



# Albemarle County

## Legislation Details (With Text)

**File #:** 19-507      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Consent Agenda  
**File created:** 9/26/2019      **In control:** Board of Supervisors  
**On agenda:** 10/16/2019      **Final action:**  
**Title:** Authorization to Schedule Public Hearing for Ordinance to Amend County Code Chapter 4, Animals.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Att.A - Proposed Ordinance

Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 10/16/2019

**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 running at large provisions

**ITEM TYPE:** Consent Action Item

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

**PRESENTER (S):** Greg Kamptner

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** County Code § 4-225 provides that a dog is deemed to be running at large and subject to seizure when it is "not under the owner's or custodian's immediate control." Under this description, a dog may be "under the owner's or custodian's immediate control" even when it is not on a leash. As a result, dogs may be walked unleashed on public streets and sidewalks. Since Chapter 4 was comprehensively amended in October 2018, some Board members have received complaints from constituents encountering dogs in public places that were not on leashes. The County already requires that dogs in County parks, which include any County-owned property used for recreational purposes, to be leashed and under owner or custodian control except in designated areas where dogs may be unleashed. (County Code § 11-120)

**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 § 4-225, Dogs running at large is prohibited, to require that dogs be on a leash rather than under its owner's or custodian's immediate control to not be deemed a dog running at large.

The proposed ordinance provides five exceptions to the leashing requirements under prescribed circumstances: (1) when the dog is fenced (physical or electronic) on the owner's or custodian's property; (2) when hunting with a licensed hunter; (3) during field trials or training; (4) within a fenced dog park or exercise area; and (5) when the handler of a service dog is unable to use a leash or other equipment to leash the dog.

**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:**

A - Proposed Ordinance