# Albemarle County

## Legislation Text

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**File #:** 19-594, **Version:** 1

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**AGENDA DATE:  12/18/2019**

**TITLE:**
Ordinance to Amend County Code Chapter 4, Animals

**SUBJECT/PROPOSAL/REQUEST:**   Schedule a public hearing to consider the adoption of an Ordinance to amend County Code Chapter 4, Animals, to revise the provisions pertaining to animals making noise

**ITEM TYPE:**  Consent Action Item

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

**PRESENTER (S):**  N/A

**LEGAL REVIEW:**  Yes

**REVIEWED BY: Jeffrey B. Richardson**

**BACKGROUND:**  County Code § 4-319 provides that it is unlawful and a nuisance for an owner or custodian of an animal to allow the animal to frequently or for a continued duration howl, bark, or make other excessive or continuous sounds which are audible on the property of a complainant in the County. There are four classes of animal sounds that are exempt from Section 4-319, one of which applies to sounds "created by any animal located on a parcel five acres or more in size that is zoned Rural Areas district." The Board has recently received complaints from constituents about nearby dogs barking incessantly, where the dogs are located on parcels larger than five acres in the Rural Areas zoning district and, therefore, Section 4-319 does not apply.

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

**DISCUSSION:**  The attached proposed Ordinance (Attachment A) would amend County Code   § 4-319, Frequent or continuous sounds by animals are prohibited, to eliminate the exemption for sounds from animals located on parcels five acres or more in size in the Rural Areas zoning district.

**BUDGET IMPACT:** Any increased workload could be managed by existing staff.

**RECOMMENDATION:**
Staff recommends that the Board schedule a public hearing to consider the adoption of the attached proposed Ordinance (Attachment A).

**ATTACHMENTS:**
Attachment A - Proposed Ordinance

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