

Issue Analysis Form



Date: February 9, 2021
Ordinance Amending
Language for Dogs Running
at Large and Penalty for Dogs
Running at Large

Item:

Lead Department(s): County Attorney

Contact Person(s): Dan Whitten

Description and Current Status

In 2019, the General Assembly amended Section 3.2-6538 of the Code of Virginia to require localities that have a running at large ordinance to add language providing for a civil penalty up to \$100 for dogs running at large in a pack.

A dog shall be deemed running at large in a pack if the dog is running at large in the company of one or more dogs that are also running at large.

A draft ordinance is attached for consideration; a motion approving the ordinance is requested.

This Ordinance shall be effective upon adoption.

Sample Motion: I move that the Board approve an Ordinance amending language for dogs running at large and adding a penalty for dogs running at large in a pack in accordance with Virginia Code Section 3.52-6538.

Government Path

- Does this require IDA action?** Yes No
- Does this require BZA action?** Yes No
- Does This require Planning Commission Action?** Yes No
- Does this require Board of Supervisors action?** Yes No
- Does this require a public hearing?** Yes No
- If so, before what date?** Yes No

Fiscal Impact Statement

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF
PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED, BY
AMENDING § 6-146 TO CLARIFY THE LANGUAGE FOR A DOG RUNNING AT LARGE
AND TO PROVIDE FOR A CIVIL PENALTY OF UP TO \$100 FOR DOGS RUNNING IN A
PACK WHICH IS DEFINED AS THE DOG RUNNING AT LARGE IN THE COMPANY OF
ONE OR MORE DOGS THAT ARE ALSO RUNNING AT LARGE

BE IT ORDAINED by the Board of Supervisors of Prince George County:

*(1) That The Code of the County of Prince George, Virginia, 2005, as amended, is amended
by amending § 6-146, as follows:*

CHAPTER 6 ANIMALS

ARTICLE II. Dogs and Cats Generally

DIVISION 4. Dogs Running at Large

Sec. 6-146. - Running at large prohibited in county.

- (a) It shall be unlawful for the owner of any dog to permit or allow such dog to run or be at large within the county. A dog shall be deemed to be at large when **roaming or running** off the property of its owner or custodian and not under the ~~direct~~ **immediate** control of the owner, custodian or his agent, either by leash, cord or chain. **A dog shall be deemed to be running at large in a pack if the dog is running at large in the company of one or more dogs that are also running at large.**
- (b) This section shall not apply to any person while engaged in a supervised formal obedience training class or show or during field trials training, hunting training, or while engaged in lawful hunting with a dog during open season. It shall be unlawful for the owner of a dog to place such dog in the custody of any other person not physically capable of maintaining effective control of such dog.
- (c) **The owner or custodian of a dog found while running at large in a pack shall be subject to civil penalty in the amount of \$100.00 per dog so found.**

(Code 1988, § 3-86)

State Law reference— Authority of county to prohibit the running at large of dogs, Code of Virginia, **§ 3.2-6538** ~~§ 3.1-796.93.2)~~

(2) That the Ordinance shall be effective upon adoption.