

AN ORDINANCE No. 2018-295

To amend and reordain City Code § 4-244, concerning the care and control of animals and penalties, for the purpose of imposing care and control requirements on certain animals other than dogs and cats.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 10 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 4-244 of the Code of the City of Richmond (2015), as amended, be and is hereby **amended** and reordained as follows:

Sec. 4-244. Care and control; penalties.

(a) No owner shall fail to exercise proper care and control of a [~~dog or cat~~] domestic, companion, wild, or exotic animal to prevent it from becoming a public nuisance.

(b) Every female dog and cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with a male dog or cat except for breeding planned by the owner.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 17 2018 REJECTED: _____ STRICKEN: _____

(c) Any person owning or having within such person's possession or control any domestic, companion, wild, or exotic animal suspected of constituting a public nuisance may be proceeded against by warrant or summoned before the General District Court of the City to provide evidence why such domestic, companion, wild, or exotic animal should not be confined, euthanized, or removed or the public nuisance otherwise abated. The animal control officer or owner or custodian of the animal suspected of constituting a public nuisance shall confine the animal until such time as the court has made a final decision in the case. Upon proof that such domestic, companion, wild, or exotic animal constitutes a public nuisance, the domestic, companion, wild, or exotic animal shall, by order of the judge of the General District Court of the City, be confined, euthanized, or removed or the nuisance shall be otherwise abated, as such judge shall order. No person shall fail to comply with such an order.

(d) Any person convicted of a violation of Subsection (a) or (b) of this section shall be guilty of a Class 4 misdemeanor. Any person convicted of two or more violations of Subsection (a) of this section within a 24-month period shall be guilty of a Class 1 misdemeanor for every second and subsequent offense within a 24-month period. In addition to any other penalties for a conviction of a violation of Subsection (a) or (b) of this section, the owner of any dog or cat that has not been spayed or that has not been neutered and has been determined by the Director to have caused the violation may be ordered by the court to cause such dog or cat to be surgically sterilized within 60 days of said conviction. Such owner shall be required to provide proof of the sterilization to the Department within seven days after the surgery. Failure to comply with any such order shall be a Class 1 misdemeanor.

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



CITY OF RICHMOND
INTRA-CITY CORRESPONDENCE
RECEIVED

SEP 24 2018

O & R REQUEST
4-8145
SEP 04 2018

Office of the
Chief Administrative Officer

OFFICE OF CITY ATTORNEY O & R REQUEST

DATE: 8/26/18 EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

JS 9/21/18

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

SCG

THROUGH: Lenora Reid, DCAO for Finance & Administration

LR

THROUGH: Jay Brown, Director of Budget & Strategic Planning

JAB

THROUGH: Robert Steidel, DCAO for Operations

[Signature]

FROM: Christie Chipps Peters, Director Richmond Animal Care & Control

CCP

RE: Updated Nuisance Animals Code

ORD. OR RES. No. _____

PURPOSE: To authorize the Chief Administrative Officer to amend Sec. 4-244 to include domestic, companion or wild/exotic animals to the nuisance code.

REASON: Inclusion of the domestic, companion or wild/exotic language to this code will allow RACC Officers to enforce the nuisance code for animals other than dogs and cats.

RECOMMENDATION: The administration recommends adoption of this ordinance.

BACKGROUND: Under the current nuisance animal code RACC Officers have been unable to provide enforcement for animals other than dogs or cats. This update will allow Officers to enforce the code for domestic, companion or wild/exotic animals.

FISCAL IMPACT / COST: None at this time

FISCAL IMPLICATIONS: None at this time

O&R Request

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BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: N/A

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: October 8, 2018

CITY COUNCIL PUBLIC HEARING DATE: November 13, 2018

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Government Operations

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: N/A

AFFECTED AGENCIES: RACC

RELATIONSHIP TO EXISTING ORD. OR RES.: N/A

REQUIRED CHANGES TO WORK PROGRAM(S): N/A

ATTACHMENTS: Current code with mock up changes

STAFF: Christie Chipps Peters, Richmond Animal Care & Control x5740