

**AN ORDINANCE AMENDING CHAPTER FIVE OF THE TOWN CODE
PERTAINING TO ANIMALS AND FOWL BY REPEALING SECTION 5-105
AND AMENDING SECTIONS 5-107 AND 5-200**

WHEREAS, the Town Council has determined that certain revisions to the provisions of Town Code Chapter Five (“Animals and Fowl”) are necessary and that such revisions are consistent with the public health, safety and welfare.

NOW THEREFORE, BE IT ORDAINED by the Council of the Town of Blacksburg;

1. That Section 5-105 is repealed and Sections 5-107 and 5-200 of the Town Code are amended and re-enacted, as follows:

Section 5-105. ~~Keeping of hogs.~~ Reserved.

~~(a) Any person who shall keep a hog in the town, except in an agricultural, forestal, or agricultural or forestal district established by the town council pursuant to chapter 3 of this Code, shall be guilty of a Class 3 misdemeanor. The word "hog" shall include all hogs and pigs regardless of age or size.~~

~~(b) The town manager shall require the keeper of a hog in violation of this section to remove it from the town.~~

Section 5-106. Dangerous animals—Registration.

(a) No person shall own a dangerous animal in this town unless and until that person first registers the animal with the town manager and obtains a permit therefor from the town manager. Every person shall annually, each January, re-register the dangerous animal with the town manager, and apply for a renewal of the permit therefor.

(b) The fee for the initial and each subsequent registration and permit shall be five dollars (\$5.00) to defray part of the town's cost in administering this program.

- (c) The registration shall include the name, address, and telephone number of the owner or owners; the kind of dangerous animal owned; the location of this animal; the measures utilized to secure the animal on the owner's premises; and the measures utilized to maintain the means of restraint and to care for the dangerous animal. The adequacy or not of these measures shall be determined by the town manager, using these standards: strength, durability, efficacy, and any proven success of such measures.
- (d) At the time of the initial registration, and at each subsequent January, the owner shall provide to the town manager a certificate of insurance, which shall show that the owner currently maintains liability insurance with respect to the dangerous animal and its ownership. The liability insurance shall be obtained through a firm authorized to conduct insurance business in the Commonwealth of Virginia. The insurance shall afford the owner protection in the amounts of one hundred thousand dollars (\$100,000.00 each occurrence and three hundred thousand dollars (\$300,000.00) annual aggregate, against liability for injury, death, or property damage that may be caused in the town by the dangerous animal.
- (e) Nothing in this section shall be deemed to sanction or legitimize the keeping of an animal where this practice contravenes the general law of this state or federal law.

Section 5-107. Same—Exceptions.

The requirements of section 5-106, above, shall not apply to:

- (1) Ownership of dangerous animals in conjunction with the conduct in the town of a lawful, licensed business;
- (2) Ownership of dangerous animals in connection with a circus, carnival, wildlife exhibit or educational program, humane society operation, bona fide scientific endeavor or exhibit, public amusement, religious observance, or the like;

- (3) Ownership of dangerous animals in connection with the work or activity of a licensed wildlife rehabilitator; *or*
- (4) *Ownership of a falcon, hawk or owl as permitted by Virginia Code § 29.1-419.*

Section 5-200. - Leash law.

- (a) It shall be unlawful for the owner of any dog to permit the dog to go or be in the town off the premises of the owner, unless the dog is kept secured by a leash, or led by other means of restraint not harmful to the dog. The term "other means of restraint" does not include voice control, *electronic leashes or training devices.*
- (b) This section shall not apply to:
 - (1) Any dog used by law-enforcement agencies, or any dog under contract by law-enforcement agencies.
 - (2) Any person who uses a dog under his or her direct supervision while lawfully hunting, while engaged in a supervised, formal obedience training class or show, or during formally sanctioned field trials.
 - (3) Any dog found or whose owner's premises are located in an agricultural or forestal district.

2. That this ordinance shall be effective upon adoption.

Mayor

ATTEST:

Town Clerk

Introduction: _____

Public Hearing & Action:_____

APPROVED AS TO CONTENT:

APPROVED AS TO LEGAL SUFFICIENCY:

Planning Department

Town Attorney