



# Albemarle County

## Legislation Text

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**File #:** 18-508, **Version:** 1

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**AGENDA DATE:** 10/3/2018

**TITLE:**

Ordinance to Amend County Code Chapter 4, Animals and Fowl

**SUBJECT/PROPOSAL/REQUEST:** Ordinance to Amend County Code Chapter 4, Animals and Fowl

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Farley, Lantz, Wells

**PRESENTER (S):** Greg Kamptner; Amanda Farley

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** The Board directed the County Attorney's Office to conduct a comprehensive review and recodification of the County Code. Chapter 4 of the County Code pertains to animals, and includes regulations that range from licensing dogs, dangerous dogs, vicious dogs, and dogs running at large to animal welfare.

The Board held a work session on August 8, 2018, at which time it reviewed a proposed ordinance that reorganized the chapter and included revisions to ensure consistency with State law. In addition, the Board considered a range of current and proposed acts that would create a rebuttable presumption of animal cruelty, as well as proposed changes to County Code §§ 4-306 and 4-308 that would replace some discretionary authority of the trial court in the disposition of animal abandonment and cruelty cases with mandatory requirements. The Board directed staff to incorporate all of the acts that would create a rebuttable presumption of animal cruelty into County Code § 4-301, and to incorporate a requirement that the court prohibit a person determined by the court to have abandoned, cruelly treated, or deprived adequate care to an animal from owning or possessing other animals into County Code §§ 4-306 and 4-308.

On September 5, 2018, the Board received a revised proposed ordinance incorporating all of the above changes.

**STRATEGIC PLAN:** Quality Government Operations: Ensure County's government capacity to provide high quality service that achieves community priorities.

**DISCUSSION:** The attached proposed ordinance (Attachment A) was reviewed by the Board on September 5 and includes all of the changes the Board requested.

As noted in the September 5 executive summary, if the Board desires to explore additional regulations pertaining to feral cats, staff recommends that the work on that issue be initiated at a later date.

**BUDGET IMPACT:** There is no expected budget impact

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached proposed Ordinance (Attachment A) after the public hearing.

**ATTACHMENTS:**

A - Proposed Ordinance