

## Article IV – Animal Nuisance

### Sec. 4-110 Animal Nuisance

- a) All animal owners shall exercise proper care and control of their animals to prevent them from becoming a public nuisance. Excessive, continuous, or untimely barking, molesting passersby, biting, or attacking a person without provocation on one or more occasions, chasing vehicles, habitually attacking other domestic animals, trespassing upon school grounds or trespassing upon private property in such a manner as to damage property shall be deemed a nuisance.
- b) Any such person owning any animal constituting a nuisance may be summoned before the general district court to show cause why such animal should not be confined, destroyed, removed, or the nuisance otherwise abated and upon proof that the animal constitutes a public nuisance the animal in question shall, by order of the general district court, either be confined, destroyed, removed, or the nuisance otherwise be abated as such court shall order; the court may also impose a fine up to \$250.00 to be paid by the owner or custodian of such animal. It shall be unlawful and shall constitute contempt of court for any person to harbor or conceal any animal which has been ordered destroyed or removed by the general district court or to fail to confine or restrain an animal when such an order has been entered by the court.
- c) If the animal control officer or his duly authorized agent has reason to believe that any animal has, without provocation, attacked or bitten any person, such animal may be taken into custody and confined by the animal control officer pending determination of the courts pursuant to this section.
- d) Any person who owns an animal that has been adjudged a nuisance pursuant to this section by the general district court and who appeals that decision to the circuit court shall be responsible for the fees connected with the impounding of the animal by the animal control officer. The animal control officer or owner shall confine such animal during pendency of the appeal to prevent a reoccurrence of the nuisance. If on appeal the circuit court determines that the animal is not a nuisance, no such fees for the impounding shall be imposed.
- e) This ordinance is enacted pursuant to VA Code § 3.2-6543. Any fines or fees collected pursuant to this ordinance may be used for the purpose of defraying the cost of local animal control.

### Sec. 4-111 Prohibited Snakes

- a) A prohibited snake means any constrictor snake that is longer than six feet or venomous snake of any length. Other snakes are not prohibited snakes.
- b) No person shall keep or permit to be kept on his premises any prohibited snake for any reason except that this prohibition shall not apply to licensed veterinary clinics that have proper zoning approval.
- c) No person shall exhibit or display any prohibited snake in a manner so that persons other than their handlers can pet, fondle, or come in direct physical contact with them.
- d) The owner of any prohibited snake as defined in subsection (a) found to be running, roaming, or otherwise at large, off the owner's property shall reimburse the county for its actual costs incurred including without limitation the actual cost of the time expended by the animal control

officer, deputy animal control officer, or other county or town personnel, in locating and capturing or otherwise disposing of the animal.

- e) Nature centers, refuges, and parks shall be exempt from this section, provided in each case that they are owned or operated by the federal, state, or local government.

#### Sec. 4-112 Penalties

Penalties for all above violations:

- 1) First offense - \$100.00
- 2) Second offense - \$200.00
- 3) Third and subsequent offenses - \$250.00

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