etc. (substantially the same provisions now appear at §12-1 (a) of this Code), redesignated former D. through I. as present C. through H., inserted new second and third sentences in H., and added new I.]

[THE JULY 2, 2007 AMENDMENT, in B., inserted new clause (iii); renumbered former clause (iii) as present (iv), substituting “clauses (i) through (iv);” for “clause (i);” at the end thereof; and renumbered former clause (iv) as present (v), substituting “clauses (i) through (iv)” for “clauses (i) through (iii)” therein.]

[THE DECEMBER 1, 2008 AMENDMENT moved the current second paragraph in subsection A from former subsection F, now reserved, inserted “conducted in a reasonable or customary manner” in subsection C, substituted “adopted thereunder” for “promulgated thereto” in subsection E, substituted “is” for “shall constitute” in two places in subsection G, and substituted “is” for “shall be” near the end of the first sentence in subsection H.]

[THE DECEMBER 1, 2015 AMENDMENT added, in paragraphs A and B, “ropes, lassoes, or otherwise obstructs or interferes with one or more legs of an equine in order to intentionally cause it to trip or fall for the purpose of engagement in a rodeo, contest, exhibition, entertainment, or sport unless such actions are in the practice of accepted animal husbandry or for the purpose of allowing veterinary care” and redesignated the following clauses.]

[THE JULY 16, 2019 AMENDMENT reorganizes and renumbers the subsections of A and adds “serious bodily injury to such dog or cat that is a companion animal” to the first sentence of H and adds the second paragraph to H defining “serious bodily injury.”]

Sec. 4-2.2. Sale of animals after cruelty or neglect conviction; penalty.

[THE DECEMBER 1, 2008 ACT adopted this section, effective January 1, 2009.]

Sec. 4-3. Livestock running at large.

[THE 1982 AMENDMENT repealed and reenacted this section.]

[THE AUGUST 7, 2000 AMENDMENT substituted “any of the animals mentioned in VA. CODE ANN. §55-306” for “any animal or fowl,” “owner or manager” for “owner and manager,” and “animal or type of animal described in VA. CODE ANN. §55-306 to permit any such animal” for “such animal to permit such animal or fowl,” all in the first paragraph, and added the second paragraph.]

[THE JULY 6, 2004 AMENDMENT added the third paragraph.]

Sec. 4-3.1. Burial or cremation of animals or fowls which have died.

[THE 1987 AMENDMENT inserted “(\$75.00)” and “(\$5.00)” in (a), deleted “Class 4” preceding “misdemeanor,” and added language beginning “which shall” in (b).]

[THE 1988 AMENDMENT deleted “free of any exemptions” following “shall be entitled to recover of the owner,” and added “free from all exemptions in favor of such owner” following “recovered” in the second sentence of (a).]

[THE 1990 AMENDMENT substituted “two hundred fifty dollars (\$250.00)” for “one hundred dollars (\$100.00)” at the end of (b).]

[THE JULY 7, 2008 AMENDMENT removed the cap on the actual cost of burial or cremation for animals of \$75 and fowl of \$5 in (a), and rewrote that subsection for clarity.]

Sec. 4-3.2. Permitting animals to trespass.

[THE JUNE 17, 2002 ACT adopted this section.]

Sec. 4-3.3. Feeding of migratory and nonmigratory waterfowl prohibited in certain areas.

[THE JULY 5, 2005 ACT adopted this section.]

Article II. Dogs, Cats, and Other Animals.

Division 1. Generally.

Sec. 4-4. Definitions.

[THE 1982 AMENDMENT substituted “assistants” for “deputies” in “Treasurer.”]

[THE 1987 AMENDMENT added language following “context” in the introductory language and rewrote the definition of “Owner.”]

[THE 1988 AMENDMENT inserted definitions of “Animal pound or animal shelter,” “Companion animal” and “Humane Society of Campbell County, Inc., or Humane Society,” and deleted former language in “Owner” which read “Any person who knowingly permits a dog to remain on or about any premises occupied by him shall be considered the owner of the dog,” and inserted “Running at large.”]

[THE 1989 AMENDMENT added the definition of “Animal.”]

[THE 1993 AMENDMENT substituted “chapter” for “article” in introductory paragraph, rewrote definitions of “Animal,” “Companion animals,” “Kennel” and “Livestock,” inserted “chartered,” “or shelter” and language beginning “and which was organized...” in the definition of “Humane Society for Campbell County, Inc., or Humane Society” and substituted “his care” for “its care” in definition of “Owner.”]

[THE SECOND 1993 AMENDMENT inserted “Adoption,” “Animal warden,” “Enclosure,” “Euthanasia,” “New owner,” “Releasing agency” and “Sterilize or sterilization.”]

[THE SEPTEMBER 1996 AMENDMENT rewrote this section to include verbatim all definitions contained in VA. CODE ANN. §3.1-796.66 (Cum. Supp. 1996).]

[THE MARCH 17, 1997 AMENDMENT deleted redundant language in “Adequate water,” and inserted second sentence in “Animal,” and “society” in “Animal Shelter.”]

[THE MAY 17, 1999 AMENDMENT substituted “§3.1-796.98” for “§3.1-796-122” in definition of “Animal,” inserted “Animal control officer,” “Direct and immediate threat,” “Groomer,” “Humane investigator,” “Law enforcement officer,” “Locality or local government,” and “State Veterinarian’s representative,” deleted “Animal warden” and “Investigator or humane investigator,” substituted “animal rescue group or any other organization” for “or other nonprofit organization” in “Animal shelter,” substituted “locality” for “political subdivision” in first clause in “Pound” and substituted “housing facility” for “shelter in the first clause in “Properly lighted.”]

[THE AUGUST 7, 2000 AMENDMENT inserted “or any ordinance adopted pursuant to that section or paralleling the provisions thereof” twice in definition of “Animal.”]

[THE JULY 7, 2003 AMENDMENT substituted “a cat, or any other companion animal” for “cat”; in definition of “Animal shelter,” inserted “other than a private residential dwelling and its surrounding grounds” and “a non-governmental entity including, but not limited to,” deleted “duly incorporated” preceding “humane society,” substituted “animal welfare organization” for “animal welfare society,” deleted “animal rescue group” preceding “or any other organization,” and substituted phrase beginning “operating for the purpose” for

“devoted to the welfare, protection, and humane treatment of animals”; in “Dealer,” rewrote second sentence as clause (i) and added clause (ii); inserted definitions of “Dump,” “Facility,” “Foster care provider,” “Foster home,” “Home-based rescue,” and “Sore”; deleted definition of “Housing facility”; in “Humane Society,” substituted “incorporated” for “chartered” and “that is” for “incorporated under the laws of this Commonwealth,” and inserted “or adoptions”; in “Properly lighted,” inserted “when referring to a facility” and substituted “facility” for “housing facility” and “animal facilities” in first sentence, and added second sentence; and in “Releasing agency,” substituted “animal welfare organization” for “animal welfare society” and “companion animals” for “a dog or cat,” and inserted “or home-based rescue.”]

[THE JULY 7, 2008 AMENDMENT replaced “but at least once every twelve (12) hours” with “appropriate for the weather and temperature” in the definition of “Adequate water” and added “or a portion thereof as designated by the State Veterinarian” after “building” in the definition of “Facility.”]

[THE DECEMBER 1, 2008 AMENDMENT deleted “but not limited to” following “non-governmental entity including” in the definition of “Animal shelter”, deleted the definitions of “Board,” “Local ordinance,” “Locality or local government,” “Person,” “State Veterinarian,” “State Veterinarian’s representative”; added the definition of “Commercial dog breeder,” to be effective on January 1, 2009; added the definition of “Ordinance”; substituted “locality” for “municipality, county, or incorporated town thereof” in the definition of “Other officer”; substituted “locality” for “county, city, town” in the definition of “Pound”; and deleted the second sentence in the definition of “Properly lighted.”]

[THE JULY 5, 2011 AMENDMENT added the definition of “Farming activity”.]

[THE DECEMBER 2, 2014 AMENDMENT deleted definitions of “Animal shelter” and “Pound,” amended the definitions of “Boarding establishment,” “Foster care provided,” “Foster home,” “Home-based rescue,” and “Releasing agency” to remove references to “pounds” and making related stylistic changes; added definitions of “Private animal shelter” and “Public animal shelter.”]

[THE JULY 7, 2015 AMENDMENT rewrote the definition of “Private Animal Shelter” slightly.]

[THE DECEMBER 4, 2018 AMENDMENT substituted “four consecutive days” for “five consecutive days” in the definition of “Abandon,” added the second sentence in the definition of “Boarding establishment,” and added “retail” in the definition of “Pet shop.”]

[THE JULY 16, 2019 AMENDMENT added “during hot weather, is properly shaded and does not readily conduct heat; during cold weather, has a windbreak at its entrance and provides a quantity of bedding material consisting of straw, cedar shavings, or the equivalent that is sufficient to protect the animal from cold and promote the retention of body heat” to the definition of “Adequate shelter” and added “does not, by its material, size, or weight or any other characteristic, cause injury or pain to the animal; does not weigh more than one-tenth of the animal’s body weight; and does not have weights or other heavy objects attached to it. The walking of an animal on a leash by its owner shall not constitute the tethering of

the animal for the purpose of this definition” and the last sentence to the definition of “Adequate space.”]

[THE JULY 21, 2020 AMENDMENT added the last sentence to the definition of “Adequate shelter” and, in the definition of “Adequate space,” changed the required length of any tether to 15 feet or four times the length of the animal unless an animal control officer authorized 10 feet or three times the length of the animal.”]

[THE DECEMBER 1, 2020 AMENDMENT substituted “provided that a person who breeds an animal regulated under federal law as a research animal shall not be deemed to be a commercial dog breeder” for “as companion animals” in the definition of “Commercial dog breeder,” and slightly rewrote the last sentence in the definition of “Companion animal.”]

Sec. 4-5. County animal shelter; confinement and disposition of stray animals; disposition of certain “identified” animals.

[THE 1982 AMENDMENT repealed this section, and reenacted a revised version.]

[THE 1987 AMENDMENT rewrote the section.]

[THE 1988 AMENDMENT added subsection and paragraph designations, substituted “County Animal Pound” for “County Dog Pound,” inserted “or other animals” preceding “running at large,” and substituted “VA. CODE ANN. §3.1-796.96 (Cum. Supp. 1988)” for VA. CODE ANN. § 29-213.66 (Repl. Vol. 1985)” in the first sentence of subsection (a), substituted “without the tag required by this article or in violation of any other provisions of this article” for “in violation of the provisions of this article” at the end of the first sentence of subsection (a), added the second sentence therein, inserted “Animal” preceding “Pound” in the introductory language of subsection (b) and near the end of subsection (b)(4), inserted “or retention by” in the middle of subsection (b)(4), and, in subsection (h), designated the first and second sentences as paragraph (1) therein, substituted “Humane Society” for “Board of Supervisors” at the end of the first sentence and substituted the present second sentence for the former second sentence which had read: “This shall be done by resolution at such intervals as the Board may deem necessary,” and added new paragraphs (2) and (3) in subsection (h).]

[THE 1989 AMENDMENT substituted “animal” for “dog” near the end of the introductory language of subsection (b) and throughout paragraphs (1), (2), and (3), thereof, substituted “If” for “In the event” and “claims” for “shall claim” in paragraph (3), and, in paragraph (4) of (b), deleted “or” preceding “state-supported institution,” inserted language beginning “provided that” and ending “not less than five (5) days,” redesignated former (c) through (h) as present (d) through (i), inserted new (c), substituted “animal” for “dog” and “of the animal’s” for “of the dog’s” and deleted “of the dog” following “owner” in present (d), and added new (j).]

[THE 1993 AMENDMENT added the language beginning “and used for the purposes...” at the end of paragraph (3) in subsection (i).]

[THE 1994 AMENDMENT, in the introductory language of (b), inserted the clause designation (i) and inserted “rightful” preceding “owner thereof” and added clauses (ii) and (iii) in the first sentence, and added the second, third and fourth sentences; deleted “five (5) day” preceding “period” and substituted “in the introductory language of this subsection” for “herein” in subsection (b)(1); deleted “that” following “If” in subsection (b)(3); substituted “by delivery to any humane society or shelter, or by delivery” for “by delivery to or retention by any local humane society, shelter, or” in the middle of (b)(4) and added “or by delivery to a resident of an adjacent political subdivision of the Commonwealth” at the end; inserted “collar” in (c)(1); added “unless sooner claimed by the rightful owner” at the end of (c)(4); substituted “within the next forty-eight (48) hours following” for “with forty-eight (48) hours next following” in (d); in (e), added “At the expiration of the holding period required for such identified animal,” at the beginning of subsection, substituted “resident who proposes” for “person who proposed,” and inserted “or to any humane society or shelter, or to a resident of an adjacent political subdivision of the Commonwealth;” redesignated provisions of (h) as present (h)(1) and inserted “immediate” in the second sentence thereof; added new (h)(2); and added the second sentence in (j).]

[THE SEPTEMBER 1996 AMENDMENT rewrote the section.]

[THE MARCH 17, 1997 AMENDMENT substituted “without the Commonwealth, means any nonprofit organization organized for the purpose of” for “organized for the purpose of” in the last paragraph in G, and added H.]

[THE FEBRUARY 2, 1998 AMENDMENT extensively revised this section without making substantive changes and deleted former provisions specifying the process for a custodian or finder of the animal to claim such animal.]

[THE MAY 17, 1999 AMENDMENT substituted “VA. CODE ANN. §3.1-796.92 (Cum. Supp. 1998)” for “this article” in the first sentence of subsection A., and substituted “animal control officer” for “animal warden” throughout the section.]

[THE AUGUST 7, 2000 AMENDMENT substituted “Campbell County” for “the Humane Society for Campbell County, Inc., a nonprofit corporation” in the second sentence of A; in C, deleted “or” at the end of subdivision 4, inserted new subdivision 5, renumbered former subdivision 5 as present subdivision 6, substituted “4, or 5” for “or 4” in the second and third paragraphs therein, and added new fourth paragraph therein; and substituted “6” for “5” twice in E; in paragraph (1) of H, substituted “Campbell County” for “the Humane Society” at the end of the first sentence, deleted the former second sentence concerning retention of certain funds by Campbell County Humane Society for use in operation of animal pound, and added new second and third sentences concerning disposition of certain proceeds by Campbell County which now operates the animal pound; and, in paragraph (3) of H, inserted “except fees collected pursuant to §4-7.1 of this Code.”]

[THE JULY 2, 2001 AMENDMENT amended subsection A, substituting “regulations” for “guidelines” and “Board” for “Department” in the second sentence.]

[THE JULY 7, 2003 AMENDMENT, in the introductory paragraph of subsection A, changed the order of the sentences near the end and added the present last sentence, designated existing

provisions as paragraph 1 in A. and added paragraphs 2 through 6 thereafter; rewrote the third paragraph in B and added the fourth paragraph therein; in the first undesignated paragraph in C, deleted “or shelter” in the first sentence and deleted the second sentence regarding certain dogs bearing collar, tag, etc., added the second undesignated paragraph in C; also in C, deleted former paragraph 1 regarding sale/gift of unclaimed animal to federal agency, etc., redesignated former paragraphs 2 through 6 as present 1 through 5, and revised those provisions extensively, including adding requirement of a statement by certain animal caregivers, administrators, and persons seeking adoption that such person has never been convicted of animal cruelty, neglect or abandonment, deleted the three former undesignated paragraphs at end of C (provisions now found elsewhere herein), and added present last paragraph in C; revised D, E, and F regarding above-required statement and making substitutions in terminology; redesignated former G and H as present J and K, and, in the second sentence in K.1., substituted “release or transfer” for “gift, sale, or delivery”; and added new G, H, and I.]

[THE DECEMBER 1, 2003 AMENDMENT inserted the next-to-last sentence in introductory language of A. and rewrote the fourth paragraph in B. to provide for payment of animal redemption fees in either the office of the County Treasurer or at the Campbell County Animal Control and Care Facility (County Animal Pound).]

[THE DECEMBER 1, 2008 AMENDMENT moved former subsection J to become new subsection A and renumbered all other sections; substituted “euthanized in accordance with the methods approved by the State Veterinarian” for “humanely destroyed” in second paragraph of subsection now numbered D; substituted “dog or cat” for “animal” three times in subsection now numbered D 4; added last paragraph to subsection now numbered D 5; and deleted “Any proceeds deriving from the release or transfer of such animals pursuant to subsection C. of this section shall be paid directly to the Treasurer of Campbell County, and no part of such proceeds shall accrue to any individual” from subsection K 1.]

[THE DECEMBER 2, 2014 AMENDMENT substituted “public animal shelter” or “shelter” for “pound” and “public or private animal shelter” for “animal shelter” throughout the section; in subdivision B 4, substituted “shelter by a private animal shelter” for “pound by an animal shelter,” in subdivision D 5, substituted “public or private” for “pound or” in the first paragraph and substituted “public animal shelter to a public or private” for “pound to a pound” in the second paragraph.]

[THE DECEMBER 4, 2018 AMENDMENT added the third paragraph in subdivision C.]

[THE DECEMBER 1, 2020 AMENDMENT added “stray hold” three times in subdivision C, added the last two sentences to the third paragraph in C, added “applicable stray hold” in the first paragraph of D, added the second paragraph of D, and corrected a typographical error in F in which cross references were not correct.]

Sec. 4-5.1. Acceptance of animals for research or experimentation; prohibition.

[THE 1990 ACT adopted this section.]

[THE DECEMBER 1, 2008 AMENDMENT changed title and revised this section to remove passive voice.]

Sec. 4-5.2. Regulation of sale of animals procured from animal shelters.

[THE FEBRUARY 2, 1998 ACT adopted this section.]

[THE JULY 7, 2003 AMENDMENT, in (a), substituted “an animal shelter which is supported in whole or in part by the County” for “the County animal pound or shelter.”]

[THE JULY 6, 2004 AMENDMENT reworded the penalty provision in (b).]

[THE DECEMBER 1, 2008 AMENDMENT added “a pound or” in subsection (a), and changed the level of misdemeanor for violation from Class 4 to Class 1.]

[THE DECEMBER 2, 2014 AMENDMENT deleted “a pound or” before “animal shelter” in (a).]

Sec. 4-5.3. Private animal shelters; confinement and disposition of animals; penalties; injunctive relief.

[THE JULY 7, 2003 ACT adopted this section.]

[THE DECEMBER 2, 2014 AMENDMENT added “private” to the catchline and prior to “animal shelter” throughout.]

Sec. 4-5.4. Releasing agencies other than public or private animal shelters; confinement and disposition of companion animals; recordkeeping; penalties.

[THE JULY 7, 2003 ACT adopted this section.]

[THE DECEMBER 1, 2008 AMENDMENT changed “F” to “G” in subsection (a).]

[THE DECEMBER 2, 2014 AMENDMENT substituted “public or private” for “pound or” throughout the section, and inserted “if incorporated and not operated for profit” in subsection (a).]

[THE DECEMBER 6, 2016 AMENDMENT added subsections 2 and 3 and the last paragraph to subsection (a) and reformatted (a) as necessary.]

Sec. 4-5.5. Requirements for foster homes for companion animals; penalty.

[THE JULY 7, 2003 ACT adopted this section.]

[THE DECEMBER 2, 2014 AMENDMENT inserted “private residential dwelling and its surrounding grounds that serves as a” in (a)(2).]

Sec. 4-5.6. Required notification by individuals finding companion animals; penalty.

[THE JULY 7, 2003 ACT adopted this section.]

[THE DECEMBER 2, 2014 AMENDMENT substituted “shelter” for “pound” throughout section, and substituted “the” for “a” before “companion animal” in (a) and (b).]

Sec. 4-6. Dogs and cats deemed personal property; authority of animal control officer to seize and hold stolen or unlawfully detained animals; fee therefor.

[THE 1987 AMENDMENT rewrote this section.]

[THE 1988 AMENDMENT divided the section into three paragraphs, substituted “All dogs and cats” for “All dogs” in the first paragraph, substituted “animals” for “dogs” in the second sentence thereof; substituted “animal” for “dog” and “such animal and to deliver such animal to the County Animal Pound for holding” for “and hold such animal” in first sentence of second paragraph; inserted “or cat” following “dog” throughout the section, and deleted the former last sentence which read: “The legal owner of the animal shall pay a reasonable charge to be established by ordinance, for the keep of such animal while in possession of the animal warden.”]

[THE MAY 17, 1999 AMENDMENT substituted “and” for “or” preceding “malicious” in the first paragraph, substituted “or” for “for” preceding “injury” and “unlawful” in the first sentence in the second paragraph, substituted “animal control officer” for “animal warden” throughout the third and fourth paragraphs; in the first sentence in the third paragraph, substituted “seize and hold such animal” for “seize such animal and to deliver such animal to the County Animal Pound for holding.”]

[THE DECEMBER 20, 1999 AMENDMENT added the last paragraph.]

[THE JULY 7, 2003 AMENDMENT increased the fee in the first sentence of the last paragraph from three dollars (\$3.00) to eight dollars (\$8.00) per day or portion thereof.]

[THE JULY 19, 2022 AMENDMENT added “whether removed from private property or public property” in the first sentence.]

Sec. 4-6.1. Dog injuring or killing other companion animals.

[THE DECEMBER 1, 2003 ACT adopted this section.]

Sec. 4-7. Dogs killing, injuring or chasing livestock or poultry.

[THE 1987 AMENDMENT rewrote this section.]

[THE 1988 AMENDMENT inserted “city or town” preceding “wherein such dog may be” in second sentence of second paragraph, and inserted new third and fourth sentences.]

[THE 1990 AMENDMENT added subsection designations (a) through (d), inserted the designation (i) and added language beginning “or (ii) removed to another state...” in the first sentence of (d) and added the last sentence therein.]

[THE 1993 AMENDMENT added the last sentence in subsection (a).]

[THE MAY 17, 1999 AMENDMENT substituted “animal control officer” for “animal warden” throughout the section.]

[THE JULY 1, 2014 AMENDMENT added “seize or” to the first sentence of (a).]

[THE DECEMBER 6, 2016 AMENDMENT moved former subsection (d) to the end of (b) and added “or euthanized” to that except, and added new language at subsection (d).]

Sec. 4-7.1 Dangerous dogs; investigation, summons, and hearing.

[THE SEPTEMBER 1996 AMENDMENT repealed former § 4-7.1 regarding dogs killing other domestic animals other than livestock or poultry and adopted new § 4-7.1 above.]

[THE MARCH 17, 1997 AMENDMENT inserted the clause in the first sentence of C.]

[THE DECEMBER 1, 1997 AMENDMENT, redesignated provisions of former subsection B as present paragraph (1) of B and added new paragraph (2) thereafter, deleted “by a court” preceding “to be a dangerous dog” in D, F, G, H, and I, and divided provisions of subsection E into paragraphs (1) and (2) thereof, added clause (iii) provisions at end of both paragraphs, and substituted “signs” for “sign” in clause (i) in paragraph (2).]

[THE MAY 17, 1999 AMENDMENT substituted “animal control officer” for “animal warden” throughout the section and inserted “local” in the first sentence in D.]

[THE JULY 2, 2001 AMENDMENT, in B(1), deleted “or owner” following “The animal control officer” in the third sentence and inserted the present fourth sentence; and substituted “§3.1-796.104:1 (Cum. Supp. 2000)” for “§3.1-796.105 (Cum. Supp. 1999)” in J.]

[THE DECEMBER 1, 2003 AMENDMENT, in A., placed definitions of “Dangerous dog” and “Vicious dog” into separate paragraphs and, in definition of “Dangerous Dog,” deleted “other than a dog” preceding “or killed a companion animal” and added language beginning “however, when a dog . . .”; and, in definition of “Vicious dog,” inserted “or an animal control officer as authorized by subsection B.(1) of this section”; substituted “that” for “which”; and, in clause (iii) of subsection E. (2), increased the required amount of liability insurance that covers animal bites from \$50,000 to \$100,000.]

[THE DECEMBER 4, 2006 AMENDMENT rewrote this section in order to track 2006 state amendments to V.A. CODE ANN. §3.1-796.93:1.]

[THE JULY 2, 2007 AMENDMENT added the second sentence in the first paragraph in H.]

[THE JULY 7, 2008 AMENDMENT added the last sentence in the definition of “Dangerous dog” in A.]

[THE DECEMBER 1, 2008 AMENDMENT deleted “However” from the beginning the second sentence within the definition of “Dangerous dog” in A, and substituted “animals” for “dogs” in clause (ii) of that same sentence; slightly revised the first sentence in C; added “and” between clauses (i) and (ii) in the second sentence in F; and substituted “any appropriate court” for “court of competent jurisdiction” in the first sentence of H.]

[THE DECEMBER 7, 2009 AMENDMENT added the ninth sentence in B.]

[THE JULY 17, 2012 AMENDMENT in subsection E, increased the time to obtain a registration certificate from 10 days to 45 days, increased the initial fee from \$50 to \$150, requires yearly updates and renewals to the certificate for an annual fee of \$85, and requires the animal control officer to post the information to the Dangerous Dog Registry, and deletes the first paragraph of subsection H, and adds “and fees due to the State Veterinarian for maintenance of the Virginia Dangerous Dog Registry” to subsection L.]

[THE JULY 2, 2013 AMENDMENT separated all language related to vicious dogs and moved it to the new section, 4-7.2, removed references to tattoos in lieu of electronic chip implantation, added the second and third paragraphs in subsection K, and made minor stylistic changes.]

[THE DECEMBER 5, 2017 AMENDMENT divided former subsections A and C into two subsections each and redesignated the remaining subsections accordingly; rewrote subsection A and added subdivision A.2; in the second sentence of subsection B, deleted “that has bitten, attacked, or inflicted injury on a person” preceding “shall be found” and inserted “or for other good cause;” in subsection C, substituted “may apply to a magistrate” for “shall apply to a magistrate” in the first sentence; in subsection G, substituted “30 days” for “45 days”; and in subsection M, substituted “30 days” for “45 days.”]

[THE JULY 16, 2019 AMENDMENT added subsection E and renumbered all following subsections, reorganized the section, and added subsection O.3.]

[THE DECEMBER 7, 2021 AMENDMENT completely rewrote the section and moved parts of its previous provisions to new sections 4-7.1:1, 4-7.1:2, 4-7.1:3, and 4-7.1:4.]

Sec. 4-7.1:1 Obligations of officer and owner following dangerous dog finding.

[THE DECEMBER 7, 2021 ACT adopted this section.]

Sec. 4-7.1:2 Notice of dangerous dog finding; penalty.

[THE DECEMBER 7, 2021 ACT adopted this section.]

Sec. 4-7.1:3. Violation of law by owner of dangerous dog; penalty.

[THE DECEMBER 7, 2021 ACT adopted this section.]

Sec. 4-7.1:4. Subsequent attack or bite by dangerous dog; penalty.

[THE DECEMBER 7, 2021 ACT adopted this section.]

Sec. 4-7.2. Control of vicious dogs.

[THE JULY 2, 2013 ACT adopted this section.]

Sec. 4-8. Animal control officer.

[THE 1987 AMENDMENT substituted “VA. CODE ANN. §29-213.73” for “section 29-213.8 of the Code of Virginia” twice and inserted third and fourth sentences.]

[THE 1988 AMENDMENT substituted “VA. CODE ANN. §3.1-796.104” for “VA. CODE ANN. §29-213.73” twice.]

[THE 1989 AMENDMENT inserted “VA. CODE ANN. §3.1-796.105 (Cum. Supp. 1989)” in the second sentence.]

[THE MAY 17, 1999 AMENDMENT substituted “control officer” for “warden” and, in third sentence, inserted “and, effective April 1, 1999, shall be required to complete the training courses as specified in VA. CODE ANN. §3.1-796.104:1 (Cum. Supp. 1998).”]

[THE JULY 6, 2004 AMENDMENT inserted “or obtain a felony warrant . . . VA. CODE ANN. §9.1-101 (Cum. Supp. 2003)” following “summons” in the fourth sentence.]

[THE DECEMBER 1, 2008 AMENDMENT deleted “a” after “shall have” in the third sentence, and added the second to last sentence, *to be effective January 1, 2009.*]

Sec. 4-8.1. Seizure and impoundment of abandoned, abused, or neglected animal by humane investigator, etc.; notice; hearing; disposition of animal.

[THE AUGUST 7, 2000 ACT adopted this section.]

[THE JULY 7, 2003 AMENDMENT added proviso language at the end of the second sentence in the first paragraph of A.; in the first paragraph in D, substituted the language beginning “in an amount sufficient to cover . . .” for “for the amount of the cost of boarding the animal for a period of time, not to exceed nine (9) months” at the end of the second sentence, and added new third and fourth sentences thereafter; and deleted L.]

[THE JULY 7, 2008 AMENDMENT added “as that term is defined in VA. CODE ANN. §3.1-796.66, or (iii) raised as a dog that has been, is, or is intended to be used in dogfighting in violation of VA. CODE ANN. §3.1-796.124” after “deprived of adequate care” in the second sentence of the second paragraph in D, and renumbered clauses for clarity.]

[THE DECEMBER 1, 2008 AMENDMENT separated the second sentence in A into two sentences, separated the text in E into two sentences, and made other minor stylistic revisions.]

[THE JULY 5, 2011 AMENDMENT deleted the second sentence from subsection A and moved it to the beginning of new subsection B, rewrote other language in subsection A for clarity, substituted “location of impoundment” for “disposition of animal” in the last sentence of B.3, , added “may” to the second sentence in the second paragraph in subsection F, added “if not a companion animal” to clause F(a), and rewrote other options for disposal in subsection F and re-lettered all subsections.]

[THE JULY 16, 2019 AMENDMENT corrected a cross reference in A.]

Sec. 4-9. Compensation for livestock and poultry killed by dogs.

[THE 1987 AMENDMENT inserted “not to exceed \$400.00 per animal or fowl” and substituted “that” for “the” preceding “death” in (a), and rewrote (c).]

[THE MARCH 1989 AMENDMENT substituted present items (2) and (3) and the last sentence of (a) for former item (2) therein which had read: “the Animal Warden has conducted an investigation and his investigation supports the claim.”]

[THE 1990 AMENDMENT substituted “\$2,500.00” for “\$1,000.00” in (c).]

[THE 1992 AMENDMENT inserted “\$10.00 per” in (a).]

[THE FEBRUARY 2, 1998 AMENDMENT substituted “to” the owner of the livestock” for “of the owner of the livestock” in (b).]

[THE MAY 17, 1999 AMENDMENT substituted “Animal Control Officer” for “Animal Warden” in (a).]

[THE JULY 1, 2014 AMENDMENT substituted “\$750.00” for “\$400.00” in (a).]

Sec. 4-10. Capturing, confining and euthanizing companion animals; approval of drugs, etc., used.

[THE 1982 AMENDMENT added the second paragraph.]

[THE 1987 AMENDMENT inserted “or any other officer” and “or other officer” in first sentence of first paragraph, deleted “; provided, that” at end of second sentence and substituted “all requirements of §4-5 of this Code” for “the requirements of section 4-5” in third sentence of first paragraph and substituted “the Animal Warden” for “animals wardens” and “article” for “chapter” in the second paragraph.]

[THE 1988 AMENDMENT deleted “and euthanize” following “capture,” inserted “and to deliver such dog to the County Animal Pound to be euthanized” and inserted “or the operator or custodian of the County Animal Pound” in the first sentence of the first paragraph.]

[THE 1991 AMENDMENT substituted “companion animal” for “dog” throughout the section, and, in first paragraph, substituted “capture and confine” for “capture” and deleted “and to deliver said dog to the County Animal Pound to be euthanized; provided, that” in the first sentence, added “Following the expiration of the holding period prescribed in §4-5 of this Code” in second sentence, rearranged the former last sentence as the present third sentence and the former third sentence as present last sentence and inserted new fourth sentence.]

[THE FEBRUARY 2, 1998 AMENDMENT deleted language following “the required license tax on such companion animal” in the second sentence in the first paragraph providing that the legal owner could reclaim the animal at any time from an adoptive owner upon providing proof of ownership and reimbursing the adoptive owner for any license tax paid and a reasonable charge for keeping the animal.]

[THE MAY 17, 1999 AMENDMENT substituted “Animal Control Officer” for “Animal Warden” and “animal control officer” for “animal warden” throughout section.]

Sec. 4-11. Disposal of dead companion animals.

[THE 1990 AMENDMENT designated existing provisions as (a) and added (b).]

[THE 1993 AMENDMENT substituted “companion animal” for “dog” twice in (a), “dead companion animal” for “dog” in (b) and “cremate, bury or sanitarily dispose of the same” for “cremate or bury such dead dog” in (a).]

[THE MAY 17, 1999 AMENDMENT substituted “Animal Control Officer” for “Animal Warden” in (a).]

[THE JULY 6, 2004 AMENDMENT substituted “subject to the civil penalty prescribed in §4-18 of this Code” for “guilty of a misdemeanor which shall be punishable by a fine of not more than two hundred fifty dollars (\$250.00)” in (b).]

[THE DECEMBER 1, 2008 AMENDMENT rewrote the first sentence for clarity.]

Sec. 4-12. Rabies inoculation of dogs and domesticated cats.

[THE 1988 AMENDMENT substantially rewrote provisions to require rabies inoculation of dogs and domesticated cats prior to attaining four months, rather than six months, of age, and provided that the rabies vaccine shall be licensed by the United States Department of Agriculture rather than the State Department of Health.]

[THE 1992 AMENDMENT deleted “Prior to the animal’s attaining four months of age” in the first paragraph, inserted “four months of age and older” following “all dogs and domesticated cats,” and inserted “currently” preceding “inoculated” and deleted “currently” preceding “licensed veterinarian” in the first sentence thereof.]

[THE MARCH 17, 1997 AMENDMENT added “or licensed veterinary technician who is under the immediate and direct supervision of a licensed veterinarian on the premises” at the

end of the first sentence in the first paragraph and substituted “The supervising veterinarian on the premises shall” for “who shall” in the second sentence thereof, and inserted the second sentence in the second paragraph.]

[THE MAY 17, 1999 AMENDMENT, in third sentence in first paragraph, substituted “control officer” for “warden” and inserted “State Veterinarian’s representative.”]

[THE JULY 6, 2004 AMENDMENT added the last paragraph.]

[THE DECEMBER 1, 2008 AMENDMENT deleted “inoculated or” before “vaccinated”, and substituted “for” for “against” in the first sentence.]

[THE DECEMBER 7, 2009 AMENDMENT added the last sentence in the last paragraph.]

[THE JULY 19, 2010 AMENDMENT revised this section to clarify that dogs and cats are to be treated the same, removed requirement that cats to be vaccinated must be domesticated, and requires that the vaccinating veterinarian must keep a copy of the certificate on file.]

Sec. 4-13. Diseased dogs or cats running at large; penalty.

[THE 1982 AMENDMENT added the second paragraph.]

[THE 1990 AMENDMENT substituted “two hundred fifty dollars (\$250.00)” for “(\$100.00)” in the second paragraph.]

[THE 1993 AMENDMENT inserted “or cat” twice in the first paragraph].

[THE JULY 6, 2004 AMENDMENT rewrote the second paragraph to prescribe a civil penalty for violation.]

[THE JULY 21, 2020 AMENDMENT rewrote the first paragraph for clarity and added the second paragraph.]

Sec. 4-13.1. Rabid animals.

[THE JULY 19, 2010 ACT adopted this section.]

[THE DECEMBER 2, 2014 AMENDMENT substituted “public animal shelter” for “pound” in (d).]

[THE DECEMBER 4, 2018 AMENDMENT added the last sentence in (e), renumbered the former last two paragraphs of (e) as (f), and renumbered the former (f) to (g).]

[THE AUGUST 1, 2023 AMENDMENT provides clarification that the local health director or his designee shall be granted access to any dog or cat seized under suspicion of rabies infection.]

Sec. 4-14. Female dog in season running at large.

[THE JUNE 17, 2002 AMENDMENT divided existing provisions into two sentences; in the first sentence, substituted “It shall be unlawful for the” for “No” and “to permit” for “shall permit” and inserted “to such owner”; in the second sentence, inserted “During the entire time” and “is in season she,” deleted “or” preceding “restricted” and during such period” following “penned up” and added “in a building or a secure enclosure adequate to prevent the animal from running at large”; and added the third sentence.]

[THE JULY 6, 2004 AMENDMENT added the second paragraph.]

Sec. 4-14.1. Mandatory sterilization of adopted dogs and cats – Requirements; enforcement; civil penalty.

[THE JULY 7, 2003 ACT adopted this section.]

[THE DECEMBER 6, 2010 AMENDMENT substituted \$250 for \$50 at the end of subsection F.]

Sec. 4-14.2. Same—Sterilization agreement.

[THE JULY 7, 2003 ACT adopted this section.]

Sec. 4-14.3. Same—Sterilization confirmation; civil penalty.

[THE JULY 7, 2003 ACT adopted this section.]

Sec. 4-14.4. Same—Notification concerning lost, stolen or dead dogs or cats; civil penalty.

[THE JULY 7, 2003 ACT adopted this section.]

Sec. 4-14.5. Same—Exemptions.

[THE JULY 7, 2003 ACT adopted this section.]

[THE DECEMBER 1, 2008 AMENDMENT substituted “within a locality” for “located in a county, city, or town” in subsection 2.]

Sec. 4-14.6. Same—Releasing agency; fees and deposits.

[THE JULY 7, 2003 ACT adopted this section.]

[THE DECEMBER 2, 2014 AMENDMENT substituted “shelter” for “pound”.]

Sec. 4-14.7. Same—Civil penalties for noncompliance.

[THE JULY 7, 2003 ACT adopted this section.]

Sec. 4-15. Removing collar and tag.

[THE 1987 AMENDMENT added “without permission of the owner or custodian.”]

[THE 1990 AMENDMENT added the second paragraph.]

[THE JULY 6, 2004 AMENDMENT rewrote the second paragraph to prescribe a civil penalty for violation.]

Sec. 4-16. Concealing a dog.

[THE 1990 AMENDMENT added the second paragraph.]

[THE JULY 6, 2004 AMENDMENT rewrote the second paragraph to prescribe a civil penalty for violation.]

Sec. 4-17. Destructive dog running at large.

[THE JUNE 17, 2002 ACT adopted this section.]

[THE JULY 6, 2004 AMENDMENT, in (d), substituted “subject to the civil penalty prescribed in §4-18 of this Code” for “guilty of a Class 4 misdemeanor” in the first sentence and deleted “conviction” following “Upon” in the second sentence.]

Sec. 4-17.1. All dogs prohibited from running at large in certain areas of the County.

[THE 1989 AMENDMENT adopted this section, effective on June 1, 1990.]

[THE 1990 AMENDMENT rewrote the first sentence in the first paragraph and the last paragraph for clarity, adding the last sentence of the last paragraph.]

[THE MAY 17, 1999 AMENDMENT substituted “animal control officer” for “animal warden” in the next-to-last paragraph.]

[THE SEPTEMBER 5, 2000 AMENDMENT extended the area in which it shall be unlawful to allow all breeds of dogs to run at large to include an area (adjacent to the area previously so restricted) bounded by State Secondary Routes 680 on the south, 669 on the east, 670 on the north, and 677 on the west, and extending 1,000 feet in both directions from the centerlines of said roads; and deleted an extraneous “or” following “Dogs found running at large” at the beginning of the next-to-last paragraph.]

[THE JUNE 17, 2002 AMENDMENT extended the area in which it shall be unlawful to allow all breeds of dogs to run at large to include an area (adjacent to areas previously so restricted) bounded by the Norfolk/Southern Railway tracks on the north and west, U. S. Route 29 on the east, State Secondary Route 683 on the south (remaining 200 feet south of the centerline of said route), and a branch of Flat Creek on the southwest, just west of State Secondary Route 784; the extended area will include the Winebarger Circle area.]

[THE JULY 6, 2004 AMENDMENT substituted “subject to the civil penalty prescribed in” for “punished in accordance with the provisions of” in first sentence of last paragraph.]

[THE JULY 16, 2019 AMENDMENT added the new last paragraph regulating dogs running at large in a pack.]

Sec. 4-17.1:1. Discretionary period of dog confinement; limited exemption; penalty.

[THE DECEMBER 4, 2006 ACT adopted this section.]

[THE JULY 17, 2012 AMENDMENT changed the title of the section, substituted “The Board reserves the right each year to establish as necessary a” for “During the” and “during which” for “each year” in the first sentence, added the last sentence in the first paragraph, substituted “Should the Board resolve to establish a confinement period in a particular” for “Each” in the first sentence of the third paragraph, and deleted “annual” from that sentence.]

Sec. 4-17.2. Exotic or poisonous animals running at large prohibited.

[THE AUGUST 7, 2000 ACT adopted this section.]

Sec. 4-18. Unlawful acts; penalties.

[THE 1987 AMENDMENT deleted “Class 4” preceding “misdemeanor,” inserted “which shall be punishable by a fine of not more than one hundred dollars (\$100.00)” and added language at the end of the section beginning “or by the provisions.”]

[THE 1988 AMENDMENT substituted “VA. CODE ANN. §§3.1-796.66 et seq.” for “the Virginia Comprehensive Animal Laws of 1984 (VA. CODE ANN. §29-213.36 et seq.)”]

[THE 1990 AMENDMENT substituted “two hundred fifty dollars (\$250.00)” for “one hundred dollars (\$100.00).”]

[THE JULY 6, 2004 AMENDMENT designated the former provisions as subsection (c) hereof, substituting “any provision of Divisions 1 or 2 of this article” for “the provisions of this article,” and “in either Division of this article” for “herein,” and inserting “not included in the schedule of civil penalties in subsection (b) hereof”; and added new subsections (a) and (b).]

[THE DECEMBER 4, 2006 AMENDMENT added new paragraph 8a. in subsection (b).]

[THE DECEMBER 5, 2017 AMENDMENT substituted “within one month after the date when” for “before February 1 for the year in which” in (b)(9).]

[THE JULY 21, 2020 AMENDMENT completely rewrote the section to remove civil penalties and to correspond with the state code designation of the offenses listed as misdemeanors.]

Division 2. Dog Licenses

Sec. 4-19. Amount of tax; exemptions; penalty.

[THE 1984 AMENDMENT, effective November 1, 1984, amended (a) to increase the amount of license tax per dog by \$1.00 and to increase the kennel tax by \$5.00.]

[THE 1987 AMENDMENT inserted “for each year” twice in the last sentence of (a), substituted “and serve” for “to serve” in the first sentence in (b), and “or that are trained and serve” for “and” preceding “hearing dogs” therein, designated provisions of former second paragraph in (b) as present (c), deleted “Class 4” preceding “misdemeanor” and inserted “which shall be” and “(\$100.00)” in (c).]

[THE 1988 AMENDMENT substituted “four (4) months of age” for “six (6) months of age” at the beginning of (a).]

[THE 1990 AMENDMENT substituted “two hundred fifty dollars (\$250.00)” for “one hundred dollars (\$100.00)” in (c).]

[THE MARCH 17, 1997 AMENDMENT added “or that are trained and serve as service dogs for a mobility-impaired person” at the end of the first sentence in (b), and added the definition of “service dog” at the end of the second sentence therein.]

[THE JULY 7, 2003 AMENDMENT, effective on and after January 1, 2005, rewrote the former second sentence in (a) as the present second and third sentences, increasing the license fee from \$3 per year to \$10 per year for non-neutered or non-spayed dogs and increasing the license fee from \$3 per year to \$5 per year for neutered or spayed dogs.]

[THE JULY 6, 2004 AMENDMENT substituted “subject to the civil penalty prescribed in §4-18 of this Code” for “a misdemeanor, which shall be punishable by imposition of a fine not to exceed two hundred fifty dollars (\$250.00)” in (c).]

[THE JULY 2, 2007 AMENDMENT designated the former provisions of (b) as paragraph (1) therein, and added paragraph (2) thereafter.]

[THE DECEMBER 2, 2014 AMENDMENT inserted “or otherwise disabled person” in (b)(1) and rewrote the last sentence to clarify where definitions are to be found.]

[THE DECEMBER 3, 2019 AMENDMENT slightly rewrote subsection (b)(1) without substantive change.]

Sec. 4-20. Disposition of funds.

[THE SEPTEMBER 1996 AMENDMENT inserted exclusionary language beginning “except those funds collected under §4-7.1...”]

[THE MARCH 17, 1997 AMENDMENT rewrote the section to provide for maintenance of a separate fund and to prescribe the permissible uses of funds therein.]

[THE MAY 17, 1999 AMENDMENT, in (a), substituted “moneys” for “money” in introductory paragraph, substituted “animal control officer” for “animal warden” in item 1., deleted “dog” preceding “pound” in item 2, and inserted “§4-43” in item 5.]

[THE DECEMBER 2, 2014 AMENDMENT substituted “public animal shelter” for “pound” in (a)(2).]

Sec. 4-21. When license tax payable.

[THE 1987 AMENDMENT deleted “forthwith” preceding “by the owner” in (c), and inserted language beginning “which” and ending “(\$100.00)” in (d).]

[THE 1988 AMENDMENT substituted “four (4) months” for six (6) months.”]

[THE 1990 AMENDMENT substituted “this license shall be valid from the date the license is purchased” for “such license shall protect such dog from the date of purchase” at the end of (c) and substituted “two hundred fifty dollars (\$250.00)” for “one hundred dollars (\$100.00)” in (d).]

[THE JULY 6, 2004 AMENDMENT, in (d), substituted “subject to the civil penalty prescribed in §4-18 of this Code” for “a misdemeanor which shall be punishable by a fine of not more than two hundred fifty dollars (\$250.00)” in the first sentence and substituted “In addition” for “and, in addition” in the second sentence.]

[THE JULY 2, 2007 AMENDMENT substituted new (b) for former language that had provided: “If a dog shall become four (4) months of age or come into the possession of any person between January 1 and November 1 of any year, the license tax for the current calendar year shall be paid by the owner”; and substituted new (c) for former language providing that “If a dog shall become four (4) months of age or come into the possession of any person between October 31 and December 31 of any year, the license tax for the succeeding calendar year shall be paid by the owner and this license shall be valid from the date the license is purchased.”]

Sec. 4-22. Payment of license tax subsequent to summons.

[THE DECEMBER 7, 2009 AMENDMENT rewrote this section for clarity.]

Sec. 4-23. Evidence showing inoculation for rabies prerequisite to obtaining dog license.

[THE MARCH 17, 1997 AMENDMENT added the language beginning “or currently licensed veterinary technicians...” following “veterinarian” in (a).]

[THE JULY 2, 2007 AMENDMENT, in (a), inserted “or other agent” preceding “charged” and substituted “dogs, satisfactory evidence” for “dogs at the time application for license is made, evidence satisfactory to him showing.”]

[THE JULY 19, 2010 AMENDMENT added a requirement that all rabies clinics must be approved by the County Health Department and the Board of Supervisors, and added the last two sentences in (b).]

[THE JULY 2, 2013 AMENDMENT substituted “require the approval” for “must be approved” in the first sentence, and substituted “once every two years” for “once per year” and deleted “if the Board of Supervisors finds that the number of resident veterinarians is otherwise inadequate to meet the need” from the second sentence.]

Sec. 4-23.1. Veterinarians to provide local treasurers with rabies certificate information; civil penalty.

[THE JULY 2, 2007 ACT adopted this section, effective upon passage except as otherwise indicated.]

[THE JULY 7, 2008 AMENDMENT added the last sentence in subsection (b).]

[THE DECEMBER 1, 2008 AMENDMENT deleted “but not limited to” in the last sentence of subsection (c).]

Sec. 4-24. Status of dog not wearing valid license tag.

[THE JULY 2, 2007 AMENDMENT substituted “bearing a valid license tag” for “to which is attached a license tag issued for the current calendar year” and “prima facie be deemed to be unlicensed” for “be considered, prima facie, an unlicensed dog” and made stylistic changes.]

Sec. 4-25. How to obtain license; additional requirements as to hybrid canines.

[THE 1987 AMENDMENT inserted the fourth sentence.]

[THE 1991 AMENDMENT inserted “current” preceding “certificate” twice.]

[THE DECEMBER 1, 1997 AMENDMENT designated existing provisions as (a) and added (b).]

[THE JULY 2, 2007 AMENDMENT, in (a), inserted “or satisfactory evidence that such certificate has been obtained” in the first and third sentences, and substituted “or female, whether spayed or neutered, or whether” for “unsexed female, female or” in the third sentence.]

[THE JULY 6, 2017 AMENDMENT, in (a), substituted “years” for “year” and added a citation cross-reference.]

Sec. 4-26. What dog licenses shall consist of.

[THE MAY 17, 1999 AMENDMENT deleted “the sex of the dog,” following “County name” and “shall bear” preceding “a serial number” in the second sentence.]

[THE JULY 2, 2007 AMENDMENT added “or other identifying information prescribed by the County” at the end of the second sentence.]

Sec. 4-27. Duplicate license tags.

[THE 1988 AMENDMENT rewrote the first sentence and inserted “of the owner or custodian” following “Upon affidavit” in the second sentence and “for any dog” preceding “shall be one dollar (\$1.00)” in the last sentence.]

[THE DECEMBER 1, 2008 AMENDMENT substituted “is” for “shall become” and added “tag” after “duplicate license” in the first sentence.]

Sec. 4-28. Displaying receipts; dogs to wear tags.

[THE 1988 AMENDMENT substituted “four (4) months old” for “six (6) months old.”]

[THE 1990 AMENDMENT inserted “when” preceding “(1)” in the last sentence and deleted “when” preceding “the dog” in clauses (1) through (5).]

[THE MAY 17, 1999 AMENDMENT substituted “officer” for “warden.”]

[THE JULY 6, 2004 AMENDMENT added the second paragraph.]

[THE DECEMBER 1, 2008 AMENDMENT separated the second and third sentences for clarity and substituted “older” for “over” in the third sentence.]

Division 3. Commercial Dog Breeding Operations

Sec. 4-28.1. Business license required.

[THE DECEMBER 1, 2008 ACT adopted this section, effective January 1, 2009.]

Sec. 4-28.2. Commercial dog breeding; requirements.

[THE DECEMBER 1, 2008 ACT adopted this section, effective January 1, 2009.]

Sec. 4-28.3. Right of entry.

[THE DECEMBER 1, 2008 ACT adopted this section, effective January 1, 2009.]

Sec. 4-28.4. Concurrent operation of releasing agency prohibited.

[THE DECEMBER 1, 2008 ACT adopted this section, effective January 1, 2009.]

Sec. 4-28.5. Penalty.

[THE DECEMBER 1, 2008 ACT adopted this section, effective January 1, 2009.]

Sec. 4-28.6. Duty of attorneys for the Commonwealth.

[THE DECEMBER 1, 2008 ACT adopted this section, effective January 1, 2009.]

Article III. Hybrid Canines.

Sec. 4-29. Purpose and scope of article; applicability of other ordinances; effective date.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

[THE MAY 17, 1999 AMENDMENT inserted “or custodians” and “or custodianship” in subsection (d).]

Sec. 4-30. Definitions.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

[THE MAY 17, 1999 AMENDMENT substituted “animal control officer” for “animal warden” and “State Veterinarian’s representative” for “compliance officer who is under the direction of the State Veterinarian” in the definition of “Hybrid canine.”]

[THE DECEMBER 2, 2014 AMENDMENT substituted in definition of “Hybrid canine:” “that is or can be demonstrated to be a hybrid of the domestic dog and any other species of the Canidae family; that” for “which” and substituted “or advertised as such; or that at any time has been described, represented, or reported as such” for “or otherwise described or represented as a hybrid canine, wolf, or coyote.”]

Sec. 4-31. Reserved.

[None.]

Sec. 4-32. Hybrid canine permit required; application.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

[THE MAY 17, 1999 AMENDMENT substituted “animal control officer” for “animal warden” in subsection (e).]

[THE JULY 2, 2007 AMENDMENT deleted “and as set forth at §4-38 of this Code” at the end of subsection (b), and, in subsection (e)(2), substituted “in the form furnished by the animal control officer” for “as set forth in §4-38 of this Code” at the end of the first sentence and added the second sentence therein.]

Sec. 4-33. Annual permit fee.

[THE DECEMBER 1, 1997 ACT adopted this section, effective on January 1, 1998.]

[THE MAY 17, 1999 AMENDMENT substituted “control officer” for “warden” in subsection (b).]

[THE JULY 2, 2007 AMENDMENT substituted new (c) for former language that had provided: “If a hybrid canine shall become four (4) months of age or come into the possession of any person between January 1 and November 1 of any year, the permit fee for the current calendar year shall be paid by the owner”; and deleted former (d), now a “Reserved” subsection, which had provided: “If a hybrid canine shall become four (4) months of age or come into the possession of any person between October 31 and December 31 of any year, the permit fee for the succeeding calendar year shall be paid by the owner and this permit shall be valid from the date the permit fee is paid.]

[THE DECEMBER 7, 2021 AMENDMENT corrected the cross-reference in (e).]

Sec. 4-34. Rabies inoculation of hybrid canines; prerequisite to issuance of hybrid canine permit.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

[THE MAY 17, 1999 AMENDMENT, substituted “control officer” for “warden” in (c) and (e), and inserted “or State Veterinarian’s representative” twice.]

Sec. 4-35. Identifying tattoo or electronic implantation required.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

[THE MAY 17, 1999 AMENDMENT substituted “control officer” for “warden.”]

Sec. 4-36. Confinement and control of hybrid canine on property or owner or custodian; adequate care required; posting of property.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

Sec. 4-37. Control of hybrid canine off property of owners or custodian; adequate care required; when confinement required.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

Sec. 4-38. Hybrid Canine Owner Contract required.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

[THE MAY 17, 1999 AMENDMENT substituted “control officer” for “warden.”]

[THE JULY 2, 2007 AMENDMENT, in the introductory language of subsection (a), substituted “in the form furnished by the animal control officer” for “as set forth below” at the end of the first sentence and added the second sentence; and deleted the contract form which previously followed subsection (a), which contract form is now found in the Appendix of Forms for Chapter 4 of the Campbell County Code of 1988, which immediately follows the text of this Chapter.]

Sec. 4-39. Certain notifications required to be given to animal control officer.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

[THE MAY 17, 1999 AMENDMENT substituted “control officer” for “warden.”]

Sec. 4-40. Display of hybrid canine tag; exhibition of permit.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

[THE MAY 17, 1999, AMENDMENT substituted “control officer” for “warden.”]

Sec. 4-41. Presentation of hybrid canine permit and tag prerequisite to issuance of dog license under §4-19 et seq. of this Code.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

[THE MAY 17, 1999 AMENDMENT substituted “control officer” for “warden.”]

Sec. 4-42. Hybrid canines killing, injuring or chasing livestock or poultry.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

[THE MAY 17, 1999 AMENDMENT substituted “control officer” for “warden.”]

[THE DECEMBER 1, 2008 AMENDMENT substituted “may” for “shall have the right to” and “shall” in the second sentence of (a), substituted “may” for “shall have the power to” in the third sentence of (a), substituted “that kills” for “killing” in the third sentence of (a), deleted “at a time and place named therein” in the last sentence of (b), and substituted “that” for “which” twice in (d).]

Sec. 4-43. Compensation for livestock or poultry killed by hybrid canines.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

[THE MAY 17, 1999 AMENDMENT substituted “control officer” for “warden.”]

[THE DECEMBER 1, 2008 AMENDMENT substituted “if” for “provided that” after “per fowl” in (a).]

[THE JULY 1, 2014 AMENDMENT substituted “\$750.00” for “\$400.00” in (a).]

Sec. 4-44. Disposition of funds.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

Sec. 4-45. Violations; penalties.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

Sec. 4-46. Severability.

[THE DECEMBER 1, 1997 ACT adopted this section, effective January 1, 1998.]

Article IV. Coyotes.

Sec. 4-50. "Coyote" defined; limited exclusion.

[THE JUNE 5, 2006 ACT adopted this section.]

Sec. 4-51. Inapplicability within towns in County.

[THE JUNE 5, 2006 ACT adopted this section.]

Sec. 4-52. Article not to supersede provisions restricting discharge of firearms in certain areas or hunting with firearm within certain proximity to primary or secondary highway.

[THE JUNE 5, 2006 ACT adopted this section.]

Sec. 4-53. Killing of coyotes.

[THE JUNE 5, 2006 ACT adopted this section.]

Sec. 4-54. Reserved.

[None.]

Sec. 4-55. Reserved.

[None.]