



Albemarle County

Legislation Text

File #: 21-496, **Version:** 1

AGENDA DATE: 10/20/2021

TITLE:

Ordinance to Amend County Code Chapter 4, Animals

SUBJECT/PROPOSAL/REQUEST: Adoption of an Ordinance to amend County Code Chapter 4, Animals, Division 2, Dangerous Dogs, as required by changes to Virginia Code § 3.2-6540 *et seq*

ITEM TYPE: Regular Action Item

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

PRESENTER (S): Amanda Farley

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: On March 31, 2021, in the Special Session I of 2021, the Governor signed into law Senate Bill 1135, which amended and reorganized Virginia Code sections applicable to dangerous dogs. The amendments to the Virginia Code require like amendments to the Albemarle County Code, so that they are in compliance with state mandates.

STRATEGIC PLAN: Mission - To enhance the well-being and quality of life for all community members through the provision of the highest level of public service consistent with the prudent use of public funds.

DISCUSSION: Effective July 1, 2021, Virginia Code §§ 3.2-6540 and 3.2-6542.1 are amended and §§ 3.2-6540.01, 3.2-6540.02, 3.2-6540.03, 3.2-6540.04, and 3.2-6540.1 are added. So that the Albemarle County Code conforms to the recent changes to the Virginia Code, draft amendments to Albemarle County Code §§ 4-210 through 4-220 are submitted with proposed changes.

The significant amendments to the Virginia Code, which are reflected in the proposed ordinance, include:

- clarification on the definition of “dangerous dog”;
- additional responsibilities of the owner of a dog suspected to be or determined to be a “dangerous dog”;
- additional responsibilities of animal control officers;
- additional procedural options for a court that is determining whether a dog is a “dangerous dog”;
- new notice requirements; and
- confinement, transfer, and relocation requirements for a dog determined to be a “dangerous dog”.

BUDGET IMPACT: There is no expected budget impact.

RECOMMENDATION:

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

ATTACHMENTS:

A - Proposed Ordinance