

Chapter 8 ANIMALS [\[1\]](#)

ARTICLE I. - IN GENERAL

ARTICLE II. - LIVESTOCK AND OTHER FARM ANIMALS

ARTICLE III. - DOGS

FOOTNOTE(S):

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Charter reference— Regulation of keeping of animals, § 6.04. [\(Back\)](#)

State Law reference— Livestock and poultry, Code of Virginia, § 3.2-5901 et seq.; comprehensive animal laws, Code of Virginia, § 3.2-6500 et seq.; cruelty to animals, Code of Virginia, §§ 3.2-6570, 3.2-6570.1; dogs and cats deemed personal property, rights relating thereto, Code of Virginia, § 3.2-6585; penalties for offenses involving animals, Code of Virginia, §§ 3.2-6587, 18.2-403.1 et seq.; ordinances prohibiting cruelty to animals, Code of Virginia, § 3.2-6543; municipal regulation of animals and fowl generally, Code of Virginia, § 3.2-6544; offenses relating to disabled or dead animals, Code of Virginia, § 18.2-323; game, inland fisheries and boating, Code of Virginia, tit. 29.1; estrays, Code of Virginia, § 55-202 et seq. [\(Back\)](#)

ARTICLE I. IN GENERAL

[Sec. 8-1. Vicious and wild animals.](#)

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Sec. 8-1. Vicious and wild animals.

It shall be unlawful for any person in the town to keep any vicious animal, or any wild nondomestic animal, unless such vicious or wild nondomestic animal is confined.

(Code 1972, § 4-6; Code 1992, § 5-6)

Sec. 8-2. Diseased animals.

It shall be unlawful for any person to own, keep or harbor in the town any animal suffering or afflicted with any infectious or contagious disease, after knowledge of the condition of such animal, without proper medical attention.

(Code 1972, § 4-7; Code 1992, § 5-7)

Sec. 8-3. Disposition of dead animals.

- (a) If any animal dies in the town, the owner or person in charge of such animal shall, at once, dispose of the same in a manner satisfactory to the health officer.
- (b) When the owner of any animal or grown fowl which has died knows of such death, such owner shall forthwith have its body cremated or buried or request such service from an officer or other person designated for the purpose. If the owner fails to do so, any judge of a general district court, after notice to the owner if he can be ascertained, shall cause any such dead animal or fowl to be cremated or buried by an officer or other person designated for the purpose. Such officer or other person shall be entitled to recover of the owner of every such animal or fowl that is cremated or buried the actual cost of the cremation or burial and a reasonable fee to be recovered in the same manner as officers' fees are recovered, free from all exemptions in favor of such owner.
- (c) Nothing in this section shall be deemed to require the burial or cremation of the whole or portions of any animal or fowl which is to be used for food or in any commercial manner.
- (d) It shall be unlawful for the owner or person in charge of a dead animal to fail to dispose of the same within five hours after notice to do so. When the owner or person in charge of a dead animal is unknown, the dead animal shall be disposed of at the expense of the town by the town.
- (e) Any person who violates this section shall be guilty of a Class 4 misdemeanor.

(Code 1972, § 4-13; Code 1992, § 5-13)

State Law reference— Burial or cremation of dead animals or fowl, Code of Virginia, § 18.2-510.

Sec. 8-4. Transportation of dead animals.

It shall be unlawful for any person engaged in the business of using or disposing of or rendering dead animals, to transport, or cause to be transported, any dead animal, regardless of whether the same has been cut or ground into small pieces or particles, along any public street within the town without the same being fully covered. For the purposes of this section, the term "fully covered" means completely obscured from view, hauled in a closed-type vehicle, or if hauled in an open-type vehicle, fully covered with heavy canvas. Should any portion of the animal extend beyond the tailgate or outside the rear portion of a vehicle, the canvas shall be wrapped around the extended portion so as to completely hide the same from view.

(Code 1972, § 4-14; Code 1992, § 5-14)

Secs. 8-5—8-26. Reserved.

ARTICLE II. LIVESTOCK AND OTHER FARM ANIMALS [\[2\]](#)

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Sec. 8-27. Livestock running at large, etc.

It shall be unlawful for any person to permit any livestock to run at large in the town or to graze in the streets or to obstruct the streets in any manner.

(Code 1972, § 4-1; Code 1992, § 5-1)

State Law reference— Estrays, Code of Virginia, § 55-202 et seq.

Sec. 8-28. Impoundment, redemption and sale of livestock.

Any livestock found at large in the town, grazing in the streets or obstructing the streets in violation of section 8-27 may be impounded until redeemed, and, if not redeemed within five days, may be advertised and sold, and the proceeds, after deducting the fine and costs for capturing and keeping, shall be held by the treasurer for the benefit of the owner.

(Code 1972, § 4-2; Code 1992, § 5-2)

Sec. 8-29. Fowl straying on streets or sidewalks.

It shall be unlawful for any person in the town to permit fowl kept by him or under his control to stray on the streets or sidewalks of the town.

(Code 1972, § 4-3; Code 1992, § 5-3)

Sec. 8-30. Fowl, horses, etc., on lands of another.

It shall be unlawful for the owner of chickens or other fowl, horses or cows to permit or allow them to range or run on the lands or property of another person, without such person's consent or permission. The owner of such fowl or animals shall be liable for any damage done by such fowl or animals while on the property of another.

(Code 1972, § 4-4; Code 1992, § 5-4)

State Law reference— Trespass by animals in crossing lawful fence, Code of Virginia, § 55-306 et seq.

Sec. 8-31. Keeping goats and swine.

(a) No person shall keep or maintain goats or swine within the corporate limits of the town, except this prohibition shall not be applicable to agricultural operations in agricultural districts provided the operations are in accordance with the Right to Farm Act (Code of Virginia, § 3.2-300 et seq.). Pygmy goats as domestic pets are allowed with a conditional use permit.

(b) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Agricultural operation means any operation devoted to the bona fide production of crops, animals or fowl, including the production of fruits and vegetables of all kinds; meat, dairy and poultry products; nuts, tobacco, nursery and floral products; and the production and harvest of products from silviculture activity.

Production agriculture and silviculture means the bona fide production or harvesting of agricultural or silvicultural products, but shall not include the processing of agricultural or silvicultural products or the above ground application or storage of sewage sludge.

(c) The provisions of subsection (a) of this section shall not affect or defeat the right of any person to recover damages for any injuries or damages sustained by them on account of any pollution of, or change in condition of, the waters of any stream or on the account of any overflow of lands of any such person.

(d) The exception provided for in subsection (a) of this section shall not apply whenever a nuisance results from the negligent or improper operation of any such agricultural operation or any of its appurtenances.

(Code 1992, § 5-5; Ord. of 4-19-1988, § 4-5; Ord. No. 2003-6, 8-5-2003)

Sec. 8-32. Stables, cow barns, chicken houses, etc.

All stables, cow barns, chicken houses, doghouses, kennels or other facilities for keeping horses, cows, dogs, rabbits, fowl, poultry, birds and all other animals or fowl kept or maintained within the town, where permitted by the underlying zoning regulations, shall be expressly under the supervision and regulations of the health department. Stables, cow barns, chicken houses, doghouses, kennels or other facilities for housing animals or fowl shall be kept in a clean and sanitary condition for the protection of health and shall be so kept as not to give rise to objectionable odors upon any public highway or upon any premises owned or occupied by any person other than the person maintaining such stables, cow barns, chicken houses, doghouses or kennels.

(Code 1992, § 5-8; Ord. of 8-1-1989, § 4-8)

Sec. 8-33. Butchering and skinning.

It shall be unlawful for any person to butcher, or cause to be butchered, or skin, or cause to be skinned, any animal within the town, except as otherwise authorized under provisions of the zoning regulations of the town.

(Code 1972, § 4-10; Code 1992, § 5-10)

Sec. 8-34. Slaughterhouses.

Except as provided in section 8-35 and in the zoning regulations, it shall be unlawful for any person to erect, operate or maintain any slaughterhouse within the town.

(Code 1972, § 4-11; Code 1992, § 5-11)

Charter reference— Powers of Council as to slaughterhouses, § 6.04.

Sec. 8-35. Slaughter of poultry.

- (a) Except as otherwise provided in the zoning regulations, it shall be unlawful for any person to kill or dress poultry within the town without complying with the following regulations:
 - (1) All slaughtering shall be done in a building or room provided for the purpose, and such building or room shall be provided with a concrete or metal floor, the floor and walls of which shall be kept clean at all times.
 - (2) Buildings or rooms used for the purpose of slaughtering fowl or poultry shall be screened for protection against flies.
 - (3) All blood, feathers and offal shall be deposited in appropriate containers with a suitable top, and such containers shall be kept closed at all times, except when being filled or discharged.
- (b) All places coming under this section shall be subject to inspection by the health department at all reasonable hours.
- (c) This section shall not apply to those who kill or dress poultry for their own or family use, and not for sale or resale, either cooked or uncooked, in stores or public eating places, restaurants or hotels.

(Code 1972, § 4-12; Code 1992, § 5-12)

State Law reference— Livestock and poultry, Code of Virginia, § 3.2-6000 et seq.

Secs. 8-36—8-60. Reserved.

FOOTNOTE(S):

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State Law reference— Livestock and poultry, Code of Virginia, § 3.2-5901 et seq.; estrays, Code of Virginia, § 55-202 et seq. ([Back](#))

ARTICLE III. DOGS ^[3]

[Sec. 8-61. Running at large.](#)

[Sec. 8-62. Female dogs in heat.](#)

[Sec. 8-63. Impounding.](#)

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[Sec. 8-65. Penalty.](#)

Sec. 8-61. Running at large.

- (a) No person shall cause or permit any dog owned or kept by him to run at large on any street, alley or other public place or in any public hall, store, restaurant or theatre during the time that such place is open for public business, unless such dog is in the presence of and under the control of the owner, keeper or custodian of such dog.
- (b) For the purpose of this section, 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.
- (c) Any person who permits his dog to run at large, or remain unconfined, unrestricted or not penned up shall be deemed to have violated the provisions of this section.

(Code 1972, § 4-15; Code 1992, § 5-36)

State Law reference— Governing body may prohibit dogs from running at large, Code of Virginia, § 3.2-6538.

Sec. 8-62. Female dogs in heat.

No person shall permit any female dog in heat to go at large in the street, or allow her to remain on his premises to the annoyance of the neighborhood.

(Code 1972, § 4-16; Code 1992, § 5-37)

Sec. 8-63. Impounding.

The county animal control officer is hereby authorized and it shall be the duty of any police officer to seize and impound for five days, as provided in Code of Virginia, § 3.2-6546, any and every dog found running at large in the town in violation of any provision of this article or of any state law relating to dogs. If any dog impounded is not claimed within such five-day period, the county animal warden is authorized to dispose of the dog according to law. The required license fee and the costs of feeding and caring for such dog while impounded shall be charged against the owner and the collection of such fee and costs shall be enforced against the owner in the same manner as fines are collected according to law.

(Code 1972, § 4-17; Code 1992, § 5-38)

State Law reference— Confinement and disposition of animals, Code of Virginia, § 3.2-6546.

Sec. 8-64. Disturbance of persons.

It shall be unlawful for any person to allow any dog of which he is the owner or custodian to disturb the quiet of any person by barking, biting, howling or in any other manner.

(Code 1972, § 4-18; Code 1992, § 5-39)

Sec. 8-65. Penalty.

Except where otherwise provided herein, any person who violates this article shall be guilty of a Class 4 misdemeanor.

FOOTNOTE(S):

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State Law reference— Comprehensive animal laws, Code of Virginia, § 3.2-6500 et seq. ([Back](#))