

**MOTION TO REPEAL AND REPLACE TITLE IX, CHAPTER 90 (ANIMALS) OF THE TOWN CODE TO ADD REFERENCE TO ADOPT CAMPBELL COUNTY CODE CONCERNING ANIMAL CONTROL PURSUANT TO VA. CODE 15.2-1427**

Upon motion by Cynthia Johnson, seconded by Conner Francis, and unanimously carried, the Council voted to repeal Title IX, Chapter 90 (Animals) of the Town Code of Brookneal. A roll call vote was taken as follows:

Ms. Johnson	Aye	Ms. Laprade	Aye
Mr. Fisher	Aye	Mr. Francis	Aye
Mayor Jennings	Aye		

Upon motion by Cynthia Johnson, seconded by Conner Francis, and unanimously carried, the Council voted to replace Title IX, Chapter 90 (Animals) of the Town Code to add reference to adopt Campbell County code concerning animal control pursuant to VA Code 15.2-1427. A roll call vote was taken as follows:

Ms. Johnson	Aye	Ms. Laprade	Aye
Mr. Fisher	Aye	Mr. Francis	Aye
Mayor Jennings	Aye		

**CHAPTER 90: ANIMALS**

**General Provisions**

- 90.01 Definitions
- 90.02 Dogs; running at large prohibited
- 90.03 Adoption of County Animal Control Law and Designation of County Animal Control Officer to Enforce Animal Control Laws Within the Town Limits

**GENERAL PROVISIONS**

**§ 90.01 DEFINITIONS.**

(A) For purposes of this chapter, the definitions set forth in VA Code§ 3.1-796.66 shall apply unless the context clearly indicates or requires a different meaning.

(B) In addition to those definitions set forth in VA Code§ 3.1-796.66, the following definitions shall also apply unless the context clearly indicates or requires a different meaning.

**DANGEROUS DOG.** A canine or canine crossbreed that has bitten, attacked, or inflicted injury on a person or companion animal, other than a dog, or killed a companion animal. (VA Code§ 3.1-796.93:1)

**VICIOUS DOG.** A canine or canine crossbreed that has:

- (1) Killed a person;
- (2) Inflicted serious injury to a person, including multiple bites, serious disfigurement, serious impairment of health, or serious impairment of a bodily function; or
- (3) Continued to exhibit the behavior which resulted in a previous finding by a court or an animal control officer that it is a dangerous dog, provided that its owner has been given notice of that finding.

(VA Code§ 3.1-796.93:1)

## **§ 90.02 DOGS; RUNNING AT LARGE PROHIBITED.**

(A) 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.

(B) 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, which violation shall be punishable as a Class 1 misdemeanor.

(C) The imposition of any penalty under this section shall not prohibit the locality from seeking equitable relief in any court of competent jurisdiction, to enjoin the violation of any provision of this code or other ordinance of the locality.

(D) Each day any violation of this section shall continue shall constitute a separate offense, except where otherwise provided.

(VA Code§ 3.1-796.93)

## **§ 90.03 ADOPTION OF COUNTY ANIMAL CONTROL LAW AND DESIGNATION OF COUNTY ANIMAL CONTROL OFFICER TO ENFORCE ANIMAL CONTROL LAWS WITHIN THE TOWN LIMITS.**

The provisions of Chapter 4 of the Campbell County Code of 1988: Animals and Fowl, shall be adopted in whole by reference pursuant to the terms of VA Code § 3.2-6543(A).

Pursuant to that certain Memorandum of Understanding adopted and ratified by the Town Council and the Board of Supervisors of Campbell County in October of 2023, the Campbell County Animal Control Officer and his or her Deputies shall be authorized to provide animal control services and enforce animal control laws of the Commonwealth, County, and Town within the boundaries of the Town of Brookneal commencing upon the effective date of November 1, 2023, and continuing for so long as said Memorandum of Understanding remains in effect.

The Campbell County Animal Control Officer and deputy Animal Control Officers shall have the same powers, rights, benefits, privileges, and immunities in the Town limits as they have in the County at large, including their investigative, enforcement, and seizure powers provided by State and County Code.