

# **DOG LICENSE ORDINANCE OF PATRICK COUNTY, VIRGINIA**

The following Ordinance proposed at a regular meeting of the Board of Supervisors of Patrick County held at the Patrick County Administration Building Boardroom on August 14, 2017, after having been duly advertised for adoption as provided by law, and after a hearing this day, August 28, 2017, the following ordinance is hereby adopted:

**An Ordinance to amend the Ordinance adopted by the Board of Supervisors of Patrick County, Virginia effective January 10, 2001, as amended, to provide for a licensing tax on dogs in Patrick County, Virginia and to provide penalties for the violation thereof and to amend that Ordinance dated January 10, 2001.**

**BE IT ORDAINED**, by the Board of Supervisors of Patrick County, Virginia, as follows:

**WHEREAS**, the Board of Supervisors of Patrick County, Virginia, has authority under the laws of the Commonwealth of Virginia and under the provisions of *Section 3.2-6524*, et seq. of the Code of Virginia, as amended, to fix and set a license tax for all dogs, regardless of sex, to be imposed in Patrick County, Virginia and to adopt an Ordinance for the enforcement thereof.

**NOW THEREFORE**, be it ordained by the Board of Supervisors of Patrick County, Virginia effective November 1, 2017.

**Amount of Tax:** It shall be unlawful for any person to own, keep, maintain, or possess a dog of four (4) months of age or older unless such dog is licensed as required by this ordinance.

1. Beginning November 1, 2017, the license tax on dogs for as long as the owner owns the dog shall be \$20.00. Upon transfer of a dog to a new owner the new owner shall pay the license tax in the amount of \$20.00 for as long as the owner of the dog owns the dog.

2. The annual license tax for kennels of up to twenty dogs shall be Thirty-five Dollars (\$35.00). Any kennel possessing more than 20 dogs shall purchase additional licenses for each set of 20 dogs or more.

**When Tax Payable:**

License tax on dogs shall be due and payable within thirty (30) days after the dog reaches four (4) months of age or within thirty (30) days of acquiring a dog four (4) months or more in age.

**Payment of License Tax Subsequent to Summons:**

Payment of the license tax subsequent to a summons to appear in Court for failure to do so within the time required, shall not relieve the owner/custodian from the penalties provided for in this ordinance.

**Effect of Dog Not Bearing License Tag as Evidence:**

Any dog not wearing a collar or other device bearing a 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 upon the owner or custodian of such dog.

**How to Obtain a License:**

Any person may obtain a dog license by making application to the County Treasurer, accompanied by the amount of the license tax and a current and unexpired Certificate of Vaccination against rabies. The Treasurer shall only have authority to license dogs of resident owners or custodians who reside within Patrick County and may require information to this effect from any applicant. Upon receipt of proper application and Certificate of Vaccination, the Treasurer shall issue a license receipt for the amount, on which the Treasurer shall record the name, address of the owner or custodian, the date of payment, the serial number of the tag, male or female, or kennel, and shall

deliver to the applicant the metal license tags or plates herein provided.

**What Dog License Shall Consist of:**

A dog license shall consist of a license receipt and metal tag. The tag or license receipt shall bear a serial number, and the name of the County of Patrick.

**Displaying Receipts:**

Dogs are to wear tags. Dog license receipts shall be carefully preserved by the licensees, and exhibited promptly upon request for inspection by the Animal Control Officer or Police Officer. Dog license tags shall be securely fastened to a substantial collar or other device by the owner or custodian, and shall at all times be worn by the dog for which issued, except at such times as said dog is securely confined on the premises of its owner or custodian, except that when engaged in lawful hunting, in the proper season, and when accompanied by the owner or custodian, the collar and tag may be temporarily removed.

**Duplicate License Tags:**

If a dog license shall become lost, destroyed, or stolen, the owner or custodian shall at once apply to the Treasurer of the County for a duplicate tag. Upon affidavit of the owner or custodian before the Treasurer that the original license tag has been lost, destroyed, or stolen, the Treasurer shall issue a duplicate license tag, which the owner or custodian shall immediately affix to the collar of the dog. The fee for a duplicate tag shall be One Dollar (\$1.00).

**Refunds:**

No one shall be entitled to a refund of the license tax in the event of the death or transfer of any dog.

**Disposition of Revenue:**

All license fees collected by the Treasurer under the provisions of this ordinance shall be deposited with the Treasurer in the “GENERAL COUNTY FUND”, and payment therefrom shall be made as provided by law, and reports shall be made to the Board of Supervisors of the number of dog licenses and duplicate dog licenses sold, and the amount of the receipts derived therefrom, at the end of each year.

**Penalties for Violation:**

The following shall be unlawful acts and constitute Class Four Misdemeanors as authorized by Section 3.2-6587 of the Code of Virginia, as amended.

1. **License application:** For any person to make a false statement in order to secure a dog license to which he is not entitled.

2. **License Tax:** For any dog owner to fail to pay the license tax required by this ordinance within thirty (30) days after the dog reaches four (4) months of age or within thirty (30) days of acquiring a dog four (4) months or more in age. In addition, the Court may order confiscation and the proper disposition of the dog. All fines collected under the provisions of this ordinance shall be paid to the Treasurer of Patrick County for deposit in the General County Fund of Patrick County, Virginia.

**Appeal of Provisions of Pervious Ordinance:**

The provisions of any ordinance heretofore adopted by the Board of Supervisors of Patrick County, which are in conflict with the provisions of this ordinance are hereby repealed.

Voting Aye: Lock Boyce, Crystal P. Harris, Rickie Fulcher, Karl Weiss, Roger Hayden

Voting Nay: None