

ORDINANCE NO. 7575-19

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 6, ANIMALS AND FOWL, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II., DOGS AND CATS GENERALLY, SECTION 6-25, RUNNING AT LARGE; DISPOSAL OF IMPOUNDED ANIMALS.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

That Chapter 6, Animals and Fowl, of the Code of the City of Newport News, Virginia, Article II., Dogs and Cats Generally, Section 6-25, Running at large; disposal of impounded animals, be, and the same hereby is, amended and reordained as follows:

CHAPTER 6

ANIMALS AND FOWL

ARTICLE II. DOGS AND CATS GENERALLY

Sec. 6-25. Running at large; disposal of impounded animals.

(a) It shall be unlawful for the owner, custodian or other person in charge or control of any dog to permit or allow such animal to be at large within the city limits or to negligently fail to prevent such animal from being at large within the city limits. If a dog attacks a person or another companion animal while at large, the owner shall be guilty of a Class 2 misdemeanor. Section 29-50 requires dogs be leashed in public parks. The owner or custodian of any dog found running at large in a pack shall be subject to a civil penalty in an amount of one hundred dollars (\$100.00) per dog so found. For the purpose of this section, a dog shall be deemed to be running at large in a pack if it is running at large in the company of one or more other dogs that are also running at large.

(b) It shall be unlawful for any person to permit any cat owned or kept by him or her to run or go at large within the city unless said cat is spayed or neutered; this provision shall not apply to kittens who are less than six (6) months of age.

(c) It shall be the duty of the animal control officer or other officer who may find any dog that is running at large or any cat as identified in paragraph (b) above that is running at large to forthwith take said animal into custody. If the owner or keeper is known, or if such animal has upon it the name and address of the owner, and the owner thereof can be reasonably ascertained, then such owner shall be notified within forty-eight (48) hours after such impound.

(d) The animal control officer or other officer may also impound any other stray or feral animal that he finds. If a dog or cat is found without the license required by this Article, it shall be presumed that the dog or cat is stray or feral, unless the animal control officer or other officer has reason to know that it is not stray or feral.

(e) The animal shall be impounded in the public animal shelter, or other appropriate holding facility for a period of at least five (5) days, such period to commence on the day immediately following the day the animal is initially confined in the facility. An animal bearing a collar, tag, license, tattoo or other form of identification shall be held for an additional five (5) days. The owner may, upon proof of ownership redeem the animal immediately.

(f) Any person claiming to be the owner of an impounded animal shall provide adequate proof of ownership prior to redeeming the animal. Proof of ownership shall consist of a current city license, veterinary documentation, bills of sale or other adequate documentation. It shall be unlawful for any person to present false evidence of ownership in order to redeem or gain possession of an impounded animal. Violations of this subsection shall constitute a Class 1 misdemeanor.

(g) If at the end of such period as described in subsection (e) such animal shall not have been redeemed, it may be humanely destroyed or disposed of by sale or gift to a federal agency, state-supported institution, agency of the commonwealth, agency of another state or a licensed federal dealer, or any approved animal rescue agency or organization. No provision herein shall prohibit the destruction of a critically injured or critically ill animal for humane purposes.

(h) Nothing in this section shall prohibit the immediate euthanasia or disposal by the methods listed in subdivisions 1 through 5 of subsection D of Section 3.2-6546 of the Code of Virginia, 1950, as amended, an animal that has been released by the animal's rightful owner after the rightful owner has read and signed a statement:

- (1) Surrendering all property rights in such animal;
- (2) Stating that no other person has a right of property in the animal; and
- (3) Acknowledging that the animal may be immediately euthanized or disposed of in accordance with subdivisions 1 through 5 of subsection D of Section 3.2-6546 of the Code of Virginia, 1950, as amended.

(i) This section does not apply to law enforcement animals engaged in the performance of their duties or to animals confined within an area of public property designated by the director of parks, recreation and tourism or private property designated by the owner for having animals off leash.

Page 3
Ordinance No. 7575-19

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON SEPTEMBER 10, 2019

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor

A true copy, teste:

City Clerk