

Animal Ordinance
Loudoun County,
Virginia

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Loudoun County Code Animal Warden, Sheriff, Health Director

GENERAL OFFENSES CODE

CHAPTER 612 Dogs and Other Animals

EDITOR'S NOTE: Unless otherwise indicated, this chapter was enacted on October 17, 1960, and amended on October 6, 1964, July 5, 1977, May 15, 1978, and September 18, 1978.

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CROSS REFERENCES

Authority of counties re dogs - see Code of Va. 3.1-796.66 et seq.
Declaration of fence pursuant to State law - see GEN. OFF. 618.01
Dog kennels - see B. R. & T. Ch. 808
Animals in swimming pools - see B.R. & T. 838. 52
Farm animals exempt from taxation - see B. R. & T. 860.06

612.01 ANIMAL WARDEN.

Pursuant to Chapter 27.4 of Title 3.1 and Section 15.1-510 of the Code of Virginia of 1950, as amended, there is hereby created the position of Animal Warden. The duties

of the Animal Warden shall be those provided for in Section 3.1-796.104 et seq. of such Code and such other duties as may be provided for herein. (Ord. 90-03. Passed 3-20-90.)

612.02 DEFINITIONS.

As used in this chapter, unless otherwise required by the context:

(a) "Livestock" includes cattle, horses, sheep, goats, swine and enclosed domesticated rabbits or hares.

(b) "Poultry" includes all domestic fowl and game birds raised in captivity.

(c) "Owner" includes any person having a right of property in a dog, any person who keeps or harbors a dog or has it in his care or who acts as its custodian and any person who permits a dog to remain on or about any premises occupied by him.

(d) "Kennel" means a fully enclosed structure wherein dogs are kept and from which they cannot escape, designed for that purpose and approved by the Animal Warden

(e) "Animal Warden" means any animal warden or deputy animal warden appointed under this chapter and in accordance with Section 3.1-796.104 of the Code of Virginia of 1950, as amended.

(f) "Other officer" includes any other person employed or elected by the people of the Commonwealth or by the County or any incorporated town therein whose duty it is to preserve the peace, to make arrests or to enforce the law.

(g) "Treasurer" includes the Treasurer of the County, his lawfully designated agent or other officers designated by law to collect taxes in the County. (Ord. 82-05. Passed 4-19-82.)

(h) "Current rabies vaccination" means a dog or domestic cat has received a rabies immunization not less than thirty days prior to the bite incident or is protected by a previous rabies immunization. The rabies vaccine shall have been administered within the period of time for which the specific vaccine was intended by the manufacturer and is licensed by the United States Department of Agriculture to provide protection. A dog or domestic cat which receives its first vaccination between three and twelve months of age is required to be revaccinated one year after the date of the first vaccination, irrespective of the type of vaccine used. (Ord. 83-01. Passed 1-18-83.)
The vaccination of a wild animal with any type of rabies vaccine is not deemed to be protection against rabies.

(i) "Quarantine" means the isolation of an animal in an enclosure, approved by the Director of the Health Department or his or her designee, designed to prevent the escape of the animal therefrom or entry by, or physical contact with, animals or persons.

(j) "Premises of the owner" means that area immediately surrounding the owner's house, including the house interior, where a confined animal can be competently observed and controlled by the owner. (Ord. 82-05. Passed 4-19-82.)

612. 03 LICENSE TAX.

No person shall own a dog six months old or over in the County unless such dog is licensed, as required by this chapter. Dog licenses shall run by the calendar year, namely, from January 1 to December 31, inclusive, and the license tax shall be payable at the office of the Treasurer and shall be as follows:

Infertile males or females \$ 5.00
Fertile males or females \$10.00
Kennel, up to and including twenty dogs \$35.00
Kennel, up to and including fifty dogs \$50.00

However, no fee for a license shall be levied on any dog that is trained and serves as a guide dog, or that is trained and serves as a police dog for any public law enforcement agency (Ord. 87-11. Passed 9-21-87.)

G12. 04 PAYMENT SCHEDULE.

The license tax on dogs shall be due and payable as follows:

(a) On or before January 1 and not later than January 31 of each year, the owner of any dog six months old or older shall obtain a license as prescribed in Section 612. 03.

(b) if a dog owned by and in the possession of a resident of the County becomes six months of age, or if a dog over six months of age and unlicensed by the County or by any other Commonwealth jurisdiction comes into the possession of any person in the County, between January 1 and November 1 of any year, the license tax for the current calendar year shall be paid forthwith by the owner.

(c) If a dog owned by and in the possession of a resident of the County becomes six months of age, or if a dog over six months of age and unlicensed by the County or by any other Commonwealth jurisdiction comes into the possession of any person in the County, between October 31 and December 31 of any year, the license tax for the succeeding calendar year shall be paid forthwith by the owner and such license shall protect the dog from the date of payment of the license tax.

612.05 PAYMENT OF LICENSE TAX SUBSEQUENT TO SUMMONS.

Payment of the license tax subsequent to a summons to appear before the Judge of the General District Court or any other court for failure to do so within the time required shall not operate to relieve such owner from the penalties provided.

612. 06 UNCOLLARED DOGS; EVIDENCE; BURDEN OF PROOF.

Any dog not wearing a collar bearing a license tag of the proper calendar year shall prima facie be deemed to be unlicensed, and in any proceedings under this chapter the burden of proof of the fact that the dog has been licensed, or is otherwise not required to bear a tag at the time, shall be on the owner of the dog.

612.07 LICENSE APPLICATION; CERTIFICATE OF VACCINATION.

Any resident of the County may obtain a dog license by making oral or written application therefor to the Treasurer, accompanied by the amount of the license tax and a current certificate of rabies vaccination. Such certificate of vaccination or inoculation shall be signed by a currently licensed veterinarian certifying that the dog for which the license is to be issued, or the domestic cat for which no license is required, has been vaccinated or inoculated after one year of age by such veterinarian within the period of time for which the specific vaccine was intended by the manufacturer and licensed by the United States Department of Agriculture. If a dog or cat has been vaccinated between three to twelve months of age, a revaccination one year after the date of the original vaccination is required. The certificate shall show the date of inoculation, the type of vaccine used (whether modified live virus or killed virus), the sex and breed of the dog or domestic cat, whether or not the dog has been neutered or sterilized and the name of the owner.

No certificate or affidavit other than the above described certificate or a duplicate issued by a licensed veterinarian shall be accepted by the Treasurer or other authorized person.

The Treasurer is authorized to license only dogs of resident owners or custodians who reside within the boundary limits of the County and may require information to this effect of any applicant. Upon receipt of the proper application and certificate, the Treasurer shall issue a license receipt for the amount received on which the Treasurer shall record the name and address of the owner or custodian, the date of payment, the year for which it is issued, the serial number of the tag, whether for a fertile or infertile dog or a kennel, and deliver the metal license tag or plates herein provided for. (Ord. 83-01. Passed 1-18-83.)

612. 08 LICENSE RECEIPT AND METAL TAG.

A dog license shall consist of a license receipt and a metal tag. The tag shall be stamped or otherwise permanently marked to show the name of the County, the calendar year for which it is issued and the serial number. The license tag for a kennel shall show the number of dogs authorized to be kept under such license and have attached thereto a metal identification plate for each of such dogs, numbered to correspond with the serial number of the licensed kennel.

612.09 DUPLICATE LICENSE TAGS.

If the dog license is lost, destroyed or stolen, the owner or custodian shall at once apply to the Treasurer who issued the same for a duplicate license tag, presenting the original license receipt. Upon affidavit of the owner or custodian before the Treasurer that the original license has been lost, destroyed or stolen, the Treasurer shall issue a duplicate license tag which the owner or custodian shall immediately affix to the collar of the dog. The Treasurer shall endorse the number of the duplicate and the date issued on the face of the original license receipt. The fee for a duplicate tag for any dog shall be one dollar (\$1. 00).

612.10 DISPLAYING RECEIPTS; DOGS TO WEAR TAGS.

Dog license receipts shall be carefully preserved by the licensees and exhibited promptly on request for inspection by the Animal Warden or other officer. Dog license tags shall be securely fastened to a substantial collar by the owner or custodian and worn by such dog, and no owner shall permit any licensed dog six months old or over to run or roam at large at any time without a license tag. The owner of the dog may remove the collar and license tag required by this section when the dog is engaged in lawful hunting, when the dog is competing in a dog show, when the dog has a skin condition which would be exacerbated by the wearing of a collar, when the dog is confined or when the dog is under the immediate control of its owner.

612.11 KENNEL DOGS.

The owner of a kennel shall securely fasten the license tag to the kennel enclosure in full view and keep one of the identification plates provided therewith attached to the collar of each dog kept enclosed in the kennel. However, this requirement shall not apply to dogs being temporarily boarded in a kennel and not personally owned by the owner or operator of the kennel. Any identification plates not so in use must be kept by the owner or custodian and promptly shown to the Animal Warden or other officer upon request. A kennel dog- shall not be permitted to stray beyond the limits of the enclosure but this shall not prohibit removing dogs therefrom temporarily while under the control of the owner or custodian for the purpose of exercising, hunting, breeding, trial or show. A kennel shall not be operated in such a manner as to defraud the County of the license tax applying to dogs which cannot be legally covered thereunder or to in any manner violate any other provision of this chapter.

612.12 ACTIONS AT LAW OR IN EQUITY; KILLING, INJURING OR POISONING DOGS.

All dogs in the County shall be deemed personal property and may be the subject of larceny and malicious or unlawful trespass, and the owners thereof may maintain an action for the killing of any such dog, or injury thereto, or unlawful detention or use thereof, as in the case of other personal property. No person, except the owner or his authorized agent, shall administer poison to any such dog or expose poison where it

may be taken by any such dog, or injure, disfigure, disable or kill any dog except as otherwise provided in this chapter.

The owner of any dog which is injured or killed by any person contrary to the provisions of this chapter shall be entitled to recover the value thereof or the damage done thereto in an appropriate action at law from such person. The Animal Warden or any other officer finding a stolen dog, or a dog held or detained contrary to law, is authorized to seize and hold such dog pending action before the General District Court or any other court. If no such action is instituted within five days, the Animal Warden or other officer shall deliver the dog to its owner. The presence of a dog on the premises of a person other than its legal owner shall raise no presumption of theft against the owner of such premises, and the Animal Warden may take such dog in charge and notify its legal owner to claim him. The legal owner of the dog shall pay eight dollars (\$8.00) per day for the keeping of such dog while in the possession of the Animal Warden. (Ord. 87-11. Passed 9-21-87.)

612.13 RUNNING AT LARGE.

No dog shall run at large as hereinafter defined. For the purposes of this chapter, a dog shall be deemed to run at large while roaming, running or self-hunting off the property of its owner or custodian and not under its owner's or custodian's immediate control. However, within any residential development in any unincorporated area of the County which has a density of two housing units to the gross acre or more, a dog shall be deemed to run at large while roaming, running or self-hunting off the property of its owner or custodian and not under leash control. The Animal Warden shall enforce the provisions of this chapter. Any person who owns a dog which runs at large or remains unconfined, unrestricted or not penned up and off the property of the owner or custodian, shall be deemed in violation of this section. (Ord. 82-05. Passed 4-19-82.)

612.14 DOGS KILLING OR INJURING LIVESTOCK OR POULTRY. I

The Animal Warden, when he finds a dog in the act of killing or injuring livestock or poultry, shall kill such dog forthwith whether such dog bears a tag or not, and any person finding a dog committing any of the depredations mentioned in this section shall have the right to kill such dog on sight. The General District Court or any other court shall have the power to order the Animal Warden or other officer to kill any dog known to be a confirmed livestock or poultry killer. Any dog killing livestock or poultry for the third time shall be considered a confirmed killer, but this section shall not be deemed to require proof of three incidents of killing before a dog can be considered a confirmed killer. The Animal Warden, or any other person who has reason to believe that a dog is killing livestock or committing any of the depredations mentioned in this section, shall apply to a magistrate of the County, who may issue a warrant requiring the owner or custodian if known, to appear before the Judge of the General District Court at the time and place named therein, at which time evidence shall be heard, and if it appears that such dog is a livestock or poultry killer, or has committed any of the depredations mentioned in this section, the dog shall be ordered killed immediately, which the Animal

Warden, or other officer designated by the Judge of the General District Court to act, shall do.

612.15 COMPENSATION FOR LIVESTOCK AND POULTRY KILLED BY DOGS.

Any person who has any livestock or poultry killed or injured by any dog not his own shall be entitled to receive from the moneys available in the fund established by the County pursuant to Section 3.1-796. 101 of the Code of Virginia of 1950 compensation for the fair market value of such livestock or poultry, not to exceed four hundred dollars (\$400. 00) per animal or fowl, provided that the Animal Warden or other officer was notified of the incident within seventy-two hours of its discovery; that the claimant has furnished evidence within sixty days of discovery of the quantity and value of the dead or injured livestock and the reasons the claimant believes that death or injury was caused by a dog; and that the Animal Warden has conducted an investigation and his investigation supports the claim Upon payment under this section, the County shall be subrogated to the right of action of the owner of the livestock or poultry against the owner of the dog, to the extent of compensation paid, and may enforce the same in an appropriate action at law. (Ord. 90-03. Passed 3-20-90.)

612.16 CONFINEMENT AND DISPOSITION OF STRAY DOGS.

(a) The Animal Warden shall impound in the County Animal Shelter any dog found unrestricted and not confined to the premises of its custodian or owner, or under his or her direct control, as provided in Section 612.13, or any dog which has not been vaccinated and licensed, as provided in this chapter, and shall issue a summons against such owner or custodian for a violation of this section. However, if the owner or custodian of the dog can immediately be ascertained and located, a summons may be issued against such owner or custodian, and the dog may, in lieu of impoundment, be released to its owner or custodian. In the case of impoundment, the dog shall be held in the Animal Shelter, unless the dog is rabid or suspected of being rabid, in which case Section 612.18 shall apply.

(b) A dog impounded and not rabid or suspected of being rabid may be redeemed by its owner or custodian within ten working days after the impoundment upon:

(1) Payment of a pick-up fee of twenty-three dollars (\$23.00) for the first impound and a pick-up fee of forty-three dollars (\$43.00) for each impound if one or more pick-ups are made within a one-year period following the first impound;

(2) Payment of a boarding fee of eight dollars (\$8.00) per day; and

(3) Presentation of a current County dog license.

(c) An impounded dog may be redeemed by its owner or custodian if no license is presented, but only upon the presentation of a valid rabies certificate and the purchase

of a current County dog license in addition to payment of the fees provided in subsection (b) hereof.

(d) An owner or custodian claiming his or her dog without a valid rabies certificate shall be issued a summons. The dog shall be redeemed upon payment of the fees provided in subsection (b) hereof. The owner or custodian shall obtain a current County dog license within two weeks after redeeming such dog.

(e) A dog not redeemed within ten working days from the date of its impoundment may be destroyed in a humane manner or disposed of by sale or gift to a Federal agency, a State-supported institution, an agency of the Commonwealth, an agency of another state or a licensed Federal dealer, or by delivery to a local humane society, shelter or resident of the County who will pay the required license fee, if any, for the dog. Such delivery shall be with the understanding that if the legal owner thereafter claims the dog and proves his or her ownership, he or she may recover such dog by paying to the person to whom it was delivered the amount of the license fee paid by such person and a reasonable charge for keeping the dog while in such person's possession. Nothing contained in this subsection shall prohibit the destruction of a critically injured or critically ill dog for humane purposes.

(f) A person adopting a dog from the Animal Shelter must obtain a rabies certificate and a County dog license within two weeks of adoption. Failure to do so may result in the issuance of a summons as provided for in this section.

(g) A fee of eight dollars (\$8.00) per day is imposed for those animals ordered quarantined by the Health Department. (Ord. 87-11. Passed 9-21-87; Ord. 90-03. Passed 3-20-90.)

612.17 DISPOSAL OF DEAD DOGS.

The owner of a dog, which has died from disease or other cause and which is not suspected of being rabid, shall forthwith cremate or bury the same. If the owner fails to do so, after notice, the Animal Warden or another officer shall cremate or bury the dog and shall recover from the owner, on behalf of the County, the cost for this service. If however, the dog has been known to bite a person within ten days of the dog's death, the owner shall report such knowledge to the local health department and arrange for appropriate testing to determine if rabies is present. (Ord. 82-05. Passed 4-19-82.)

612.18 RABID ANIMALS.

(a) A person having knowledge of the existence of an animal apparently afflicted with rabies shall immediately report to the County Health Department the existence of such animal, the place where the animal was seen, the owner's name, if known, and the symptoms suggesting rabies.

(b) A domesticated dog or cat bitten by or exposed to an animal that is laboratory confirmed as having had rabies, or is believed to be afflicted with, or having symptoms suggesting, rabies, shall be destroyed immediately or quarantined in a pound, kennel or enclosure approved by the County Health Department for not longer than six months at the expense of the owner. If the domesticated dog or cat is destroyed, the brain must be tested for rabies under the direction of the Department. If the exposed dog or cat has a current rabies vaccination, the dog or cat shall be revaccinated and confined to the premises of the owner or otherwise on a leash under direct human control for ninety days.

(c) At the discretion of the Director of the County Health Department, a dog or cat which has bitten a person shall be confined under competent observation for ten days, either on the premises of the owner or in an approved public or commercial kennel, unless the animal develops active symptoms of rabies or expires before that time, in which case the animal shall be submitted to the Department for testing,. Should the dog or cat become ill during the confinement period, the Department may require the services of a veterinarian to determine the probable cause of illness. If this confinement cannot, in the opinion of the Director, be made on the premises of the owner, the animal shall be confined in a pound, kennel or other enclosure approved by the Director, and the owner shall be responsible for any cost incurred. If it becomes known that the confinement is not adequate, the Animal Warden shall confine the animal at the County Animal Shelter for the required period at the expense of the owner.

(d) A wild nondomestic, feral domestic or nonindigenous animal for which the period of rabies virus shedding, prior to the development of clinical signs of rabies, is unknown, according to the State Department of Health, and which animal bites, licks, scratches or otherwise exposes a human being to the transmission of rabies, shall be immediately and humanely destroyed for rabies testing. However, for a nonindigenous animal, where the owner submits to the Health Director a written, sworn affidavit, and, where appropriate, other reliable evidence is submitted, which shows to the satisfaction of the Health Director that the animal has never been exposed to an environment where it could possibly contract or be exposed to rabies, then the animal shall not be destroyed.

(e) (EDITOR'S NOTE: Subsection (e) was repealed by Ordinance 83-06, passed June 6, 1983.)

(f) All dogs and domesticated cats over three months of age in the County are required to have a current rabies vaccination. As used in this section, "domesticated cat" or "domestic cat" means a cat that is owned, in the possession of or being regularly fed or sheltered by a resident of the County. (Ord. 85-17. Passed 12-16-85.)

612.19 OTHER UNLAWFUL ACTS.

(a) The following shall be deemed unlawful and enforced by proceedings before a Judge of the General District Court in like manner and with like right of appeal as if such violations were Class Four misdemeanors.

(1) Diseased dogs. For the owner of any dog with a contagious or infectious disease to permit such dog to stray from his premises if such disease is known to the owner;

(2) Female dog in season. For the owner of any female dog to permit such dog to stray from his premises while such dog is known by such owner to be in Season;

(3) Removing collar and tag. For any person, except the owner or custodian, to remove It legally acquired license tag from a dog;

(4) Concealing a dog. For any person to conceal or harbor any dog on which the license tax has not been paid, or to conceal a mad clog to keep the same from being killed;

(5) Dog noise. For any person to own, possess or harbor any dog of any age which frequently or for a continued duration howls, barks or makes other sounds which annoy or disturb a reasonable person of normal sensitivities across a residential real property boundary or through a partition common to two persons within a building, except that no action shall be brought under this paragraph unless the alleged offense has been complained of in writing by at least two persons not of the same household, unless there is no more than one household within one-half mile of the property line of the property on which the source of the complaint is located, in which case one complaint in writing shall be sufficient;

(6) Dog odor. For any person who owns, possesses or harbors a dog to maintain such dog in a manner which causes odors offensive to a reasonable person of normal sensitivities across a real property boundary or through a partition common to two persons within a building, except that no action shall be brought under this paragraph unless the offense has been complained of in writing.

Complaints of violations of paragraph (5) or (6) hereof shall be referred to the Sheriff's Department for action. If, after notification by the Sheriff's Department, any person owning, possessing or harboring a dog which is the source of such complaint fails to correct the condition complained of within a reasonable period of time, a summons for a violation of paragraph (5) or (6) hereof shall be issued to such person.

(7) False statements. For any person to make a false statement in order to secure a dog license to which he is not entitled;

(8) Failure to purchase license. For any resident dog owner to fail to pay the license tax required by this chapter before February 1 of the year in which it is due, for which offense, in addition to any other penalty, the court may order confiscation and the proper disposition of the dog; (Ord. Unno. Passed 10-17-60; Ord. Unno. Passed 10-6-64 Ord. Unno. Passed 7-5-77; Ord. Unno. Passed 5-15-78; Ord. Unno. Passed 9-18-78.)

(9) Dog waste. For the owner of any dog to fail to remove immediately the dog's feces from any property that is located:

A. In any residential subdivision zoned for and developed at a density of two or more housing units per acre; or

B. Adjacent to such residential subdivision.

However, no action shall be brought under this paragraph for failure of a dog owner to remove the dog's feces from the premises of the dog owner, notwithstanding any contrary provision of law. This exception shall not apply to the common areas of a homeowner's association, condominium or apartment complex. (Ord. 88-18. Passed 12-19-88.)

(10) Other violations For any resident dog owner or other person to commit any other violation of this chapter for which a specific penalty is not provided.

(b) The following shall be punished as a Class One misdemeanor. for any person to present a false claim or to receive any money on a false claim Under Section 612.15.

612.20 DISPOSITION OF FINE MONEYS.

All fines collected from any person for violating any of the provisions of this chapter shall be credited to the General Fund of the County and deposited by the County Treasurer in the same manner as that prescribed for other County moneys.

612.21 VICIOUS AND DESTRUCTIVE ANIMALS.

(a) No person shall keep, in the County, an animal which is known by such person to be vicious, which has evidenced a disposition to attack human beings without provocation or which is known to be destructive of property. However, such an animal may be kept where adequate provisions to protect persons and/or property from such animal have been made.

(b) An actual attack by such animal upon a person conducting himself in a lawful manner at the time of such attack, whether such attack occurs on or off the property of the owner or custodian of such animal, shall be deemed prima-facie evidence that such adequate provisions as mentioned in subsection (a) hereof were not made.

(c) If a person is charged with a violation of this section, the animal allegedly kept in violation thereof may be impounded by the Animal Warden until such time as the owner or custodian thereof provides evidence that adequate provisions have been made to protect persons and/or property from such animal, which provisions may include, but are not limited to, securing such animal on the premises of the owner or custodian with defined limitations of access, muzzling or both. An animal released under such conditions shall be kept under such restraint, and a person failing to keep such animal

under such restraint after release from impoundment, shall be deemed guilty of a separate violation of this section.

(d) The owner or custodian redeeming such animal from impoundment as provided in subsection (c) hereof shall also make:

(1) Payment of a pick-up fee of fifteen dollars (\$15.00) for the first impound and a pick-up fee of thirty-five dollars (\$35.00) if one or more pick-ups are made within a one-year period following the first impound; and

(2) Payment of a boarding fee of eight dollars (\$8.00) per day. If the animal is a dog, the owner or custodian shall furnish a current dog license therefor.

(e) A dog not redeemed within ten working days of disposition by the court of the original charge shall be dealt with in the same manner as if the dog had been impounded for being unrestricted. However, any disposition of the original charge of a violation of this section, other than a finding of guilty, shall invalidate the effect of this section. (Ord. 87-11. Passed 9-21-87.)

612.22 HUNTING AND TRAPPING NEAR HIGHWAYS.

(a) Purpose. The purpose of this section is to protect the traveling public within the County, as well as pets or other animals owned by the public, from injury caused by hunting or trapping near primary and secondary highways, and to protect the property rights of persons owning real property near primary and secondary highways from persons hunting and trapping within those areas.

(b) Prohibited. No person shall hunt or attempt to hunt, with a firearm, a game bird or game animal while such person is on or within 100 yards of a primary or secondary highway, or trap or attempt to trap a game animal or furbearer within fifty feet of the shoulder of a primary or secondary highway, unless such trapping is done with the written permission of the owner of the land on which such trapping is done.

(c) Interpretation. For the purposes of this section, "hunt, " "attempt to hunt, " "trap" or "attempt to trap" does not include the necessary crossing of such highways for the bona fide purpose of going into or leaving a lawful hunting or trapping area. (Ord. 82-06. Passed 4-19-82.)

612.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

Whoever violates or fails to comply with any of the provisions of this chapter relating to dogs, for which no specific penalty is provided, is guilty of a Class 4 misdemeanor and shall be fined not more than one hundred dollars (\$100.00) for each offense. Whoever

violates or fails to comply with any of the provisions of Section 612.21 is guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. (Ord. 84-04. Passed 6-18-84.)

bond shall be determined by the Animal Care and Control Administrator based on the current rate for board and on the condition of the animal after examination of the animal by the Animal Warden. At the conclusion of the case, the bond shall be forfeited to the County unless there is a finding that the owner is able to adequately provide for such animal and is a fit person to own the animal. If a cash bond was paid into the County Treasurer and a judicial determination is made that the owner is able to adequately provide for such animal and is a fit person to own the animal, the owner shall be entitled to a refund of the cash bond from the Treasurer.

(c) Notice. The authority taking custody of the animal under the foregoing provisions shall, within twenty-four hours of the time the animal was seized, give notice of this section by posting a copy of it at the location where the animal was seized or by delivering it to a person residing on the property of the owner.
(Ord. 93-06. Passed 4-21-93.)

612.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

Whoever violates or fails to comply with any of the provisions of this chapter relating to dogs, for which no specific penalty is provided, is guilty of a Class 4 misdemeanor and shall be fined not more than two hundred fifty dollars (\$250.00) for each offense. Whoever violates or fails to comply with any of the provisions of Section 612.21 is guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. (Ord. 95-06. Passed 8-2-95.)