

1 **Ordinance to Amend and Re-Enact Chapter 5 of the City Code of the City of**
2 **Hampton, Virginia Entitled “Animals” by Amending Articles I and III – VII**

3 **BE IT ORDAINED** by the Council of the City of Hampton, Virginia that Articles I, III, IV,
4 V, VI, and VII of Chapter 5 of the City Code of the City of Hampton, Virginia be
5 amended and re-enacted as follows:

6 **ARTICLE I. - IN GENERAL**

7

8 **Sec. 5-2. - Definitions.**

9 Unless otherwise expressly stated or the content clearly indicates a different
10 intention, the following words and terms shall, for the purposes of this chapter, have the
11 meaning indicated in this section:

12 *Abandon* means to desert, forsake, or absolutely give up an animal without having
13 secured another owner or custodian for the animal or by failing to provide the elements
14 of basic care as set forth in Virginia Code § 3.2-6503 for a period of ~~five (5)~~ *four (4)*
15 consecutive days.

16

17 *Adequate shelter* means provision of and access to shelter that is suitable for the
18 species, age, condition, size, and type of each animal; provides adequate space for
19 each animal; is safe and protects each animal from injury, rain, sleet, snow, hail, direct
20 sunlight, the adverse effects of heat or cold, physical suffering, and impairment of
21 health; is properly lighted; is properly cleaned; enables each animal to be clean and dry,
22 except when detrimental to the species; *during hot weather, is properly shaded and*
23 *does not readily conduct heat; during cold weather, has a windbreak at its entrance and*
24 *provides a quantity of bedding material consisting of straw, cedar shavings, or the*
25 *equivalent that is sufficient to protect the animal from cold and promote the retention of*
26 *body heat;* and, for dogs and cats, provides a solid surface, resting platform, pad,
27 floormat, or similar device that is large enough for the animal to lie on in a normal
28 manner and can be maintained in a sanitary manner. Under this chapter, shelters
29 whose wire, grid, or slat floors (i) permit the animals' feet to pass through the openings,
30 (ii) sag under the animals' weight, or (iii) otherwise do not protect the animals' feet or
31 toes from injury are not adequate shelter.

32 *Adequate space* means sufficient space to allow each animal to (i) easily stand, sit,
33 lie, turn about, and make all other normal body movements in a comfortable, normal
34 position for the animal and (ii) interact safely with other animals in the enclosure. ~~When~~
35 ~~an animal is tethered, adequate space means a tether that permits the above actions~~
36 ~~and is appropriate to the age and size of the animal; is attached to the animal by a~~
37 ~~properly applied collar, halter, or harness configured so as to protect the animal from~~
38 ~~injury and prevent the animal or tether from becoming entangled with other objects or~~
39 ~~animals, or from extending over an object or edge that could result in the strangulation~~
40 ~~or injury of the animal; and is at least three (3) times the length of the animal, as~~

41 ~~measured from the tip of its nose to the base of its tail, except when the animal is being~~
42 ~~walked on a leash or is attached by a tether to a lead line. When freedom of movement~~
43 ~~would endanger the animal, temporarily and appropriately restricting movement of the~~
44 ~~animal according to professionally accepted standards for the species is considered~~
45 ~~provision of adequate space.~~

46

47 *At large* shall mean **any dog** roaming, running, or self-hunting off the property of its
48 owner or custodian and not under its owner's or custodian's immediate control by leash,
49 rope, or chain attached to a commercial pet collar or harness or contained within a pet
50 carrier, crate or enclosed pet stroller. A dog shall not be considered at large if it is on a
51 bona fide hunt in the city in the company of the hunter; is off leash in an officially
52 designated Bark Park; or is off leash in a space within a public park defined as an off-
53 leash dog area by the director of parks, recreation and leisure services and identified by
54 signage as available for off-leash dog activity. At large shall not apply to any person
55 while engaged in law enforcement or search and rescue activity; in a supervised formal
56 obedience training class or show; ~~or~~ during formally sanctioned field trials or field dog
57 training; **or while a dog is actively engaged in service to its owner or custodian as a**
58 **service dog.**

59 *Boarding kennel or establishment* means a place or establishment, other than public
60 or private animal shelter, where companion animals not owned by the proprietor are
61 sheltered, fed and watered in exchange for a fee. **Boarding kennel or establishment**
62 **shall not include any private residential dwelling that shelters, feeds, and waters fewer**
63 **than five companion animals not owned by the proprietor.**

64

65 *Livestock* includes all domestic or domesticated: bovine animals; equine animals;
66 bovine; porcine animals; cervidae animals; capradae animals; animals of the genus
67 Lama **or Vicugna**; ratites; fish or shellfish in aquaculture facilities, as defined in Virginia
68 Code § 3.2-2600; enclosed domesticated rabbits or hares raised for human food or
69 fiber; or any other individual animal specifically raised for food or fiber, except
70 companion animals.

71

72 *Nuisance shall mean (i)* as pertaining to dogs, ~~means~~ excessive, continuous or
73 untimely barking, howling, molesting of passersby, chasing vehicles, attacking other
74 domestic animals, or unwelcome trespassing upon school grounds, private or public
75 property-; **(ii) as** ~~Nuisance~~ pertaining to cats, ~~means~~ excessive, continuous or untimely
76 caterwauling, a sound made during courtship, and/or destructive trespassing on the
77 property of another. ~~Other officer includes all other persons employed or elected by the~~
78 ~~people of Virginia or by any municipality, county, or incorporated town thereof, whose~~
79 ~~duty it is to preserve the peace, to make arrests or to enforce the law.~~

80

81 *Pet shop* means ~~an~~ **a retail** establishment where companion animals are bought,
82 sold, exchanged or offered for sale or exchange to the general public.

83

84 *Primary enclosure* means any structure used to immediately restrict an animal or
85 animals to a limited amount of space, such as a room, pen, cage, compartment or
86 hutch. ~~For tethered animals, the term includes the shelter and the area within reach of~~
87 ~~the tether.~~

88

89 *Properly cleaned* means that carcasses, debris, food waste, and excrement are
90 removed from the primary enclosure with sufficient frequency to minimize the animal's
91 contact with the above-mentioned contaminants; the primary enclosure is sanitized with
92 sufficient frequency to minimize odors and the hazards of disease; and the primary
93 enclosure is cleaned so as to prevent the animals confined therein from being directly or
94 indirectly sprayed with the stream of water, or directly or indirectly exposed to
95 hazardous chemicals or disinfectants.

96
97 *Properly lighted* when referring to a facility means sufficient illumination to permit
98 routine inspections, maintenance, cleaning, and housekeeping of the facility, and
99 observation of the animals; to provide regular diurnal lighting cycles of either natural or
100 artificial light, uniformly diffused throughout the facility; and to promote the well-being of
101 the animals.

102
103 *Properly lighted* when referring to a private residential dwelling and its surrounding
104 grounds means sufficient illumination to permit routine maintenance and cleaning
105 thereof, and observation of the companion animals; and to provide regular diurnal
106 lighting cycles of either natural or artificial light to promote the well-being of the animals.

107

108 *Releasing agency* means (i) a public animal shelter or (ii) a private animal shelter,
109 humane society, animal welfare organization, society for the prevention of cruelty to
110 animals, or other similar entity or home-based rescue that releases companion animals
111 for adoption.

112

113 *Sore* means, when referring to an equine, that an irritating or blistering agent has
114 been applied, internally or externally, by a person to any limb or foot of an equine; any
115 burn, cut, or laceration that has been inflicted by a person to any limb or foot of an
116 equine; any tack, nail, screw, or chemical agent that has been injected by a person into
117 or used by a person on any limb or foot of an equine; any other substance or device that
118 has been used by a person on any limb or foot of an equine; or a person has engaged
119 in a practice involving an equine, and as a result of such application, infliction, injection,
120 use, or practice, such equine suffers, or can reasonably be expected to suffer, physical
121 pain or distress, inflammation, or lameness when walking, trotting, or otherwise moving,
122 except that such term does not include such an application, infliction, injection, use, or
123 practice in connection with the therapeutic treatment of an equine by or under the
124 supervision of a licensed veterinarian. Notwithstanding anything contained herein to the
125 contrary, nothing shall preclude the shoeing, use of pads, and use of action devices as
126 permitted by 9 C.F.R. Part 11.2.

127

128 **State Law reference**— Similar definitions, Code of Virginia, § 3.2-5900.

129 **Sec. 5-10. - Dangerous animals, other than dogs.**

130 (a) No person shall suffer or permit any animal belonging to him or under his control
131 and known or reasonably suspected of being dangerous to be kept in the city at any
132 time except in strict confinement in such manner as to be safe for the public at large
133 or any person licensed to go on the premises on which such animal is kept. This
134 section shall not apply to dogs.

135 (b) The term "dangerous animal" shall be defined for the purposes of this section has
136 any animal, other than a dog, which attacks a human being or another animal
137 without provocation; or any animal, other than a dog, with a known propensity,
138 tendency or disposition to attack a human being or another animal without
139 provocation. For purposes of this section, proof that any animal has bitten one (1) or
140 more persons or animals without provocation shall be considered as prima facie
141 evidence that such animal is dangerous.

142 (c) No animal shall be declared dangerous if the threat, injury or damage was
143 sustained by a person who, at the time, was committing a willful trespass or other
144 tort upon the premises occupied by the owner or keeper of the animal or was
145 teasing, tormenting, abusing or assaulting the animal or has, in the past, been
146 observed or reported to have teased, tormented, abused or assaulted the animal or
147 was committing or attempting to commit a crime. No animal shall be declared
148 dangerous if it attacks other animals which are trespassing on the premises
149 occupied by the owner or keeper of the animal.

150 (d) It shall be the duty of an animal control officer or ~~other~~ **law enforcement** officer
151 who may find any dangerous animal that is either: not in strict confinement as
152 required by subsection (a); or that has attacked a human being or another animal
153 and whose presence in the city represents a continuing threat of serious harm to
154 human beings or other animals, to forthwith take the dangerous animal in custody
155 and dispose of it in accordance with section 5-38(b) or, in the alternative, to hold the
156 animal until disposition by the court under sections 5-10 and 5-10.1.

157 **Cross reference**— Dangerous dogs; penalties, § 5-42.

158

159 **ARTICLE III. – DOGS AND CATS GENERALLY**

160 **Sec. 5-37. - Dogs and cats deemed personal property; rights relating thereto.**

161 All dogs and cats shall be deemed personal property and may be the subject of
162 larceny and malicious or unlawful trespass, and the owners thereof may maintain any
163 action for the killing of such dogs or cats, or injury thereto, or unlawful detention or use

164 thereof, as in the case of other personal property. The owner of any dog or cat which is
165 injured or killed contrary to the provisions of this chapter by any person shall be entitled
166 to recover the value thereof or the damage done thereto in an appropriate action at law
167 from such person. An animal control officer or other officer finding a stolen dog or cat or
168 a dog or cat held or detained contrary to law shall have authority to seize and hold such
169 dog or cat pending action before the general district court or other court. If no such
170 action is instituted within seven (7) days, the animal control officer or other officer shall
171 deliver the dog or cat to its owner. The presence of a dog or cat on the premises of a
172 person other than its legal owner shall raise no presumption of theft against the owner
173 and the animal control officer may take such dog or cat in charge and notify its legal
174 owner to remove him. The legal owner of a dog or cat shall pay a reasonable charge for
175 the keep of such dog or cat while in the possession of the animal control officer, such
176 charge not to exceed that prescribed in section 5-38.

177 **State Law reference**— Similar provisions, Code of Virginia, § 3.2-6585.

178

179 **Sec. 5-42. - Dangerous dogs; penalties.**

180 (a) As used in this section *Dangerous dog* means:

181 (1) A canine or canine crossbreed that has bitten, attacked, or inflicted injury on a
182 companion animal that is a dog or cat or killed a companion animal that is a dog
183 or cat. A canine or canine crossbreed is not a dangerous dog if, upon
184 investigation, a law-enforcement officer or animal control officer finds that (i) if
185 no serious physical injury, as determined by a licensed veterinarian, has
186 occurred to the dog or cat as a result of the attack or bite; (ii) both animals are
187 owned by the same person; or (iii) such attack occurred on the property of the
188 attacking or biting dog's owner or custodian; or

189 (2) A canine or canine crossbreed that has bitten, attacked, or inflicted injury on a
190 person. A canine or canine crossbreed is not a dangerous dog if, upon
191 investigation, a law-enforcement officer or animal control officer finds that the
192 injury inflicted by the canine or canine crossbreed upon a person consists solely
193 of a single nip or bite resulting only in a scratch, abrasion, or other minor injury.

194 (b) No dog shall be found to be a dangerous dog as a result of biting, attacking, or
195 inflicting injury on a dog or cat while engaged with an owner or custodian as part of
196 lawful hunting or participating in an organized, lawful dog handling event. No dog shall
197 be found to be a dangerous dog if the court determines, based on the totality of the
198 evidence before it, *or for other good cause*, that the dog is not dangerous or a threat to
199 the community.

200 (c) Any law-enforcement officer or animal control officer who has reason to believe
201 that a canine or canine crossbreed within his jurisdiction is a dangerous dog may apply
202 to a magistrate serving the jurisdiction for the issuance of a summons requiring the
203 owner or custodian, if known, to appear before a general district court at a specified
204 time. The summons shall advise the owner of the nature of the proceeding and the

205 matters at issue. If a law-enforcement officer successfully makes an application for the
206 issuance of a summons, he shall contact a local animal control officer and inform him of
207 the location of the dog and the relevant facts pertaining to his belief that the dog is
208 dangerous. The animal control officer shall confine the animal until such time as
209 evidence shall be heard and a verdict rendered. If the animal control officer determines
210 that the owner or custodian can confine the animal in a manner that protects the public
211 safety, he may permit the owner or custodian to confine the animal until such time as
212 evidence shall be heard and a verdict rendered. The court, through its contempt
213 powers, may compel the owner, custodian or harbinger of the animal to produce the
214 animal.

215 *(d)* If, after hearing the evidence, the court finds that the animal is a dangerous dog,
216 the court shall order the animal's owner to comply with the provisions of this section.
217 The court upon finding the animal to be a dangerous dog, may order the owner,
218 custodian, or harbinger thereof to pay restitution for actual damages to any person
219 injured by the animal or whose companion animal was injured or killed by the animal.
220 The court, in its discretion, may also order the owner to pay all reasonable expenses
221 incurred in caring and providing for such dangerous dog from the time the animal is
222 taken into custody until such time as the animal is disposed of or returned to the owner.

223 *(e) If, after hearing the evidence, the court decides to defer further proceedings*
224 *without entering an adjudication that the animal is a dangerous dog, it may do so,*
225 *notwithstanding any other provision of this section. A court that defers further*
226 *proceedings shall place specific conditions upon the owner of the dog. If the owner*
227 *violates any of the conditions, the court may enter an adjudication that the animal is a*
228 *dangerous dog and proceed as otherwise provided in this section. Upon fulfillment of*
229 *the conditions, the court shall dismiss the proceedings against the animal and the owner*
230 *without an adjudication that the animal is a dangerous dog.*

231 *(f)* The procedure for appeal and trial shall be the same as provided by law for
232 misdemeanors. Trial by jury shall be as provided in Article 4 (§ 19.2-260 et seq.) of
233 Chapter 15 of Title 19.2 of the Code of Virginia. The burden of proof shall be beyond a
234 reasonable doubt.

235 *(g)* ~~(d)~~ No canine or canine crossbreed shall be found to be a dangerous dog solely
236 because it is a particular breed, nor is the ownership of a particular breed of canine or
237 canine crossbreed prohibited.

238 *(h)* ~~(e)~~ No animal shall be found to be a dangerous dog if the threat, injury or damage
239 was sustained by a person who was (i) committing, at the time, a crime upon the
240 premises occupied by the animal's owner or custodian; (ii) committing, at the time, a
241 willful trespass upon the premises occupied by the animal's owner or custodian; or (iii)
242 provoking, tormenting, or physically abusing the animal, or can be shown to have
243 repeatedly provoked, tormented, abused, or assaulted the animal at other times. No
244 police dog that was engaged in the performance of its duties as such at the time of the
245 acts complained of shall be found to be a dangerous dog. No animal that, at the time of
246 the acts complained of, was responding to pain or injury, or was protecting itself, its

247 kennel, its offspring, a person, or its owner's or custodian's property, shall be found to
248 be a dangerous dog.

249 *(i)* —~~(f)~~ If the owner of an animal found to be a dangerous dog is a minor, the custodial
250 parent or legal guardian shall be responsible for complying with all requirements of this
251 section.

252 *(j)* —~~(g)~~ The owner of any animal found to be a dangerous dog shall, within thirty (30)
253 days of such finding, obtain a dangerous dog registration certificate from the local
254 animal control officer for a fee of \$150.00, in addition to other fees that may be
255 authorized by law. The local animal control officer or treasurer shall also provide the
256 owner with a uniformly designed tag that identifies the animal as a dangerous dog. The
257 owner shall affix the tag to the animal's collar and ensure that the animal wears the
258 collar and tag at all times. By January 31 of each year, until such time as the dangerous
259 dog is deceased, all certificates obtained pursuant to this subsection shall be renewed
260 annually for a fee of \$85.00 and in the same manner as the initial certificate was
261 obtained. The animal control officer shall post registration information on the Virginia
262 Dangerous Dog Registry.

263 *(k)* —~~(h)~~ All dangerous dog registration certificates or renewals thereof required to be
264 obtained under this section shall only be issued to persons eighteen (18) years of age
265 or older who present satisfactory evidence (i) of the animal's current rabies vaccination,
266 if applicable; (ii) that the animal has been neutered or spayed; and (iii) that the animal is
267 and will be confined in a proper enclosure or is and will be confined inside the owner's
268 residence or is and will be muzzled and confined in the owner's fenced-in yard until the
269 proper enclosure is constructed. In addition, owners who apply for certificates or
270 renewals thereof under this section shall not be issued a certificate or renewal thereof
271 unless they present satisfactory evidence that (a) their residence is and will continue to
272 be posted with clearly visible signs warning both minors and adults of the presence of a
273 dangerous dog on the property and (b) the animal has been permanently identified by
274 means of electronic implantation. All certificates or renewals thereof required to be
275 obtained under this section shall only be issued to persons who present satisfactory
276 evidence that the owner has liability insurance coverage, to the value of at least
277 \$100,000, that covers animal bites. The owner may obtain and maintain a bond in
278 surety, in lieu of liability insurance, to the value of at least \$100,000.

279 *(l)* —~~(i)~~ While on the property of its owner, an animal found to be a dangerous dog shall
280 be confined indoors or in a securely enclosed and locked structure of sufficient height
281 and design to prevent its escape or direct contact with or entry by minors, adults, or
282 other animals. While so confined within the structure, the animal shall be provided for
283 according to § 3.2-6503 of the Code of Virginia. When off its owner's property, an
284 animal found to be a dangerous dog shall be kept on a leash and muzzled in such a
285 manner as not to cause injury to the animal or interfere with the animal's vision or
286 respiration, but so as to prevent it from biting a person or another animal.

287 *(m)* —~~(j)~~ The owner of an animal found to be a dangerous dog shall cause the local
288 animal control officer to be promptly notified of (i) the names, addresses, and telephone
289 numbers of all owners; (ii) all of the means necessary to locate the owner and the dog
290 at any time; (iii) any complaints or incidents of attack by the dog upon any person or cat

291 or dog; (iv) any claims made or lawsuits brought as a result of any attack; (v) chip
292 identification information; (vi) proof of insurance or surety bond; and (vii) the death of
293 the dog.

294 (n) —(k) After an animal has been found to be a dangerous dog, the animal's owner
295 shall immediately, upon learning of same, cause the local animal control authority to be
296 notified if the animal (i) is loose or unconfined; (ii) bites a person or attacks another
297 animal; or (iii) is sold, is given away, or dies. Any owner of a dangerous dog who
298 relocates to a new address shall, within 10 days of relocating, provide written notice to
299 the appropriate local animal control authority for the old address from which the animal
300 has moved and the new address to which the animal has been moved.

301 (o) —(l) Any owner or custodian of a canine or canine crossbreed or other animal is
302 guilty of a:

303 (1) Class 2 misdemeanor if the canine or canine crossbreed previously
304 declared a dangerous dog pursuant to this section, when such declaration arose
305 out of a separate and distinct incident, attacks and injures or kills a cat or dog
306 that is a companion animal belonging to another person;

307 (2) Class 1 misdemeanor if the canine or canine crossbreed previously
308 declared a dangerous dog pursuant to this section, when such declaration arose
309 out of a separate and distinct incident, bites a human being or attacks a human
310 being causing bodily injury.

311 ~~(3) Class 6 felony if any owner or custodian whose willful act or omission in the~~
312 ~~care, control, or containment of a canine, canine crossbreed, or other animal is~~
313 ~~so gross, wanton, and culpable as to show a reckless disregard for human life,~~
314 ~~and is the proximate cause of such dog or other animal attacking and causing~~
315 ~~serious bodily injury to any person.~~

316 The provisions of this subsection shall not apply to any animal that, at the time of
317 the acts complained of, was responding to pain or injury, or was protecting itself, its
318 kennel, its offspring, a person, or its owner's or custodian's property, or when the animal
319 is a police dog that is engaged in the performance of its duties at the time of the attack.

320 (p) —(m) The owner of any animal that has been found to be a dangerous dog who
321 willfully fails to comply with the requirements of this section shall be guilty of a Class 1
322 misdemeanor.

323 Whenever an owner or custodian of an animal found to be a dangerous dog is
324 charged with a violation of this section, the animal control officer shall confine the
325 dangerous dog until such time as evidence shall be heard and a verdict rendered. The
326 court, through its contempt powers, may compel the owner, custodian, or harbinger of
327 the animal to produce the animal.

328 Upon conviction, the court may (i) order the dangerous dog to be disposed of by
329 the city pursuant to § 3.2-6562 of the Code of Virginia or (ii) grant the owner up to thirty
330 (30) days to comply with the requirements of this section, during which time the
331 dangerous dog shall remain in the custody of the animal control officer until compliance
332 has been verified. If the owner fails to achieve compliance within the time specified by
333 the court, the court shall order the dangerous dog to be disposed of by the city pursuant

334 to § 3.2-6562 of the Code of Virginia. The court in its discretion, may order the owner to
335 pay all reasonable expenses incurred in caring and providing for such dangerous dog
336 from the time the animal is taken into custody until such time that the animal is disposed
337 of or returned to the owner.

338 *(q)* ~~(n)~~ All fees collected pursuant to this section, less the costs incurred by the animal
339 control authority in producing and distributing the certificates and tags required by this
340 section, and the fees due to the ~~state veterinarian~~ *State Veterinarian* for maintenance of
341 the Virginia Dangerous Dog Registry, shall be paid into a special dedicated fund in the
342 treasury of the city for the purpose of paying the expenses of any training course
343 required under Virginia Code § 3.2-6556.

344 *(r)* ~~(o)~~ This section is enacted pursuant to Virginia Code § 3.2-6540~~(O)~~.

345 **State Law reference**— Dangerous or vicious dogs, Code of Virginia, § 3.2-6540.

346 **Sec. 5-42.1. - Control of vicious dogs; penalties.**

347 (a) As used in this section:

348 "*Serious injury*" means an injury having a reasonable potential to cause death or
349 any injury other than a sprain or strain, including serious disfigurement, serious
350 impairment of health, or serious impairment of bodily function and requiring significant
351 medical attention.

352 "*Vicious dog*" means a canine or canine crossbreed that has (i) killed a person, (ii)
353 inflicted serious injury to a person, or (iii) continued to exhibit the behavior that resulted
354 in a previous finding by a court or, on or before July 1, 2006, by an animal control officer
355 as authorized by ordinance, that it is a dangerous dog, provided that its owner has been
356 given notice of that finding.

357 (b) Any law-enforcement officer or animal control officer who has reason to believe
358 that a canine or canine crossbreed within his jurisdiction is a vicious dog shall apply
359 to a magistrate serving the jurisdiction for the issuance of a summons requiring the
360 owner or custodian, if known, to appear before the general district court at a
361 specified time. The summons shall advise the owner of the nature of the proceeding
362 and the matters at issue. If a law-enforcement officer successfully makes an
363 application for the issuance of a summons, he shall contact the local animal control
364 officer and inform him of the location of the dog and the relevant facts pertaining to
365 his belief that the dog is vicious. The animal control officer shall confine the animal
366 until such time as evidence shall be heard and a verdict rendered. The court,
367 through its contempt powers, may compel the owner, custodian, or harbinger of the
368 animal to produce the animal. If, after hearing the evidence, the court finds that the
369 animal is a vicious dog, the court shall order the animal euthanized in accordance
370 with the provisions of § 3.2-6562 of the Code of Virginia. The court, upon finding the
371 animal to be a vicious dog, may order the owner, custodian, or harbinger thereof to
372 pay restitution for actual damages to any person injured by the animal or to the
373 estate of any person killed by the animal. The court, in its discretion, may also order
374 the owner to pay all reasonable expenses incurred in caring and providing for such

375 vicious dog from the time the animal is taken into custody until such time as the
376 animal is disposed of. The procedure for appeal and trial shall be the same as
377 provided by law for misdemeanors. Trial by jury shall be as provided in Article 4 (§
378 19.2-260 et seq.) of Chapter 15 of Title 19.2 of the Code of Virginia. The city shall
379 be required to prove its case beyond a reasonable doubt.

380 (c) No canine or canine crossbreed shall be found to be a vicious dog solely because
381 it is a particular breed, nor is the ownership of a particular breed of canine or canine
382 crossbreed prohibited. No animal shall be found to be a vicious dog if the threat,
383 injury, or damage was sustained by a person who was (i) committing, at the time, a
384 crime upon the premises occupied by the animal's owner or custodian; (ii)
385 committing, at the time, a willful trespass upon the premises occupied by the
386 animal's owner or custodian; or (iii) provoking, tormenting, or physically abusing the
387 animal, or can be shown to have repeatedly provoked, tormented, abused, or
388 assaulted the animal at other times. No police dog that was engaged in the
389 performance of its duties as such at the time of the acts complained of shall be
390 found to be a vicious dog. No animal that, at the time of the acts complained of, was
391 responding to pain or injury or was protecting itself, its kennel, its offspring, a
392 person, or its owner's or custodian's property, shall be found to be a vicious dog.

393 ~~(d) Any owner or custodian of a canine or canine crossbreed or other animal whose~~
394 ~~willful act or omission in the care, control, or containment of a canine, canine~~
395 ~~crossbreed, or other animal is so gross, wanton, and culpable as to show a reckless~~
396 ~~disregard for human life and is the proximate cause of such dog or other animal~~
397 ~~attacking and causing serious injury to any person is guilty of a Class 6 felony. The~~
398 ~~provisions of this subsection shall not apply to any animal that, at the time of the~~
399 ~~acts complained of, was responding to pain or injury or was protecting itself, its~~
400 ~~kennel, its offspring, a person, or its owner's or custodian's property, or when the~~
401 ~~animal is a police dog that is engaged in the performance of its duties at the time of~~
402 ~~the attack.~~

403

404 **ARTICLE IV. - DOG AND CAT LICENSES**

405 **Sec. 5-51. - Required.**

406 It shall be unlawful for any person *other than a releasing agency* to own a dog or cat
407 four (4) months old or older in this city, unless such dog or cat is licensed *with Hampton*
408 *Animal Control* under the provisions of this article. *Any dog or cat not wearing a collar*
409 *bearing a valid license tag shall prima facie be deemed to be unlicensed, and in any*
410 *proceedings under this chapter the burden of proof of the fact that such dog or cat has*
411 *been licensed, or is otherwise not required to bear a tag at the time, shall be on the*
412 *owner of the dog or cat.*

413 **State Law reference**— Similar provisions, Code of Virginia, § § 3.2-6524, *3.2-6533*.

414

415 **Sec. 5-57. - Issuance, composition and contents of license.**

416 (a) Any person may obtain a dog license or cat license by making oral or written
417 application to the treasurer of the locality where such person resides, accompanied
418 by the amount of license tax and current certificate of vaccination as required by this
419 article or satisfactory evidence that such certificate has been obtained. The
420 treasurer or other officer charged with the duty of issuing dog and cat licenses shall
421 only have authority to license dogs and cats of resident owners or custodians who
422 reside within the boundary limits of ~~this county or city~~ and may require information to
423 this effect from any applicant. Upon receipt of proper application and current
424 certificate of vaccination as required by this article or satisfactory evidence that such
425 certificate has been obtained, the treasurer or other officer charged with the duty of
426 issuing dog and cat licenses shall issue a license receipt for the amount on which
427 he shall record the name and address of the owner or custodian, the date of
428 payment, the year for which issued or if it is a lifetime license, the serial number of
429 the tag, whether dog or cat, whether male or female, whether spayed or neutered,
430 or whether a kennel, and deliver the metal license tags or plates provided for herein.
431 The information thus received shall be retained by the treasurer, open to public
432 inspection, during the period for which such license is valid. The treasurer may
433 establish substations in convenient locations in the city and appoint agents for the
434 collection of the license tax and issuance of such licenses.

435 (b) Each dog or cat license shall consist of a license tax receipt and a metal tag. Such
436 receipt shall have recorded thereon the amount of the tax paid, the name and
437 address of the owner or custodian of the dog or cat, the date of payment, the year
438 for which the dog or cat is licensed or if it is a lifetime license, the serial number of
439 the tag and whether the license is for a male, female or unsexed male or female
440 dog or cat or for a kennel. This information shall be retained by the treasurer and
441 shall be open for public inspection during the period for which such license is valid.

442 (c) The metal tag issued under this section shall be stamped or otherwise
443 permanently marked to show the name of the city, the calendar year for which
444 issued or if it is a lifetime license, and shall bear a serial number.

445 **State Law reference**— Similar provisions, Code of Virginia, §§ 3.2-6527, 3.2-6526.

446 **Sec. 5-58. - Preservation and exhibition of license receipt; tag to be worn by dog;**
447 **exceptions.**

448 (a) A dog or cat license receipt issued under this article shall be carefully preserved
449 by the person to whom issued and exhibited promptly on request for inspection by
450 an animal control officer or ~~other~~ **law enforcement** officer.

451 (b) A dog license tag issued under this article shall be securely fastened to a
452 substantial collar by the owner or custodian and worn by the dog for which it was
453 issued. It shall be unlawful for the owner to permit any licensed dog four months old
454 or older to run or roam at large at any time without a license tag. The owner of the
455 dog may remove the collar and license tag required by this section when:

- 456 (1) The dog is engaged in lawful hunting.
457 (2) The dog is competing in a dog show.
458 (3) The dog has a skin condition which would be exacerbated by the wearing of a
459 collar.
460 (4) The dog is confined.
461 (5) The dog is under immediate control of the owner.
462 (c) Any dog or cat not wearing a collar bearing a license tag for the proper calendar
463 year or a lifetime license shall be prima facie evidence that the dog or cat is
464 unlicensed and, in any proceeding under this article, the burden of proof of the fact
465 that the dog or cat has been licensed, or is otherwise not required to bear a tag at
466 the time, shall be on the owner of the dog or cat.

467 **State Law reference**— Similar provisions, Code of Virginia, § 3.2-6531.

468

469 **Sec. 5-60. - Disposition of unlicensed dogs and cats found running at large.**

- 470 (a) It shall be the duty of any animal control officer or ~~other~~ *law enforcement* officer (1)
471 to capture any dog found running at large on which the license tax imposed by this
472 article has not been paid and deliver such animal to the pound or shelter, and (2) to
473 capture any cat found running at large on which the license tax imposed by this
474 article has not been paid and has not been spayed or neutered in accordance with
475 section 5-38(b) and deliver such animal to the pound or shelter. Such animal shall
476 be disposed of in accordance with Virginia Code § 3.2-6546.
477 (b) Any person, animal control officer or ~~other~~ *law enforcement* officer euthanizing a
478 dog or cat under this section shall cremate, bury or sanitarily dispose of the same.
479 (c) Prior to the disposition, by euthanization or otherwise, of any dog or cat under this
480 section, all of the provisions of section 5-38 shall be complied with.

481

482 **ARTICLE V. – ANIMAL WELFARE**

483 **Sec. 5-77. - Cruelty to animals generally.**

- 484 (a) Any person who (i) overrides, overdrives, overloads, ~~tortures~~, ill-treats, *or*
485 abandons *any animal, whether belonging to himself or another*; (ii) *tortures any*
486 *animal*, willfully inflicts inhumane injury or pain not connected with bona fide
487 scientific or medical experimentation *on any animal*, or cruelly or unnecessarily
488 beats, maims, mutilates, or kills any animal, whether belonging to himself or
489 another; ~~(ii)~~ *(iii)* deprives any animal of necessary food, drink, shelter or emergency
490 veterinary treatment; ~~(iii)~~ *(iv)* sores any equine for any purpose or administers drugs
491 or medications to alter or mask such sores for the purpose of sale, show, or
492 exhibition of any kind, unless such administration of drugs or medications is within

493 the context of a veterinary client-patient relationship and solely for therapeutic
494 purposes; ~~(iv)~~ **(v)** ropes, lassoes, or otherwise obstructs or interferes with one or
495 more legs of an equine in order to intentionally cause it to trip or fall for the purpose
496 of engagement in a rodeo, contest, exhibition, entertainment, or sport unless such
497 actions are in the practice of accepted animal husbandry or for the purpose of
498 allowing veterinary care; ~~(v)~~ **(vi)** willfully sets on foot, instigates, engages in, or in
499 any way furthers any act of cruelty to any animal; ~~(vi)~~ **(vii)** carries or causes to be
500 carried in or upon any vehicle, vessel or otherwise any animal in a cruel, brutal, or
501 inhumane manner, so as to produce torture or unnecessary suffering; or ~~(vii)~~ **(viii)**
502 causes any of the above things, or being the owner of such animal permits such
503 acts to be done by another, is guilty of a Class 1 misdemeanor.

504 (b) In addition to the penalties provided in subsection A, the court may, in its
505 discretion, require any person convicted of a violation of subsection A to attend an
506 anger management or other appropriate treatment program or obtain psychiatric or
507 psychological counseling. The court may impose the costs of such a program or
508 counseling upon the person convicted.

509 ~~(c) Any person who: (i) tortures, willfully inflicts inhumane injury or pain not connected
510 with bona fide scientific or medical experimentation, or cruelly and unnecessarily
511 beats, maims, mutilates or kills any animal whether belonging to himself or another;
512 (ii) sores any equine for any purpose or administers drugs or medications to alter or
513 mask such sores for the purpose of sale, show, or exhibit of any kind, unless such
514 administration of drugs or medications is under the supervision of a licensed
515 veterinarian and solely for therapeutic purposes; (iii) ropes, lassoes, or otherwise
516 obstructs or interferes with one or more legs of an equine in order to intentionally
517 cause it to trip or fall for the purpose of engagement in a rodeo, contest, exhibition,
518 entertainment, or sport unless such actions are in the practice of accepted animal
519 husbandry or for the purpose of allowing veterinary care; (iv) maliciously deprives
520 any companion animal of necessary food, drink, shelter or emergency veterinary
521 treatment; (v) instigates, engages in, or in any way furthers any act of cruelty to any
522 animal set forth in clauses (i) through (iv) or (vi) causes any of the actions described
523 in clauses (i) through (v), or being the owner of such animal permits such acts to be
524 done by another; and has been within five years convicted of a violation of this
525 subsection or subsection A, is guilty of a Class 6 felony if the current violation or any
526 previous violation of this subsection or subsection A resulted in the death of an
527 animal or the euthanasia of an animal based on the recommendation of a licensed
528 veterinarian upon determination that such euthanasia was necessary due to the
529 condition of the animal, and such condition was a direct result of a violation of this
530 subsection or subsection A.~~

531 ~~(d)~~ Nothing in this section shall be construed to prohibit the dehorning of cattle
532 conducted in a reasonable and customary manner.

533 **(d)** ~~(e)~~ This section shall not prohibit authorized wildlife management activities or
534 hunting, fishing or trapping as regulated under other titles of the Code of Virginia,
535 including Title 29.1, or to farming activities as provided under this title or regulations
536 adopted hereunder.

537 (e) —(f) It is unlawful for any person to kill a domestic dog or cat for the purpose of
538 obtaining the hide, fur or pelt of the dog or cat. A violation of this subsection is a
539 Class 1 misdemeanor. A second or subsequent violation of this subsection is a
540 Class 6 felony *constitutes a felony punishable under state code.*

541 (g) —Any person who: (i) tortures, willfully inflicts inhumane injury or pain not connected
542 with bona fide scientific or medical experimentation or cruelly and unnecessarily
543 beats, maims or mutilates any dog or cat that is a companion animal whether
544 belonging to him or another; and (ii) as a direct result causes the death of such dog
545 or cat that is a companion animal, or the euthanasia of such animal on the
546 recommendation of a licensed veterinarian upon determination that such euthanasia
547 was necessary due to the condition of the animal, is guilty of a Class 6 felony. If a
548 dog or cat is attacked on its owner's property by a dog so as to cause injury or
549 death, the owner of the injured dog or cat may use all reasonable and necessary
550 force against the dog at the time of the attack to protect his dog or cat. Such owner
551 may be presumed to have taken necessary and appropriate action to defend his
552 dog or cat and shall therefore be presumed not to have violated this subsection.
553 The provisions of this subsection shall not overrule Sections 5-42, 5-42.1, or §3.2-
554 6552 of the Code of Virginia.

555 (f) —(h) Any person convicted of violating this section may be prohibited by the court
556 from possession or ownership of companion animals.

557 **Cross reference**— Penalty for Class 1 misdemeanor, § 1-11.

558 **State Law reference**— Similar provisions, Code of Virginia, § 3.2-6570; general
559 authority of city to prevent cruelty to animals, § 3.2-6544; specific authority to adopt
560 above section, § 3.2-6543.

561

562 **Sec. 5-83. - Reserved. *Pet shop permit required.***

563 (a) *It shall be unlawful to operate a pet shop, as the term is defined in this chapter,*
564 *without a valid permit issued under this article. Such permit shall not be transferable and*
565 *shall expire at the end of each calendar year, unless revoked.*

566 (b) *Upon submission of a permit application to Hampton Animal Control and prior to*
567 *annual renewal of a permit, the property shall be inspected by a Hampton Animal*
568 *Control officer. The inspection shall be to determine compliance with standards*
569 *applicable to pet shops as set out in the Code of Virginia and compliance with all other*
570 *state and local laws, regulations and ordinances.*

571 (c) *As a condition of permitting, pet shops that sell dogs shall comply with the provisions*
572 *of the Code of Virginia § 3.2-6513.1, as amended.*

573 (d) A permit will be issued to the applicant by Hampton Animal Control following
574 satisfactory inspection of the property and upon submittal of a valid business license.

575 (e) Hampton Animal Control shall deny renewal of or revoke a permit for fraudulent
576 practices or the inhumane treatment of animals dealt with by the permittee, including but
577 not limited to:

578 (1) Failing to comply with the recordkeeping and disclosure requirements in Code
579 of Virginia § 3.2-6512;

580 (2) Providing false or misleading statements about the source of companion
581 animals acquired or sold by the pet shop or dealer;

582 (3) Providing false or misleading information to the public related to the
583 companion animals being sold by the pet shop;

584 (4) Selling dogs in violation of Code of Virginia § 3.2-6511.1, as amended; or

585 (5) Violating any state or local laws, regulations or ordinances related to the
586 inhumane treatment of animals.

587 (f) The pet shop permit fee shall be \$50 and payable at Hampton Animal Control at the
588 time a permit application or renewal is submitted. The pet shop permit fee shall be due
589 annually and payable no later than December 31 of each year. The fees collected shall
590 be used for the administration and enforcement of this section.

591 (g) A permit shall not be required if companion animals are only offered for adoption.

592 (h) It shall be a Class 3 misdemeanor to operate a pet shop without a permit in violation
593 of this section.

594 (i) Any person giving false information in the permit application or during the permitting
595 process shall be guilty of a Class 4 misdemeanor.

596 **State Law reference**— Similar provisions, Code of Virginia, § 3.2-6537.

597
598 **Sec. 5-84. - Sale, etc., of unweaned or certain immature animals prohibited.**

599 (a) No person shall sell, raffle, *give away*, or offer for sale as pets or novelties, or offer
600 or give as a prize, premium, or advertising device any living chicks, ducklings, or
601 other fowl under two (2) months old in quantities of less than six (6) or any
602 unweaned mammalian companion animal or any dog or cat under the age of seven
603 (7) weeks without its dam or queen. Dealers may offer immature fowl, unweaned
604 mammalian companion animals, dogs or cats under the age of seven (7) weeks for
605 sale as pets or novelties with the requirement that prospective owners take
606 possession of the animals only after fowl have reached two (2) months of age,

607 mammalian companion animals have been weaned, and dogs and cats are at least
608 seven (7) weeks of age. Nothing in this section shall prohibit the sale, *gift, or*
609 *transfer* of an unweaned animal (i) as food for other animals or (ii) with the lactating
610 dam or queen or a lactating surrogate dam or queen that has accepted the animal;
611 (iii) due to a concern for the health or safety of the unweaned animal; or (iv) to
612 animal control, a public or private animal shelter, or a veterinarian.

613 (b) Dealers shall provide all dogs and cats with current vaccinations against
614 contagious and infectious diseases, as recommended in writing and considered
615 appropriate for the animal's age and breed by a licensed veterinarian, or pursuant to
616 written recommendations provided by the manufacturer of such vaccines at least
617 five days before any new owner takes possession of the animal. For dogs, the
618 vaccinations required by this subsection shall include at a minimum canine
619 distemper, adenovirus type II parainfluenza, and parvovirus. For cats, the
620 vaccinations required by this subsection shall include at a minimum rhinotracheitis,
621 calicivirus, and panleukopenia. Dealers shall provide the new owner with the dog's
622 or cat's immunization history.

623 (c) A violation of this section is punishable as a Class 3 misdemeanor.

624 **Cross reference**— Penalty for Class 3 misdemeanor, § 1-11.

625 **State Law reference**— Similar provisions, Code of Virginia, § 3.2-6510.

626

627 **Sec. 5-87. - Impoundment of threatened, neglected, etc., animal.**

628 When a humane investigator, any law-enforcement officer, an animal control officer
629 or a licensed veterinarian finds that an apparent violation of this article has rendered an
630 animal in such condition as to constitute a direct and immediate threat to its life, safety
631 or health, which the owner or custodian has failed or ~~refuses~~ to remedy, such approved
632 humane officer, law-enforcement officer, animal control officer or licensed veterinarian
633 may take charge of and impound the animal in a facility which will provide the elements
634 of good care set forth in section 5-79 and shall then proceed to take such steps as are
635 required to dispose of the animal pursuant to section 5-88.

636 **State Law reference**— Impoundment; expenses; lien; disposition of animal, Code of
637 Virginia § 3.2-6565.

638

639 **ARTICLE VI. – RABIES CONTROL**

640 **Sec. 5-100. - Vaccination of dogs and cats.**

641 (a) The owner or custodian of all dogs and domesticated cats four (4) months of age
642 and older shall have them currently vaccinated for rabies by a licensed veterinarian

643 or licensed veterinary technician who is under the immediate and direct supervision
644 of a licensed veterinarian on the premises. The supervising veterinarian on the
645 premises shall provide the owner or custodian of the dog or cat with a rabies
646 vaccination certificate or herd rabies vaccination certificate and shall keep a copy in
647 his own files. The owner or custodian of the dog or cat shall furnish within a
648 reasonable period of time, upon the request of an animal control officer, humane
649 investigator, law enforcement officer, ~~state veterinarian's~~ *State Veterinarian's*
650 representative, or official of the department of health, the certificate of vaccination
651 for such dog or cat. The vaccine used shall be licensed by the United States
652 Department of Agriculture for use in that species. If, however, ~~such vaccination~~
653 ~~would threaten the physical well-being of such dog or cat,~~ *the local health*
654 *department grants an exemption certificate pursuant to 12 VAC 5-105-30 because*
655 *the animal suffers from an underlying medical condition that is likely to result in a*
656 *life-threatening condition in response to such vaccination and such exemption*
657 *would not risk public health and safety,* ~~the owner of such dog or cat shall obtain a~~
658 ~~certificate, signed by a licensed veterinarian, certifying such fact; and the owner~~
659 shall keep such dog or cat in quarantine *unless and* until the same is vaccinated.

660 (b) Any person transporting a dog or cat into the city from some other jurisdiction shall
661 comply with the requirements of subsection (a) of this section within 30 days
662 subsequent to bringing such dog or cat into the city.

663 (c) A veterinarian vaccinating a dog or cat as required by this section shall issue to
664 the owner of the dog or cat a certificate of vaccination showing:

- 665 (1) Date of the vaccination;
- 666 (2) Sex and breed of the dog or cat;
- 667 (3) The dog's or cat's weight, color and marks;
- 668 (4) Rabies tag number;
- 669 (5) Name of the owner;
- 670 (6) Amount and kind of vaccine injection; and
- 671 (7) Method of injection.

672 **State Law reference**— Rabies inoculation of dogs and domesticated cats, Code of
673 Virginia, § ~~§~~ 3.2-6521, *3.2-6529*.

674

675 **Sec. 5-103. - Confinement or destruction of dogs or cats showing signs of, or**
676 **suspected of having, rabies.**

677 Any dog or cat showing active signs of rabies or suspected of having rabies that is
678 not known to have exposed a person, companion animal or livestock to rabies shall be
679 confined under competent observation for such a time as may be necessary to
680 determine a diagnosis. If confinement is impossible or impracticable, such dog or cat

681 shall be euthanized by one of the methods approved by the ~~state veterinarian~~ *State*
682 *Veterinarian* as provided in Code of Virginia, § 3.2-6546. *The disposition of other*
683 *animals showing active signs of rabies shall be determined by the local health director*
684 *and may include euthanasia and testing.*

685 **State Law reference**— Similar provisions, Code of Virginia, § 3.2-6522.

686 **Sec. 5-104. - Destruction or confinement of dog or cat bitten by rabid animal.**

687 Any dog or cat, for which no proof of current rabies vaccination is available, and
688 which ~~is~~ *may have been* exposed to rabies through a bite, or through saliva or central
689 nervous system tissue, in a fresh open wound or mucous membrane, by an animal
690 believed to be afflicted with rabies, shall be confined in a pound, kennel or enclosure
691 approved by the health department for a period not to exceed six (6) months at the
692 expense of the owner or custodian in a manner and by a date certain as determined by
693 the health director; ~~a~~ *A* rabies vaccination shall be administered by a licensed
694 veterinarian prior to release. Inactivated rabies vaccine may be administered at the
695 beginning of confinement. Any dog or cat so bitten, or exposed to rabies through saliva
696 or central nervous system tissue, in a fresh open wound or mucous membrane with
697 proof of a ~~valid~~ *current* rabies vaccination, shall be revaccinated by a licensed
698 veterinarian immediately following the exposure and shall be confined to the premises
699 of the owner or custodian, or other site as may be approved by the local health
700 department at the expense of the owner or custodian, for a period of 45 days. If the
701 local health director determines that isolation is not feasible or maintained, such dog or
702 cat shall be euthanized by one of the methods approved by the ~~state veterinarian~~ *State*
703 *Veterinarian* as provided in § 3.2-6546 of the Code of Virginia. The disposition of such
704 dogs or cats not so confined shall be at the discretion of the local health director.

705 **State Law reference**— Similar provisions, Code of Virginia, § 3.2-6522.

706 **Sec. 5-105. - Confinement or destruction of animal which has bitten person.**

707 At the discretion of the local health director, any animal that may have exposed a
708 person shall be confined under competent observation for 10 days at the expense of the
709 owner or custodian, unless the animal develops active symptoms of rabies, expires, or
710 is euthanized before that time. A seriously injured or sick animal may be humanely
711 euthanized as provided in Code of Virginia, § 3.2-6546, and its head *shall be* sent to the
712 Division of Consolidated Laboratory Services of the Department of General Services, or
713 the local health department, for evaluation. *When determining whether a dog that has*
714 *bitten a person shall be so confined, the health director shall weigh any proof that the*
715 *dog has current certificates for both (i) rabies vaccination and (ii) special training for*
716 *police work, military work, or work as a first responder.*

717 **State Law reference**— Similar provisions, Code of Virginia, § 3.2-6522.

718 **ARTICLE VII. - HYBRID CANINES**

719 **Sec. 5-106. - Definitions.**

720 *Adequate confinement* means that, while on the property of its owner and not under
721 the direct supervision and control of the owner or custodian, a hybrid canine shall be
722 confined in a humane manner in a securely enclosed and locked structure of sufficient
723 height and design to: (i) prevent the animal's escape; or if the hybrid canine is
724 determined to be a dangerous dog pursuant to § 3.2-6540 of the Code of Virginia or
725 section 5-42 of this chapter, the structure shall prevent direct contact with any person or
726 animal not authorized by the owner to be in direct contact with the hybrid canine; and (ii)
727 provide a minimum of 100 square feet of floor space for each adult animal. ~~Tethering of~~
728 ~~a hybrid canine not under the direct supervision and control of the owner or custodian~~
729 ~~shall not be considered adequate confinement.~~

730 *Hybrid canine* means any animal *that is or can be demonstrated to be a hybrid of*
731 *the domestic dog and any other species of the Canidae family;* that at any time has
732 been or is permitted, registered, licensed, or advertised as such; or that at any time has
733 been described, represented, or reported *as such* by its owner to a licensed
734 veterinarian, law-enforcement officer, animal control officer, humane investigator, official
735 of the Department of Health, or State Veterinarian's representative.

736 *Responsible ownership* means the ownership and humane care of a hybrid canine
737 in such a manner as to comply with all laws and ordinances regarding hybrid canines
738 and prevent endangerment by the animal to public health and safety.

739