

# Issue Analysis Form



**Date:** January 12, 2021  
Ordinance Amending  
Language for Dogs Running  
at Large and Penalty for Dogs  
Running at Large

**Item:**

**Lead Department(s):** County Attorney

**Contact Person(s):** Dan Whitten & Betsy Drewry

## Description and Current Status

In 2019, the General Assembly amended Section 3.2-6538 of the Code of Virginia to require localities that have a running at large ordinance to add language providing for a civil penalty up to \$100 for dogs running at large in a pack.

A dog shall be deemed running at large in a pack if the dog is running at large in the company of one or more dogs that are also running at large.

A draft ordinance is attached for consideration; a motion approving authority to advertise the ordinance for a public hearing on February 9, 2021, is requested.

This Ordinance shall be effective upon adoption.

Sample Motion: I move that the Board approve advertisement of an Ordinance amending language for dogs running at large and adding a penalty for dogs running at large in a pack in accordance with Virginia Code Section 3.52-6538.

## Government Path

- |   |   |  |
|---|---|--|
| <b>Does this require IDA action?</b>                  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>Does this require BZA action?</b>                  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>Does This require Planning Commission Action?</b>  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>Does this require Board of Supervisors action?</b> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| <b>Does this require a public hearing?</b>            | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| <b>If so, before what date?</b>                       | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            |

## Fiscal Impact Statement

Board of Supervisors  
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 12<sup>th</sup> day of January, 2021:

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Present:

Floyd M. Brown, Jr., Chairman  
Marlene J. Waymack, Vice Chair  
Alan R. Carmichael  
Donald Hunter  
T. J. Webb

Vote:

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A-8

On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, which carried unanimously, the following Resolution was adopted:

**RESOLUTION; AUTHORITY TO ADVERTISE AN ORDINANCE TO AMEND  
“THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA,” AS  
AMENDED, BY AMENDING §6-146 TO CLARIFY THE LANGUAGE FOR A  
DOG RUNNING AT LARGE AND TO PROVIDE FOR A CIVIL PENALTY OF  
UP TO \$100 FOR DOGS RUNNING IN A PACK WHICH IS DEFINED AS THE  
DOG RUNNING AT LARGE IN THE COMPANY OF ONE OR MORE DOGS  
THAT ARE ALSO RUNNING AT LARGE**

**NOW, THEREFORE, BE IT RESOLVED**, that the Board Of Supervisors of the County of Prince George this 12<sup>th</sup> day of January, 2021, does hereby authorize the advertisement of a public hearing for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by amending §6-146 to clarify the language for Dogs Running at Large and to provide for a Civil Penalty for up to \$100 for Dogs Running at Large in a pack.

A Copy Teste:

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Percy C. Ashcraft  
County Administrator

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF  
PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED, BY  
AMENDING § 6-146 TO CLARIFY THE LANGUAGE FOR A DOG RUNNING AT LARGE  
AND TO PROVIDE FOR A CIVIL PENALTY OF UP TO \$100 FOR DOGS RUNNING IN A  
PACK WHICH IS DEFINED AS THE DOG RUNNING AT LARGE IN THE COMPANY OF  
ONE OR MORE DOGS THAT ARE ALSO RUNNING AT LARGE

BE IT ORDAINED by the Board of Supervisors of Prince George County:

*(1) That The Code of the County of Prince George, Virginia, 2005, as amended, is amended  
by amending § 6-146, as follows:*

CHAPTER 6 ANIMALS

ARTICLE II. Dogs and Cats Generally

DIVISION 4. Dogs Running at Large

Sec. 6-146. - Running at large prohibited in county.

- (a) It shall be unlawful for the owner of any dog to permit or allow such dog to run or be at large within the county. A dog shall be deemed to be at large when roaming or running off the property of its owner or custodian and not under the ~~direct~~ immediate control of the owner, custodian or his agent, either by leash, cord or chain. A dog shall be deemed to be running at large in a pack if the dog is running at large in the company of one or more dogs that are also running at large.
- (b) This section shall not apply to any person while engaged in a supervised formal obedience training class or show or during field trials training, hunting training, or while engaged in lawful hunting with a dog during open season. It shall be unlawful for the owner of a dog to place such dog in the custody of any other person not physically capable of maintaining effective control of such dog.
- (c) The owner or custodian of a dog found while running at large in a pack shall be subject to civil penalty in the amount of \$100.00 per dog so found.

(Code 1988, § 3-86)

State Law reference— Authority of county to prohibit the running at large of dogs, Code of Virginia, § 3.2-6538 ~~§ 3.1-796.93.2~~)

*(2) That the Ordinance shall be effective upon adoption.*