

BOARD OF SUPERVISORS
COUNTY OF RUSSELL
LEBANON, VIRGINIA

Ordinance

At a regular meeting of the Russell County Board of Supervisors held in the Russell County Government Center, Lebanon, Virginia on the 5th day of November, 2012:

<u>Present</u>	<u>Vote</u>
Jon Bowerbank, Chairman	Aye
Joseph Puckett, Vice Chairman	Aye
Bob Gibson	Nay
Ernest "Shy" Kennedy	Aye
Larry Rasnake	Aye
Danny L. Brown	Aye
Rebecca Dye	Absent

On motion of Mr. Puckett, seconded by Mr. Brown, which carried 5:1, the following ordinance was adopted:

RUSSELL COUNTY DOG LICENSE TAX ORDINANCE

WHEREAS, §3.2-6524(A) states that it shall be unlawful for any person other than a releasing agency that has registered as such annually with local animal control to own a dog four months old or older in the Commonwealth unless such dog is licensed; and

WHEREAS, §3.2-6525(A) states that the governing body of any locality may adopt such ordinances, regulations or other measures as may be deemed reasonably necessary to prevent the spread within its boundaries of the disease of rabies.

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of Russell County, Virginia, pursuant to the authority granted to it by §3.2-6525(A) *et. seq.*

of the Code of Virginia (1950), as amended, after notice and public hearing, as required by law, hereby adopts the following:

Section 1. Imposition; Definitions.

1. It shall be unlawful for any person to own a dog four months old or older in this County unless such dog is licensed, as required by the provisions of this ordinance
2. 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 jurisdiction issuing the license and bear a serial number or other identifying information prescribed by the locality. (§3.2-6526 Code of Virginia)
3. No license tag shall be issued for any dog unless there is presented to the County Treasurer satisfactory evidence that such dog has been inoculated or vaccinated against rabies by a currently licensed veterinary technician who was under the immediate and direct supervision of a licensed veterinarian on the premises. (§3.2-6526 Code of Virginia)

Section 2. How to obtain license.

1. Any person may obtain a dog license if required by this ordinance by making oral or written application to the Russell County Treasurer. Application must be accompanied by the amount of license tax and current certificate of vaccination as required by this ordinance or other satisfactory evidence that such certificate has been obtained.
2. The Treasurer shall have the authority to license dogs of resident owners or custodians who reside within the boundary limits of Russell County and may require information to this effect from any applicant.
3. Upon receipt of proper application and current certificate of vaccination as required by this ordinance or satisfactory evidence that such certificate has been obtained, the treasurer shall issue a license receipt for the amount on which he shall record the name and address of the owner or custodian, the date of payment, the year for which issued, the serial number of the tag, whether male or female, whether spayed or

neutered, whether vicious, or whether a kennel, and deliver the metal license tag(s) provided for herein.

4. The information thus received shall be retained by the treasurer and open to public inspection, during the period for which such license is valid.

(§3.2-6527 Code of Virginia)

Section 3. Amount of license tax.

1. Dog licenses shall run by the calendar year, namely January first to December thirty-first, inclusive and shall be as follows:

Male Dogs (incl. wolf hybrids)	\$ 3.00
Female Dogs	\$ 3.00
Unsexed Dogs	\$ 2.00
Viscious Dog	\$ 10.00
Kennel License (5 - 20 dogs)	\$ 15.00
Duplicate/Replacement	\$ 1.00
Three Year Tag - Male/Female	\$ 8.00
Three Year Tag - Unsexed	\$ 5.00

2. No license shall be levied on any dog that is trained and serves as a guide dog for a blind person, that is trained and serves as a hearing dog for a deaf or hearing impaired person or that is trained and serves as a service dog for a mobility-impaired person.

As used in this section, "hearing dog" means a dog trained to alert its owner by touch to sounds of danger and sounds to which the owner should respond and "service dog" means a dog trained to accompany its owner for the purpose of carrying items, retrieving objects, pulling a wheelchair or other such activities of service or support.
(§3.2-6528 Code of Virginia)

Section 4. When license tax payable.

1. The license tax is due not later than 30 days after a dog has reached the age of four months, or not later than 30 days after an owner acquires a dog four months of age or older and each year thereafter.

2. Licensing periods for individual dogs may be equal to and may run concurrently with the rabies vaccination period. Any kennel license tax prescribed pursuant to Section 3 of this ordinance shall be due on January 1 and not later than January 31 of each year.

(§3.2-6530 Code of Virginia)

Section 5. Displaying receipts; dogs to wear tags.

1. Dog licenses shall be carefully preserved by the licensees and exhibited promptly on request for inspection by any animal control officer or other officer.
2. Dog license tags shall be securely fastened to a substantial collar by the owner or custodian and worn by such dog.
3. It shall be unlawful for the owner to permit any licensed dog four months old or older to roam at large at any time without a license tag.
4. The owner of the dog may remove the collar and license tag required by this section when:
 - a. The dog is engaged in lawful hunting;
 - b. The dog is competing in a dog show;
 - c. The dog has a skin condition that would be exacerbated by the wearing of a collar;
 - d. The dog is confined; or
 - e. The dog is under the immediate control of its owner.

(§3.2-6531 Code of Virginia)

Section 6. Duplicate license tags. 3.2-6532

1. If a dog license tag is lost, destroyed or stolen, the owner or custodian shall at once apply to the Treasurer who issued the original license for a duplicate license tag, presenting the original license receipt.
2. Upon affidavit of the owner or custodian before the Treasurer that the original license tag has been lost, destroyed or stolen, he shall issue a duplicate license tag that the owner or custodian shall immediately affix to the collar of the dog.

3. The Treasurer shall endorse the number of the duplicate and the date issued on the face of the original license receipt.

(§3.2-6532 Code of Virginia)

Section 7. Effect of dog not wearing a license tag as evidence.

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

(§3.2-6533 Code of Virginia)

Section 8. Disposition of funds.

1. Unless otherwise provided by County ordinance, the Treasurer shall maintain a separate accounting of all moneys collected by his office for dog license taxes in a Special Revenue Fund. The County shall use the funds for the following purposes:
 - a. The salary and expenses of the animal control officers and necessary staff;
 - b. The care and maintenance of a pound;
 - c. The maintenance of a rabies control program;
 - d. Payments as a bounty to any person neutering or spaying a dog up to the amount of one year of the license tax as provided by this ordinance;
 - e. Payments for compensation as provided in §3.2-6553, Code of Virginia; and
 - f. Efforts to promote sterilization of dogs.
2. Any part or all of any surplus remaining in such account on December 31 of any year may be transferred by the Board of Supervisors into the General Fund of the County

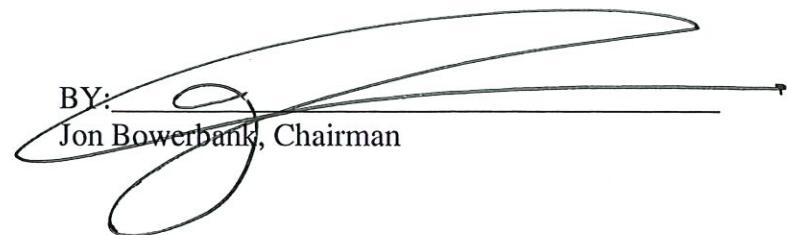
(§3.2-6534 Code of Virginia)

Section 9. Effective Date

This Ordinance shall be in full force and effect upon its adoption and enactment by the Board of Supervisors of Russell County.

Adopted this 5th day of November, 2012.

RUSSELL COUNTY BOARD OF SUPERVISORS

BY: 
Jon Bowerbank, Chairman

Attest: Marykaral C. White
Clerk