

ONLEY DOG ORDINANCE

Section I

AN ORDINANCE TO REGULATE AND CONTROL THE RUNNING AT LARGE OF VIOCIUS OR DESTRUCTIVE DOGS

WHEREAS, pursuant to the provisions of Section 29-213.63, 29-213.64 and 29-231.69 of the Code of Virginia, the Onley Town Counsel may adopt ordinances necessary to regulate and control the running at large within its boundaries of vicious or destructive dogs, and may provide penalties for the violation of such an ordinance.

NOW, THEREFORE, BE IT ORDIANED BY THE TOWN COUNCIL OF ONLEY, VIRGINIA

SECTION 1. Definitions

- A. "Running at large" and "run at large" shall be deemed to mean a dog roaming, running or self hunting off the property of its owner or custodian and not under its owner or custodian's immediate control.
- B. "Vicious dog" shall be deemed to mean a dog, which by its acts or manner creates or reasonably indicates a danger to the safety of other persons or the property others.
- C. "Destructive dog" shall be deemed to mean a dog which destroys or ruins the real or personal property of another.

SECTION 2.

It shall be unlawful for the owner or custodian of any vicious or destructive dog as herein defined to allow or permit any such animal to run at large within the incorporated limits of the Town of Onley.

SECTION 3.

Any person who permits his dog to run at large or remain unconfined, unrestricted or not penned up, shall be deemed to violate this ordinance.

SECTION 4.

Any dog found running loose and not under control of a handler, shall be confiscated by the dog warden or other authorities and if not claimed within five (5) days, it shall be disposed of pursuant to Section 29-213.66 of the Code of Virginia.

In the event that any dog confined pursuant to this ordinance is claimed by its rightful owner, such owner shall be charged with the actual expense incurred in keeping the dog impounded. Before the dog is released, the owner shall execute an affidavit of ownership, present the proper dog license and pay all the expenses incurred in keeping the dog confined.

SECTION 5.

Any person violating the provisions of the ordinance shall be guilty of a misdemeanor and conviction thereof shall constitute a Class 4 misdemeanor.

SECTION 6.

It shall be the duty of the Dog Warden or such other officers as may be designated by the Onley Town Council to enforce the provisions of this Ordinance.

SECTION 7.

Nothing herein contained shall be deemed to repeal any other Ordinance of the Town of Onley relative to the confinement of dogs during specified periods of the year.

Section II

AN ORDINANCE TO CONFINE ALL DOGS DURING THE MONTHS OF MARCH, APRIL, AND MAY

WHEREAS, pursuant to Sections 29-213.63 and 29-213.64 of the Code of Virginia, the Onley Town Council may prohibit the running at large of all or any category of dogs in all or any designated portion of the Town of Onley during such months as designated.

WHEREAS, the Onley Town Council may require that dogs be confined or restricted or penned up during such periods.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ONLEY

1. Every person who owns, or who has in his custody, or who harbors a dog, shall keep same confined during the months of March, April, and May of each year and at such other times that a female dog may be in season, or such other periods in areas as the Town Council may designate after giving two weeks notice in a newspaper having general circulation in Accomack County.
2. Any person who permits his dog to run at large or remain unconfined, unrestricted or not penned up during such months as designated, shall be deemed to have violated the provisions of this ordinance.
3. Any dog found running loose and not under control of a handler, during the above periods, shall be confiscated by the dog warden or other authorities and if not claimed within five (5) days, it shall be disposed of pursuant to Section 29-213.66 of the Code of Virginia.

In the event that any dog confined pursuant to this ordinance is claimed by its rightful owner, such owner shall be charged with the actual expense incurred in keeping the dog impounded. Before the

dog is released, the owner shall execute an affidavit of ownership, present the proper dog license and pay all expenses incurred in keeping the dog confined.

4. Any owner or handler who allows his dog to run loose and not attended shall be guilty of a misdemeanor, and upon conviction thereof, shall constitute a Class 4 misdemeanor.

5. It shall be the duty of the Dog Warden or such other officers as may be designated by the Onley Town Council to enforce the provisions of this Ordinance.

6. Nothing herein contained shall be deemed to repeal any other Ordinance of the Town of Onley relative to the confinement of dogs during specific periods of the year.