



XVI.

Agenda Item

County of Hanover

Board Meeting: August 26, 2015

Subject: Public Hearing—Ordinance 15-09 – Town of Ashland - Running at Large Ordinance Amendment

**Summary of
Agenda Item:**

On June 24, 2015, the Board of Supervisors voted to approve an Agreement with the Town of Ashland providing for the enforcement of the County's animal control laws in the Town of Ashland. Under subsection (b) of the County's Running at Large ordinance, running at large is currently prohibited year-round in the urban service area, in areas zoned R-1, R-2, R-3, R-4, R-5 and R-6, in county parks and on the grounds of any schools operated by the county school board. There are parts of the Town of Ashland that do not fall within these prescribed areas, preventing the County from enforcing this animal control law throughout the entire Town. Until the Town repealed its ordinance to follow the County's, dogs running at large in the Town was prohibited. The Town of Ashland has requested that the County amend Section 4-74(b) of the Hanover County Code to prohibit the running at large of any canines or canine crossbreeds anywhere in the Town of Ashland, which will assist in the County's complete enforcement of its animal control laws, as provided for in the Agreement.

**County
Administrator's
Recommended
Board Motion:**

Motion to adopt Ordinance No. 15-09

**PUBLIC HEARING NOTICE
HANOVER COUNTY BOARD OF SUPERVISORS**

The Hanover County Board of Supervisors will hold a public hearing on **Wednesday, August 26, 2015** at **7:00 p.m.** in the Board meeting room at the Hanover County Administration Building, 7516 County Complex Road, at Hanover Courthouse, Hanover, Virginia, on the following ordinance being proposed for adoption:

ORDINANCE NO. 15-09

AN ORDINANCE AMENDING SECTION 4-74 OF THE HANOVER COUNTY CODE, "RUNNING AT LARGE PROHIBITED; PENALTY FOR VIOLATION," TO INCLUDE THE TOWN OF ASHLAND IN ITS ENTIRETY IN THE YEAR-ROUND PROHIBITION OF CANINES AND CANINE CROSSBREDS RUNNING AT LARGE.

A complete copy of the proposed ordinance and related information is available at the office of the County Administrator any regular working day between 8:30 a.m. and 5:00 p.m.

All persons wishing to comment on the proposal may appear at the stated time and place.

Cecil R. Harris, Jr., County Administrator

Publish: August 5, 2015
August 12, 2015

ORDINANCE NO. 15-09

AN ORDINANCE AMENDING SECTION 4-74 OF THE HANOVER COUNTY CODE, “RUNNING AT LARGE PROHIBITED; PENALTY FOR VIOLATION,” TO INCLUDE THE TOWN OF ASHLAND IN ITS ENTIRETY IN THE YEAR-ROUND PROHIBITION OF CANINES AND CANINE CROSSBREDS RUNNING AT LARGE.

WHEREAS the County is authorized by Virginia Code Section 3.2-6538 to prohibit the running at large of all or any category of dogs in all or any designated portion of the County during such months as the County may designate, and the Hanover County Board of Supervisors has previously adopted Section 4-74 of the Hanover County Code to provide for such prohibition,

WHEREAS on June 24, 2015, the Hanover County Board of Supervisors approved an Agreement with the Town of Ashland, Virginia providing for the enforcement of the County’s animal control laws in the Town of Ashland, and

WHEREAS Section 4-74 of the Hanover County Code does not currently apply to the Town of Ashland in its entirety, therefore limiting the County’s enforcement of its animal control laws in the Town of Ashland,

NOW, THEREFORE, BE IT ORDAINED by the Hanover County Board of Supervisors that:

1. Section 74 of Chapter 4 of the Hanover County Code, “Running at large prohibited; penalty for violation,” shall be amended to read in its entirety as follows:

Sec. 4-74. Running at large prohibited; penalty for violation.

(a) It shall be unlawful for the owner of any canine or canine crossbreed to allow such canine or canine crossbreed to run at large in the county during the months of April, May and June of any year.

(b) It shall be unlawful for the owner of any canine or canine crossbreed to allow such canine or canine crossbreed to run at large, at any time, in the urban service area, as defined in the subdivision ordinances, or in the areas of the county zoned R-1, R-2, R-3, R-4, R-5 and R-6, in county parks, on the grounds of any schools operated by the county school board or anywhere in the Town of Ashland. For any canine or canine crossbreed which is the subject of a written hunt club agreement between the county and a participating hunt club and is found running at large in a county park located outside the urban service area or on the grounds of any county schools located outside the urban service area, the enforcement of this section shall be governed by the terms of such agreement.

(c) Any person who violates this chapter by allowing any of his canine or canine crossbreeds to run at large in violation of this chapter shall be fined twenty-five dollars (\$25.00) for the first violation and an additional ten dollars (\$10.00) shall be added to this amount for every subsequent violation within a twelve-month period of time, up to the maximum allowed by law. Each occurrence of a canine or canine crossbreed belonging to a particular owner running at large in violation of this chapter shall be considered a separate violation and an additional penalty shall apply as set out in this section regardless of whether or not it is the same canine or canine crossbreed who was found to be running at large.

2. This ordinance shall be effective on the date of adoption.

On motion of _____, seconded by _____, the members of the Board of

Supervisors voted to approve Ordinance No. 15-09, as follows:

Vote:

Wayne T. Hazard
Aubrey M. Stanley
Sean M. Davis
Angela Kelly-Wiecek
G.E. "Ed" Via
W. Canova Peterson IV
Elton J. Wade, Sr.

This is to certify that the above is a true copy of Ordinance 15-09 adopted by the Hanover County Board of Supervisors on _____, 2015.

Public Hearing: August 26, 2015

Adopted:

Dated:

Cecil R. Harris, Jr., County Administrator
Clerk, Hanover County Board of Supervisors