



Albemarle County

Legislation Details (With Text)

File #: 22-368 **Version:** 1 **Name:**
Type: Ordinance **Status:** Public Hearing
File created: 7/15/2022 **In control:** Board of Supervisors
On agenda: 8/3/2022 **Final action:**
Title: Ordinance to Amend County Code Chapter 4, Animals - Vicious Dogs. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 4, Animals, by amending Section 4-222, Vicious Dogs, which requires a law-enforcement officer or animal control officer, who is located in the jurisdiction in which a vicious dog resides or in which the vicious dog committed a prohibited act, to apply to a magistrate for a summons for a vicious dog. The amended ordinance also establishes the timing of an evidentiary hearing and an appeal.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Att.A - Proposed Ordinance

Date	Ver.	Action By	Action	Result
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AGENDA DATE: 8/3/2022

TITLE:

Ordinance to Amend County Code Chapter 4, Animals

SUBJECT/PROPOSAL/REQUEST: Adoption of an Ordinance to amend County Code Chapter 4, Animals; Article 2, Dogs; Division 3, Vicious Dogs, as required by changes to Virginia Code § 3.2-6540 *et seq.*

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Richardson, Henry, Rosenberg, Farley, Reeves, Walsh

PRESENTER (S): Amanda Farley

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: On April 11, 2022, in the Special Session 2022, the Governor signed into law Senate Bill 279, which amended Virginia Code sections applicable to vicious 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, 2022, Virginia Code §§ 3.2-6540.1 is amended. So that the Albemarle County Code conforms to the recent changes to the Virginia Code, a draft amendment to Albemarle County Code §§ 4

-222 is submitted with proposed changes.

The significant amendment to the Virginia Code, which is reflected in the proposed ordinance, includes authorization of a law enforcement officer or an animal control officer to apply to a magistrate of a jurisdiction in which the vicious dog resides or in which it committed an act set forth in the definition of “vicious 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