

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

ORDINANCE

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 5th day of September, 2017:

<u>MEMBERS:</u>	<u>VOTE:</u>
Paul V. Milde, III, Chairman	Yes
Meg Bohmke, Vice Chairman	Yes
Jack R. Cavalier	Yes
Wendy E. Maurer	Yes
Laura A. Sellers	Yes
Gary F. Snellings	Yes
Robert "Bob" Thomas, Jr.	Yes

On motion of Ms. Sellers, seconded by Mrs. Maurer, which carried by a vote of 7 to 0, the following was adopted:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 5-41 "LICENSE REQUIRED," SEC. 5-43 "TAX IMPOSED" SEC. 5-45 "WHEN TAX DUE AND PAYABLE," SEC. 5-47 "ISSUANCE, COMPOSITION AND CONTENTS," SEC. 5-48 "PRESERVATION AND EXHIBITION OF LICENSE RECEIPT; TAG TO BE WORN BY DOG; EXCEPTIONS," SEC. 5-53 "LICENSE SALES RECORD BOOK," AND SEC. 5-55 "DESTRUCTION OF UNSOLD TAGS," REGARDING DOG LICENSING

WHEREAS, Virginia Code § 3.2-6528 stipulates that localities shall impose, by ordinance, a license tax on the ownership of dogs within their jurisdiction; and

WHEREAS, Virginia Code § 3.2-6528 was recently amended to permit localities to enact, by ordinance, a lifetime tax on dog ownership which shall not be more than \$50.00 for a lifetime license; and

WHEREAS, the Board carefully considered the recommendations of the Treasurer, Animal Control Officer, and County staff, and the public testimony, if any, at the public hearing; and

WHEREAS, the Board desires to enact a lifetime dog license and to update the County Code provisions involving dog permits and licensing;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 5th day of September, 2017, that Stafford County Code Sec. 5-41 "License required," Section 5-43 "Tax imposed," Sec. 5-45 "When tax due and payable," Section 5-47 "Issuance, composition and contents," Section 5-48 "Preservation and exhibition of license receipt; tag to be worn by dog; exceptions," Section 5-53 "License sales record book," and Section 5-55 "Destruction of unsold tags," be and they hereby are amended and reordained as follows, all other portions remaining unchanged:

CHAPTER 5 – ANIMALS

ARTICLE III. – DOGS GENERALLY

DIVISION 2. – PERMIT AND LICENSE

Sec. 5-41. – License required and license year.

(a) It shall be unlawful for any person to own a dog four (4) months old or older in the county unless such dog is currently licensed under the provisions of this division.

(b) Dog licenses shall be valid for the lifetime of the licensed dog, as long the dog's rabies vaccination is kept current. Upon expiration of a rabies vaccination, a dog license is no longer valid. The lifetime license will once again be valid upon renewal of the dog's rabies vaccination.

(c) Kennel licenses shall be valid for one calendar year.

Sec. 5-43. – Tax imposed.

(a) ~~An annual~~ A license tax is hereby imposed on dogs required to be licensed under this article in the following amounts:

(1) ~~An~~For each individual dog, lifetime license..... \$10.00 ~~whether male or female..... \$10.00~~

(2) ~~An individual unsexed dog..... 5.00~~

(3)(2) A kennel for up to twenty (20) dogs..... 25.00 per kennel

(4)(3) A kennel for twenty-one (21) to fifty (50) dogs..... 50.00 per kennel

(b) ~~A three year license tax is available for dogs who have received a three year rabies vaccination in the following amounts:~~

(1) ~~An individual dog, whether male or female..... \$30.00~~

(2) ~~An individual unsexed dog..... 15.00~~

(e)(b) No license tax shall be levied under this section on any dog that is trained and serves as a guide dog for a blind person, that is trained and serves as a hearing dog for the deaf or hearing-impaired person or that is trained and serves as a service dog for a mobility-impaired person or otherwise disabled person.

(c) Refunds of a portion of a license tax shall not be permitted.

Sec. 5-45. – When tax due and payable.

The license tax on dogs shall be due and payable as follows:

- (1) The owner of any dog four (4) months old or older shall pay the prescribed lifetime license tax within thirty (30) days after the dog has been vaccinated pursuant to section 5-66. Such tax shall cover the licensed dog for its lifetime, as long as the dog's rabies vaccination is kept current and the dog's owner remains a resident of Stafford County. It is non-transferable to any other dog. On or before January 1 and not later than January 31 of each year, the owner of any dog four (4) month old or older shall pay such tax. A three year license may be issued for owners who present to the treasurer a certificate that the dog has been vaccinated with the three year rabies vaccination.
- (2) The kennel license tax shall be paid no later than January 31 of each year. Such tax shall cover a license period of one (1) calendar year. If a dog shall become four (4) months of age or if a dog over four (4) months of age unlicensed by this county shall come into the possession of any person residing in this county between January 1 and November 1 of any year, the license tax for the current calendar year shall be paid by the owner.
- ~~(3) If a dog shall become four (4) months of age or if a dog over four (4) months of age unlicensed by this county shall come into the possession of any person in this county between October 31 and December 31 of any year, the license tax for the succeeding calendar year shall be paid by the owner and such license shall protect the dog from the date of payment of the license tax to the end of the succeeding calendar year.~~

Sec. 5-47. - Issuance, composition and contents.

- (a) Upon receipt of a proper application, current certificate(s) of vaccination as required by section 5-66, and the license tax payment, the treasurer shall issue a dog license or kennel license. ;provided, that no such license shall be issued for any dog, unless there is presented to the treasurer a current certificate of vaccination or inoculation issued for the dog pursuant to section 5-66. When the license is issued, such certificate shall be marked and returned to the dog's owner. It shall be unlawful for any person to present a certificate for a dog other than that for which it was issued.
- ~~(b) Applications for a discounted license for an unsexed dog must be accompanied by proof of sterilization.~~
- ~~(e)~~(b) Each dog license shall consist of a license tax receipt and a metal tag. Each kennel license shall consist of a license tax receipt and metal tags for the number of dogs for which the kennel license was issued. Such receipt shall have recorded thereon the amount of tax paid, the name and address of the owner of the dog, the date of payment, the year(s)period for which the license

~~is issued, the serial number of the metal tag issued hereunder shall be stamped or otherwise permanently marked to show the name of the county, the sex of the dog, whether spayed or neutered, or whether a kennel, and the calendar year(s) for which issued and shall bear a serial number. The tag for a kennel shall show the number of dogs authorized to be kept under such license and shall have attached thereto a metal identification plate for each of such dogs, numbered to correspond with the serial number of the license tag.~~

- (c) The metal tag shall be stamped or permanently marked to show that it was issued by the treasurer and to show the serial number, the calendar year issued (if kennel tag), and whether it is a kennel or a lifetime tag.

Sec. 5-48. - Preservation and exhibition of license receipt; tag to be worn by dog; exceptions.

- (a) A dog license receipt shall be carefully preserved by the person to whom it is issued and exhibited promptly on request for inspection by the animal control officer or other officer. Dog license tags shall be securely fastened to a substantial collar by the owner and worn by such dog. The owner may remove the collar and license tag required by this section when the dog is engaged in lawful hunting; when the dog is competing in a dog show; when the dog as a skin condition which would be exacerbated by the wearing of a collar; when the dog is confined; or when the dog is under immediate control of its owner.
- (b) Any dog not wearing a collar bearing a valid license tag ~~of the proper calendar year(s)~~ shall prima facie be deemed to be unlicensed, and in any proceedings under this division, 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 on the owner of the dog.

Sec. 5-53. - License sales records, ~~book.~~

The dog license sales information as prescribed in section 5-47(b), shall be retained by the treasurer and open to public inspection during the period for which a particular license is valid. ~~The treasurer shall enter in a dog license sales record book, containing original perforated and duplicate leaves, the date of sale of dog tags, kennel licenses and pet shop, boarding establishment, commercial dog breeder, operating as a commercial kennel, or dealer permits, the names and addresses of persons to whom sold, the kind of tag or kennel and the serial number and the amount of the license tax or permit fee paid. The treasurer shall tear the original perforated sheets from his dog license sales record book monthly and deliver the same to the animal control officer on or before the fifth day of the succeeding month.~~

Sec. 5-55. - Destruction of unsold tags.

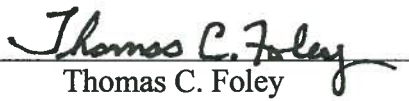
On December 31 of each year, the treasurer shall destroy all unsold ~~dog~~ kennel license tags for that calendar year and shall report to the board of supervisors, within ten (10) days thereafter, the number of tags so destroyed.

; and

BE IT FURTHER ORDAINED that upon the expiration of currently valid annual and three-year licenses, dog owners shall obtain a lifetime license and pay the respective tax therefor; and

BE IT STILL FURTHER ORDAINED that this Ordinance shall become effective November 1, 2017.

A Copy, teste:


Thomas C. Foley
County Administrator

TCF:LMR:adt