

Chapter 10

ANIMALS*

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***Charter reference**—Keeping of animals, ch. 2, § 1(21), (30), (31).

Cross references—Environment, ch. 22; persons riding bicycles or riding or driving animals, § 58-6; agricultural district A, app. A, § 3.10 et seq.

State law references—Livestock and poultry, Code of Virginia, § 3.1-723 et seq.; comprehensive animal laws, Code of Virginia, § 3.1-796.66 et seq.; cruelty to animals, Code of Virginia, § 3.1-796.122 et seq.; dogs and cats deemed personal property, rights relating thereto, Code of Virginia, § 3.1-796.127; penalties for offenses involving animals, Code of Virginia, §§ 3.1-796.128, 18.2-403.1 et seq.; diseased animals, dead animals, etc., Code of Virginia, §§ 18.2-323, 18.2-510; game, inland fisheries and boating, Code of Virginia, tit. 29.1; hunting near public schools and public parks, Code of Virginia, § 29.1-527; estrays, Code of Virginia, § 55-202 et seq.

ARTICLE I. IN GENERAL

Secs. 10-1—10-25. Reserved.

ARTICLE II. DOGS

Sec. 10-26. Definitions.

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

Dog means every dog, regardless of sex or age.

Owner means any person having a right of property in a dog and who keeps or harbors a dog or has it in his care or who acts as its custodian, and any person who permits a dog to remain , on or about any premises occupied by him.

Run at large or *running at large* means to roam, run or self-hunt off the property of its owner or custodian and not under its owner's or custodian's immediate control.
(Code 1977, § 4-4)

Cross reference—Definitions generally, § 1-2.

State law reference—Similar provisions, Code of Virginia, § 3.1-796.93.

Sec. 10-27. Enforcement.

The town grants the county animal control officer the authority to enforce this article within the town limits.
(Code 1977, § 4-6; Ord. of 4-2-1979, § 4-6)

State law reference—Animal control officers, Code of Virginia, § 3.1-796.104.

Sec. 10-28. Prohibited acts; penalty.

(a) It shall be unlawful for the owner of any dog to allow such dog to run at large at any time within the town limits, even though the dog is both lawfully licensed and vaccinated.

(b) It shall be unlawful for the owner of any dog to allow, cause or permit such dog to enter any public building, office or store during the time that such business establishment is open for public business, unless the dog is on a leash or otherwise under the immediate control of such owner.

(c) Any person violating this section, upon conviction, shall be guilty of a class 4 misdemeanor for each violation.
(Code 1977, § 4-5)

State law reference—Dogs confined or restrained, Code of Virginia, §§ 3.1-796.93, 3.1-796.95.

Sec. 10-29—10-55. Reserved.

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ARTICLE III. LIVESTOCK

Sec. 10-56. Hog pens; keeping hogs.

Within the corporate limits, it shall be unlawful for any person to:

- (1) Have a hog pen.
- (2) Keep one or more hogs.

(Code 1977, § 4-1)

Sec. 10-57. Selling livestock on streets.

It shall be unlawful for any person to sell or offer for sale, publicly or privately, livestock on the town streets.

(Code 1977, § 4-2)

Cross reference—Streets, sidewalks and other public places, ch. 50.

Sec. 10-58. Livestock running at large.

If any horse, mule, cow, hog, sheep, goat, colt, pony or goose is found at large within the town limits, it shall be the duty of the chief of police to put every such animal in a suitable and convenient pound or lot for safekeeping, supplying it with suitable food and water while there at the expense of the owner of such animal. Such animal shall be retained by the chief of police until the fine and expenses in caring for it are paid. It shall also be the duty of the chief of police to advertise any such animal immediately, in two or more public places in the town, describing it as near as may be in such advertisements. If such animal is not redeemed within ten days, it shall be sold at public auction for cash, and the proceeds, after paying expenses, shall be held for the benefit of the owner. The owner of any such animal or goose found at large shall be guilty of a class 4 misdemeanor for each horse, mule, cow, hog, sheep, colt, pony or goose.

(Code 1977, § 4-2.1)

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

Sec. 10-59. Enclosures.

It shall be unlawful for any person to keep horses, ponies, mules, donkeys, cattle, sheep, goats or similar animals in the town unless they are safely and securely enclosed by a fence and provided they are properly housed. Such housing shall not be nearer than ten feet to any adjoining property line and no nearer than 30 feet to the principal building on any adjoining property. The enclosure shall be kept in such sanitary condition as to comply with all provisions of law.

(Code 1977, § 4-3; Ord. of 4-15-1999)

Secs. 10-60—10-85. Reserved.

ARTICLE IV. ANIMAL WASTES*

CHINCOTEAGUE CODE

Sec. 10-86. Penalty.

Any person who violates this article shall be deemed guilty of a class 4 misdemeanor.
(Code 1977, § 4-8)

Sec. 10-87. Prohibited acts

(a) It shall be unlawful for any person to allow animal wastes to be deposited on public land or private property other than that of the animal's owner.

(b) It shall be unlawful for the owner of property to allow the accumulation of animal wastes on the premises of the owner.
(Code 1977, § 4-7)

*Cross reference—Solid waste, ch. 46.