

ORDINANCE NO. 4007

AN ORDINANCE to amend and reordain Article C (DOGS AND OTHER ANIMALS) of Chapter 7 (ANIMAL AND FOWL), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article C of Chapter 7, Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Article C

DOGS AND OTHER ANIMALS

Sec. 5-7-31 Definitions.

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purposes of this article, have the following meanings:

(a) Animal control officer. Any person appointed as the chief animal control officer or a deputy animal control officer under section 5-7-44 of this code.

(b) Animal shelter. The facility designated by the city manager for the detention of animals.

(c) Dangerous dog. Any dog which is capable of inflicting death or serious injury on a person or another animal and which:

(1) has, without provocation, attacked or bitten a person engaged in a lawful activity;

(2) has, while off the property of its owner and without provocation, killed or seriously injured another animal;

(3) has, without provocation, chased, confronted or approached a person on a street, sidewalk or other public property in a menacing fashion such as would put an average person in fear of attack;

(4) has exhibited a propensity, tendency or disposition to attack, cause injury or threaten the safety of persons or other animals without provocation; or

(5) has acted in a manner that causes or should cause its owner to know that it is potentially vicious.

(d) Dog. The word "dog" shall include both the male and female sex of the species.

(e) Dwelling unit. A group of one or more rooms designed or intended for use as a residence, including a single-family home, a townhouse, a duplex, a condominium and an apartment.

(f) Hearing dog. Any dog specially trained to alert its owner by touch to sounds of danger or other sounds to which the owner should respond.

(g) Law enforcement officer. Any employee of the Alexandria police department who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth.

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

(i) Run or running at large. Roaming or running off the property of its owner and not under its owner's immediate control.

(j) Seeing-eye dog. Any dog that is specially trained to serve as a guide for a blind person.

(k) Service dog. Any dog that is specially trained to accompany its owner for the purpose of carrying items, retrieving objects, pulling a wheelchair or performing other activities of service or support.

(l) Vicious dog. Any dog which:

(1) has caused death or serious injury to a person engaged in a lawful activity;

(2) has, on two or more occasions within a 12-month period, attacked or bitten without provocation a person engaged in a lawful activity;

(3) has, on two or more occasions within a 12-month period, while off the property of its owner and without provocation, killed or seriously injured another animal; or

(4) has been trained for dog fighting or is owned or kept for the purpose of dog fighting.

Sec. 5-7-32 Running at large prohibited.

No dog shall run at large within the city at any time.

Sec. 5-7-33 Owners and custodians not to let dogs run at large.

It shall be unlawful for the owner or custodian of any dog to permit his dog to run at large in the city at any time.

Sec. 5-7-34 Impounding of dogs running at large; redemption of impounded dogs; disposition of unredeemed dogs.

(a) Any dog observed by an animal control officer to be running at large shall be impounded and kept at the animal shelter. If the dog has upon it the name or address of the owner, or such name or address is otherwise known to the operators of the animal shelter, then the operators of the animal shelter shall notify the owner within 24 hours after seizure of the dog. If the dog has upon it a license tag, then the operators of the animal shelter shall notify the person in whose name the license stands within 24 hours after obtaining the name.

Notice of the impounding shall be in writing by mail, postage prepaid, and shall be construed as having been given at the time of posting thereof. If the dog impounded has no name, address or license tag upon it and the owner is not otherwise known to the operators of the animal shelter, then no notice shall be necessary. Notwithstanding the above, whenever written notice is required the operators of the animal shelter shall, prior to mailing, make one reasonable attempt to give notice by telephone.

(b) The owner of any dog so impounded shall be entitled to possession of the dog upon proof of ownership satisfactory to the operators of the animal shelter and the payment of reasonable charges designated by the city manager for the impoundment of a dog and the keep of a dog; provided, however, that before release to any person:

(1) If the dog has not been inoculated against rabies, the provisions of section 5-7-38 of this code relative to inoculation shall be complied with at the owner's expense.

(2) If the dog is not licensed, a license as required by this article shall be secured.

(3) All the other applicable sections of this article shall be complied with.

(c) Any dog which has been impounded and has not been redeemed by the owner may be destroyed, or redeemed by and released to any person desiring to give the dog a home upon the payment of a reasonable charge designated by the city manager and upon compliance with the applicable provisions of this article; provided, that any dog shall be held for at least five (5) days after impounding, and in those cases where it is required that notice be given the owner, held for at least five (5) days after the required notice has been given.

(d) The sums collected pursuant to the provisions of this section shall be accounted for and promptly paid over to the director of finance for deposit in the general fund of the city.

Sec. 5-7-35 Keeping dogs under restraint.

It shall be unlawful for the owner of any dog to permit the dog to be off his premises unless it is kept secured by a leash or lead or other means of restraint not harmful or injurious to the dog and under the control of a responsible person capable of physically restraining the dog; provided, that the restraint may be removed from a dog for so long as a dog is in an area designated by the city manager pursuant to section 5-7-42 of this code as a dog exercise area.

Sec. 5-7-36 Vicious and dangerous dogs generally.

(a) It shall be unlawful for any person to keep within the city any vicious dog. Upon finding that a dog is vicious, a court of competent jurisdiction may order the dog to be impounded and destroyed or to be removed from the city.

(b) It shall be unlawful for any person to keep within the city any dangerous dog, except in compliance with a permit issued by the city manager under section 5-7-36.2.

(c) Each day during which a person keeps a vicious dog in the city following the removal date set out in a notice from the chief animal control officer under section 5-7-36.1(c) shall constitute a separate offense for purposes of section 5-7-46. Each day during which a person keeps a dangerous dog in the city either without a permit issued by the city manager under section 5-7-36.1 or in violation of one (1) or more of the conditions imposed by such a permit shall constitute a separate offense for purposes of section 5-7-46.

Sec. 5-7-36.1 Complaints of vicious and dangerous dogs; processing of complaints.

(a) Any person may make a verbal or written complaint to the chief animal control officer of a dog which the complainant believes to be vicious or dangerous. The complaint shall include sufficient information to enable the chief animal control officer to ascertain the location and owner of the dog and shall also include the reasons why the complainant believes the dog to be vicious or dangerous. In the case of a verbal complaint, the complaint shall be put in writing by the chief animal control officer. A copy of the complaint shall then be mailed by the chief animal control officer to the owner of the dog at the owner's last known address.

(b) Within 10 days of the making of the complaint, the chief animal control officer shall undertake an investigation to determine whether the dog identified in the complaint is vicious or dangerous. Such investigation shall include an opportunity for the owner of the dog to present evidence to the chief animal control officer pertinent to the viciousness or dangerousness of the dog, and may include interviews with the complainant and other persons having personal knowledge regarding, the dog, and observations of the dog in its normal habitat.

(c) Upon completion of the investigation, the chief animal control officer shall determine whether the dog identified in the complaint is vicious or dangerous.

(1) If the chief animal control officer determines that the dog is neither vicious nor dangerous, he/ she shall inform the complainant and the owner of the determination, and no further action shall be taken on the complaint.

(2) If the chief animal control officer determines that the dog is vicious, he/ she shall put the determination in writing, as well as the reasons supporting it. The chief animal control officer shall then forward this written determination to the complainant and the owner and, in addition, shall notify the owner that the dog must be destroyed or removed from the city within seven (7) days. If the owner fails to destroy or remove the dog within such period, the dog shall be impounded, and the chief animal control officer shall recommend to the city manager that the city seek an order from a court of competent jurisdiction requiring that the dog be destroyed or removed from the city. Nothing in this section shall be construed as impairing or affecting in any way the authority of the chief animal control officer under section 5-7-37 to issue a summons or notice of violation against the owner of a vicious dog and immediately to impound the dog.

(3) If the chief animal control officer determines that the dog is dangerous, he/ she shall notify the city manager of the determination and of the requirements which should be included in the permit to be issued by the manager under section 5-7-36.2.

(d) The chief animal control officer may delegate the authority and responsibilities assigned to her by this section, or any part thereof, to any deputy animal control officer.

Sec. 5-7-36.2 Dangerous dog permit.

(a) Requirements; issuance; determination of dangerousness of dog. Upon receipt of a determination by the chief animal control officer under section 5-7-36.1(c) that a dog is dangerous, the city manager shall immediately issue to the owner of such dog a dangerous dog permit. This permit shall authorize the continued keeping of the dog within the city only so long as the owner complies with the requirements set forth in the permit. Such requirements shall include those recommended to the city manager by the chief animal control officer under section 5-7-36.1(c) and such others as the city manager determines necessary to ensure that no person or animal is injured by the dog. Permit requirements may include, but are not limited to, the following:

(1) that the dog wear a special and conspicuous form of identification (such as a blaze orange collar);

(2) that the owner immediately notify the chief animal control officer in the event the dog is loose and unconfined, has attacked or injured a human being or another animal, has been sold or given to another person, or has died;

(3) that the dog, while on the property of the owner, be confined indoors or in a securely enclosed and locked structure, suitable to prevent the entry of children and designed to prevent the dog from escaping;

(4) that the owner display one or more signs on his/ her property which provide a clear warning to children of all ages and adults that a dangerous dog is present on the property;

(5) that, while off the owner's property, the dog be muzzled and/ or restrained in a particular manner and be under the control of an adult;

(6) that the owner attend one (1) or more educational classes on the responsible keeping of dangerous dogs; and

(7) that, upon request of the city manager, the owner make the dog available for inspection by the chief animal control officer.

(b) Reconsideration of requirements; hearing; evidence allowed; revocation of permit; modification of requirements.

(1) Within 10 days of receipt of a permit issued under subsection (a), the owner of the dog may request in writing the city manager to reconsider the determination that the dog is dangerous and/ or some or all of the requirements set forth in the permit. Upon receipt of such a request, the city manager shall offer the owner an opportunity to present at an informal hearing evidence pertinent to the dangerousness of the dog and to the requirements identified in the request for reconsideration. Written notice of the date, time and place of such hearing, as well as of the person designated by the city manager to serve as the hearing officer, shall be sent to the owner and the complainant at least seven (7) days prior to the hearing. At the hearing, in addition to receiving evidence from the owner and the complainant, the hearing officer may receive evidence from the chief animal control officer, a veterinarian, a licensed animal trainer, a humane society agent and any person having personal knowledge of the dog's condition.

(2) Within 10 days of the hearing, the hearing officer shall notify in writing the owner and the complainant of his/ her decision whether to confirm the determination that the dog is dangerous and the requirements set out in the permit. If the hearing officer determines the dog not to be dangerous, the permit issued under subsection (a) shall be revoked and no further action shall be taken on the complaint. If the hearing officer confirms that the dog is dangerous but decides that certain requirements set out in the permit issued under subsection (a) are not necessary for the protection of the public and other animals, he/ she shall delete or modify those requirements but otherwise confirm both the permit, as modified, and the owner's obligation to comply with it. If the hearing officer confirms the permit and the requirements set out in it, he/ she shall also confirm the owner's obligation to comply with it.

(c) Compliance; removal of dog for noncompliance by owner. In the event an owner of a dangerous dog fails to comply with any of the requirements imposed by a permit issued under this section, the chief animal control officer shall notify the owner of his/ her failure, and the owner shall have 10 days following receipt of the notice in which to come into compliance with the permit. If the owner fails to do so, the city manager is authorized to seek an order from a court of competent jurisdiction requiring that the dog be removed from the city.

(d) Request for rescission or modification of permit by chief animal control officer; fee; information required. An owner of a dangerous dog who believes that the dog is no longer dangerous within the meaning of section 5-7-31(c) or that certain requirements set out in the dog's permit are no longer necessary for the protection of the public and other animals may request the chief animal control officer to rescind the determination that the dog is a dangerous dog or to delete or modify those permit requirements; provided, that no such request may be made within the first 12 months following the initial determination that the dog is dangerous. Such a request must be accompanied by the fee required by subsection (e).

In reviewing such a request, the chief animal control officer may require the owner to produce the dog for inspection, to allow the chief animal control officer to observe the dog in its natural habitat and to submit information pertinent to the dangerousness of the dog. In the event the chief animal control officer determines that the dog is no longer dangerous, the permit issued under this section shall be revoked. In the event the chief animal control officer determines that the dog still constitutes a dangerous dog but that certain requirements contained in the permit are no longer necessary, he/ she may delete those conditions from the permit or modify them.

(e) Fees. The owner of any dog subject to a permit issued under this section shall pay to the chief animal control officer, within 10 days of the issuance of the permit or, if applicable, of a hearing officer's confirmation of the permit under subsection (b)(2), a fee of \$150. Any owner requesting the rescission or modification of a permit under subsection (d) shall pay a fee of \$50 at the time he/ she makes the request.

(f) The chief animal control officer may delegate the authority and responsibilities assigned to her by this section, or any part thereof, to any deputy animal control officer.

Sec. 5-7-37 Impounding of vicious dog; confinement of dog which has committed an attack.

(a) Whenever a summons or notice of violation is issued against the owner of a dog charging maintenance of a vicious dog, the dog in question shall be impounded and kept at the animal shelter, at the owner's expense, pending final disposition of the case, provided such animal is not destroyed as provided by section 5-7-39.

(b) Whenever a report is made, as provided by section 5-7-40, of a person being bitten by a dog or a notice is received by the police department, health department, an animal control officer or the operators of the animal shelter of a dog having bitten a person or another animal, but no summons or notice of violation is issued charging maintenance of a vicious dog, an animal control officer shall forthwith issue an order to the owner of the dog directing that the dog be confined under quarantine and kept under observation on the premises of the owner or a private kennel for a period of 10 days at the expense of the owner, during which time the dog shall never leave the premises, and the order shall be served upon the owner by an animal control officer in the manner provided by section 8.01-296, Code of Virginia. If no summons or notice of violation is forthcoming and an authorized representative of the director of public health or a licensed veterinarian reports that the dog shows no symptoms of rabies within the 10 days, the dog shall be released. If a report of rabies is made or if a summons or notice of violation is issued before the expiration of the ten-day period, the dog shall be immediately removed to the animal shelter pending a final disposition of the case; and costs thereby incurred shall be charged to the owner of the dog.

(c) If any owner does not comply with the provisions of this section within 24 hours from the time he/ she is served with an order issued pursuant to the provisions of this section, the dog in question shall be impounded, at the animal shelter, and kept under observation at the owner's expense for a period of 10 days and the owner shall be charged with a violation of this section.

Sec. 5-7-38 Inoculation of dogs against rabies.

It shall be the duty of every resident of the city owning or in possession of a dog four (4) months old or older within the city to have such dog inoculated with an anti-rabic vaccine approved by the director of public health, which inoculation shall be repeated as often as the director of public health may from time to time specify. The expense of inoculation of dogs against rabies shall be borne by the owners of such dogs. The inoculation shall be made by any licensed veterinarian. A certificate of vaccination shall be presented by the veterinarian within 10 days after inoculation.

Sec. 5-7-38.1 Inoculation of cats against rabies.

(a) It shall be the duty of every resident of the city owning or in possession of a cat four (4) months old or older within the city to have such cat inoculated with an anti-rabic vaccine approved by the director of public health, which inoculation shall be repeated as often as the director of public health may from time to time specify. The expense of inoculation of cats against rabies shall be borne by the owners of such cats. The inoculation shall be made by any licensed veterinarian.

(b) At the time of vaccination, a suitable and distinctive rabies tag and a certificate of vaccination shall be issued by the veterinarian to the cat's owner. The certificate shall certify that the cat in question has been vaccinated in accordance with this section. Such certificate shall show the date of vaccination, the rabies collar tag number, the date of required immunization, a brief description of the cat and its sex and breed, and the name of the owner. The certificate issued under this section shall be carefully preserved by the owner of the cat and exhibited promptly upon request for inspection by an animal control officer, a public health officer or any other law enforcement officer. One copy of the certificate required under this section shall be retained by the veterinarian and one copy shall be presented by the veterinarian to the health department for registration within 10 days after inoculation.

Sec. 5-7-39 Procedure as to dogs and cats suspected of having rabies.

Dogs and cats suspected of having rabies and exhibiting the common symptoms of this disease shall be impounded either at the animal shelter or at a private veterinarian's

establishment in solitary confinement and kept under observation for a period of 10 days. At the time any dog or cat is impounded, an attempt shall be made by an animal control officer to determine whether the dog or cat has been previously inoculated against rabies. If it is found that the dog or cat has not been effectively inoculated or there is any doubt as to whether or not the dog or cat has in fact been inoculated, then the dog or cat shall be inoculated on the last day of the above-mentioned observation period. The director of public health is hereby given authority to cause to be destroyed any dog or cat which in his opinion has rabies, and to have the head of the dog or cat examined. All expenses in connection with the provisions of this section shall be borne by the owner of the dog or cat in question.

Sec. 5-7-40 Reports of animal bites.

(a) The owner of any animal which bites a person shall immediately notify an animal control officer, the health department or the police department of the biting.

(b) It shall be the duty of every physician and medical practitioner in the city and of every hospital in the city to report to an animal control officer or the health department the name and address of any person treated for bites or wounds inflicted by animals, together with all available information necessary for rabies control.

(c) It shall be the duty of every veterinarian practicing in the city to report to an animal control officer or the health department the name and address of the owner of any animal treated for bites or wounds inflicted by any other animal, together with all available information necessary for rabies control.

Sec. 5-7-41 When muzzles required, exception.

Whenever it becomes necessary to safeguard the public from the danger of hydrophobia, the city manager, with the written approval of the director of public health, may issue a proclamation ordering every person owning or keeping a dog to confine it securely on his premises, unless the dog shall have a muzzle of sufficient strength to prevent its biting any person. Any unmuzzled dog running at large during the time covered by the proclamation shall be seized and impounded. This section shall not be construed to prevent the owner of a dog or the agent of the owner from taking the dog unmuzzled from the premises of the owner, if the dog is upon a leash.

Sec. 5-7-42 Female dogs in season; allowing dog to urinate, etc.; noisy dogs; offensive odors from dogs; dogs prohibited on posted playground areas and on school grounds.

The following things are declared nuisances and are prohibited. It shall be unlawful for the owner or person in control of a dog to:

(1) Fail to keep his female dog confined during the entire time the dog is in season in a building or secure enclosure in such a manner that the female dog cannot come into contact with a male dog except for planned breeding.

(2) Knowingly or willfully allow his dog to urinate or defecate on the private property of other persons without their consent or that of the authorized agent of the one having control of the premises.

(3) Knowingly or willfully allow his dog to urinate or defecate on public property; provided, that urination by a dog on curbs of streets and in alleys, streets or areas posted by the city manager as dog exercise areas shall not constitute a violation of this section; and provided further, that defecation by a dog on public property out of doors shall not constitute a violation of this section if the owner of the dog immediately removes the material defecated and disposes of it in a manner not inconsistent with the provisions of this section.

(4) Keep dogs which bark or howl to such extent as to annoy any resident or keep dogs in such a manner as to cause offensive odors.

(5) Permit his dog, except a seeing-eye, service or hearing dog, to go upon any public property posted by the city manager as a playground area, or upon the grounds of any public school.

Sec. 5-7-43 Powers of operators of animal shelter generally.

The operators of the animal shelter shall have the following powers:

- (a) to destroy unredeemed dogs, as provided in section 5-7-34;
- (b) to destroy vicious dogs upon an order from the court, as provided in section 5-7-36;
- (c) to receive and investigate complaints of and to make determinations regarding vicious and dangerous dogs, as provided in section 5-7-36.1;
- (d) to receive, investigate and act upon requests to rescind or modify dangerous dog permits, as provided in section 5-7-36.2;

(e) to impound and release dogs and to issue orders, as provided in section 5-7-37;
and

(f) to destroy dogs as provided in section 5-7-39.

Sec. 5-7-44 Appointment and powers of chief animal control officer and deputy animal control officers.

A chief animal control officer shall be appointed by city council and may be removed by council or the city manager. The city manager may appoint one or more deputy animal control officers, who may be removed by the manager, to assist the chief animal control officer in the performance of her duties. The chief animal control officer and deputy animal control officers shall, within the city and subject to any limitations imposed as a condition of their appointment, have the powers of an animal control officer as conferred by the Code of Virginia (1950), as amended, the powers of a state game warden as conferred by the city charter in the enforcement of the dog laws of the city, and the power to enforce the provisions of this article.

Sec. 5-7-45 Killing certain animals that cannot be safely taken up and impounded.

If any vicious or dangerous dog or any dog, cat or other animal suspected of, or having rabies, found at large, cannot be safely taken up and impounded, the dog or other animal may be slain by any law enforcement officer.

Sec. 5-7-46 Penalties.

(a) A person shall be assessed a civil penalty of \$50 for violating any provision of this article, except that, for each subsequent violation of any provision of this article occurring within 12 months of an earlier violation, the person shall be assessed a civil penalty of \$100.

(b) If an animal control officer or law enforcement officer determines that a violation of this article has occurred, he shall issue and serve, or cause to be served, a notice of violation on any and all persons committing the violation. The notice shall provide that the person served may elect to make an appearance, either in person or in writing by mail, before the treasurer of the city, and admit liability for or plead no contest to the violation and pay the civil penalty established for the violation, all within the time period set forth in the notice. If a person so notified does not elect to admit liability or to plead no contest, the violation shall be tried in the Alexandria General District Court upon a warrant in debt or motion for judgment, with the same right of appeal as provided in civil actions at law. A finding or admission of liability or a plea of no contest shall not be deemed a criminal conviction for any purpose.

Sec. 5-7-47 License--required; disposition of revenue.

(a) It shall be unlawful for any person to be the owner of a dog or cat four months old or older within the city unless such dog or cat is licensed, as required by the provisions of this article.

(b) All dog and cat license taxes collected pursuant to this article shall be paid into the general fund from which sufficient funds for the operation and maintenance of the animal shelter may be provided, as authorized by council.

Sec. 5-7-48 Same--tax imposed; tax rates; when tax payable.

There is hereby imposed an annual license tax on dogs and cats, except seeing-eye, service and hearing dogs that are trained and serve as a service or hearing dog for the persons and in the manner described in section 3.1-796.87 of the Virginia Code, for each calendar year at the following rates, and due and payable as follows:

(1) For any male or female dog or cat which shall be four months old or older on or before January 31 of the year, the license tax for that year shall be \$10 and shall be paid by the owner on or before January 31 of said year;

(2) If any male or female dog or cat shall become four months of age, or if a dog or cat of that age or older shall come into the possession of an owner, between January 31 and November 1 of any year, the license tax for that year shall be \$10 and shall be paid by the owner within 10 days of the dog or cat attaining the age of four months or coming into the possession of the owner;

(3) If any male or female dog or cat shall become four months of age, or if a dog or cat of that age or older shall come into the possession of an owner, after October 31 of any year, the license tax of \$10 for the succeeding calendar year shall be paid by the owner within 10 days of the dog or cat attaining the age of four months or coming into the possession of the owner;

(4) For any spayed or neutered dog or cat, the provisions of this section shall apply but the annual license tax shall be \$2; and

(5) If any dog or cat coming into the possession of an owner on or before October 31 of any year has a current license in another jurisdiction, a full credit shall be allowed on the cost of obtaining the first city license.

Sec. 5-7-49 Same--application; issuance; records to be kept.

Any dog or cat not wearing a collar bearing a license tag of the proper calendar year shall be presumed to be unlicensed, and in any proceedings under this article the owner of such dog or cat shall have the burden of proving that the dog or cat is in fact licensed.

Sec. 5-7-54 Same--maintenance of records.

The city manager or her designee shall keep orderly lists and accounts with respect to receipts, disbursements, licenses issued, and how unsold tags are disposed of, and annually shall provide an accounting of her activities with respect to dogs and cats and dog and cat licenses for use by the director of finance.

Sec. 5-7-55 Same--transmittal of funds to director of finance.

All persons responsible for the issuance of dog and cat licenses and the collection of license taxes shall keep accurate records and shall transmit all funds collected to the director of finance at least every 30 days.

Sec. 5-7-56 Making false statement to secure license.

It shall be unlawful for any person to make a false statement in order to secure a dog or cat license.

Sec. 5-7-57 Limitation on number of dogs and cats kept per dwelling unit.

(a) It shall be unlawful for any person to keep more than three dogs over four months of age or four cats over four months of age in any dwelling unit in the city.

(b) Any person who, on October 1, 1995, is lawfully keeping more than the number of dogs and cats permitted by this section shall be entitled to continue to keep all such dogs and cats, so long as they are duly licensed and inoculated in accordance with this article. However, it shall be unlawful for any such person to keep any dog or cat acquired after October 1, 1995, unless the total number of dogs and cats kept by the person does not exceed the number of dogs and cats permitted by subsection (a) of this section.

(c) This section shall not apply to any person authorized to operate a "kennel," as that term is defined in the City of Alexandria Zoning Ordinance.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY

Mayor

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First Reading: 06/ 09/ 98
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