

INTRODUCED: February 8, 2016

AN ORDINANCE No. 2016-030

To amend City Code § 4-91, concerning cattle, horses, mules, or goats running at large, for the purpose of making it unlawful to permit any animal or fowl, other than dogs or cats, to run at large and providing for the disposition of any animal or fowl found running at large and seized by the Director of the Office of Animal Care and Control.

Patron – Mr. Samuels

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAR 14 2016 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 4-91 of the Code of the City of Richmond (2015) be and is hereby **amended** and reordained as follows:

Sec. 4-91. [~~Cattle, horses, mules or goats~~] Animals other than dogs or cats running at large.

It shall be unlawful for the owner or any person in charge thereof to permit any [~~cow, calf, horse, mule or goat to go at large, graze or pasture on any street, alley, park or unenclosed lot within the City. No person shall keep any cow within the City with bells on. Any cow, horse or mule found so going at large shall, under the direction of the Chief of Police, be placed at some~~

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAR 14 2016 REJECTED: _____ STRICKEN: _____

~~stable within the City, and the Chief of Police shall at once advertise in some daily newspaper the fact of finding and placing such animal in such stable. Unless the owner shall, within six days, appear and claim such animal and pay the cost of its keep, the Chief of Police shall sell the animal at public auction, after first advertising the time and place of the sale in some daily newspaper. Out of the proceeds of the sale, the expenses of such keep and advertisement shall be paid, and any residue remaining therefrom shall be deposited in the City treasury, where it shall remain until claimed by the owner of such] animal or fowl, other than dogs or cats, to run at large. The Director may seize any such animal or fowl found running at large; advertise the animal or fowl for recovery by its owner and then, if the owner does not recover the animal or fowl, advertise the animal or fowl for adoption as other animals or fowl are advertised for adoption; sell the animal or fowl to cover the expenses of locating, capturing, boarding or otherwise disposing of the animal or fowl; or dispose of the animal or fowl. Owners recovering such animals or fowl shall first reimburse the City for its actual costs in locating, capturing and boarding any such animal or fowl.~~

§ 2. This ordinance shall be in force and effect upon adoption.



Richmond City Council

The Voice of the People

Richmond, Virginia

Lou Brown Ali
Council Chief of Staff

Office of the Council Chief of Staff

Council Ordinance/Resolution Request

TO Allen L. Jackson, Richmond City Attorney

THROUGH Lou Brown Ali, Council Chief of Staff *LBa*

FROM Joyce L. Davis, Council Policy Analyst
Office of the Council Chief of Staff *JLD*

COPY Charles Samuels, 2nd District Council member
Haskell Brown, Deputy City Attorney
Vincent Jones, Deputy Council Chief of Staff *V. Jones*
Craig Bieber, 2nd District Liaison

DATE November 20, 2015

PAGE/s 1 of 2

TITLE: To update Richmond City Code §4-91 and to increase the authority of the Director of Animal Care and Control to sell, transfer, or place for adoption livestock animals

RECEIVED

NOV 20 2015

OFFICE OF CITY ATTORNEY

This is a request for the drafting of an Ordinance Resolution

REQUESTING COUNCILMEMBER/PATRON

Council member Charles Samuels

SUGGESTED STANDING COMMITTEE

Public Safety

ORDINANCE/RESOLUTION SUMMARY

This Ordinance request is to amend Richmond City Code §4-91 by removing the reference of "the Chief of Police" where it appears and inserting Director of Animal Care and Control (A.C.C.) and to increase the authority of the Director to sell, transfer or place for adoption the livestock animal when the animal has not been returned to the animal owner within six days.

BACKGROUND

Richmond City Code §4-91 (R.C.C. §4-91) states the following, "it shall be unlawful for the owner or any person in charge thereof to permit any cow, calf, horse, mule or goat to go at large, graze or pasture on any street, alley, park or unenclosed lot within the city. No person shall keep any cow within the city with bells on. Any cow, horse or mule found so going at large shall, under the

direction of the chief of police, be placed at some stable within the city, and the chief of police shall at once advertise in some daily newspaper the fact of finding and placing such animal in such stable. Unless the owner shall, within six days, appear and claim such animal and pay the cost of its keep, the chief of police shall sell the animal at public auction, after first advertising the time and place of the sale in some daily newspaper. Out of the proceeds of the sale, the expenses of such keep ad advertisement shall be paid, and any residue remaining therefrom shall be deposited in the city treasury, where it shall remain until claimed by the owner of such animal.

The request is to amend R.C.C. §4-91 by changing the underlined reference of "the chief of police" to director of animal care and control. The requirement for the chief of police to sell the animals at public auction is not relevant as the Department of Animal Care and Control is currently under the auspices of the Deputy Chief Administrative Officer of Operations.

This Ordinance should be further updated allowing the Director of Animal Care and Control to have the authority to sell, transfer or place for adoption livestock animals in accordance with the same rules applicable for all other animals in the care of the department. The request is to amend R.C.C. §4-91 to expand language to codify the Director of A.C.C. to take control and supervision when there are violations, to impound the animal and sell, transfer to humane societies or place for adoption the livestock animal when the animal has not been returned to the animal owner within six days.

Although it may seem that R.C.C. §4-91 governing at-large livestock animals is outdated and could be repealed, the department indicated livestock animals are in the City of Richmond and a need for this law to provide for enforcement efforts. Animal Care and Control report the department receives calls for service involving livestock animals such as horses, cows and goats. Since 2007, Richmond Animal and Control reports there have been a total of 18 calls. Eight calls for animals at-large included stray pigs, stray goats and a horse. Eight other calls involved care issues for neglect of a horse, a cow, goats, an abandoned goat and a pony being attacked by a dog. Animal Care has responded to two other calls involving a question on the legality of owning a horse in the city.

The expected date of introduction is December 14, 2015.

FISCAL IMPACT STATEMENT

Fiscal Impact	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Estimated Cost or Revenue Impact	\$	

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/updated 12.22.08/srs