



County of Prince Edward
Board of Supervisors
Agenda Summary

Meeting Date: July 13, 2010
Item No.: 15
Department: County Attorney
Staff Contact: James R. Ennis
Issue: County Attorney's Report

Summary: At the June meeting, in response to the concerns of citizens, the Board requested that a draft ordinance be prepared regarding "fowl running at large." Attached is the draft ordinance, which I will discuss with the Board at its July 13 meeting. Additionally, it is my understanding that a representative of Animal Control will also be present.

Should the Board wish to pursue a "fowl running at large" ordinance, it will wish to consider authorizing a public hearing for the August Board meeting. Following that public hearing, the Board could then consider enacting the ordinance.

Attachments: Draft "Fowl Running At Large Ordinance"

Recommendation: To Be Determined.

Motion _____
Second _____

Campbell _____
Jones _____
Wilck _____

Fore _____
McKay _____
Wiley _____

Gantt _____
Simpson _____

DIVISION 4(A). FOWL RUNNING AT LARGE

Sec. 10-72. Prohibited

(a) It shall be unlawful for any person to permit any fowl, including all domestic fowl and any game birds raised in captivity, to run at large in the county at any time. For the purpose of this division, a fowl shall be deemed to be running at large while roaming off the property of its owner or custodian and not under the owner's or custodians' immediate control. Any person who continues to permit fowl owned or controlled by him to run at large following notification of such violation by any animal control officer or other law enforcement officer shall be deemed to have violated the provisions of this section.

(b) A violation of this section shall constitute a Class 4 misdemeanor and shall be punished in accordance with the provisions of Code of Virginia, §§3.1-796.128, 3.2-6587, 18.2-403.1, 18.2-403.2, 18.2-403.3, which sections are adopted by reference and made a part of this chapter as fully set forth in this section.

Optional language allowing for seizure of fowl from repeat offenders:

(c) Multiple violations of this section by an individual within a one year period shall result in the impoundment and confiscation of any such fowl found at large within the county in accordance with the provisions of Code of Virginia, §3.2-6544.

(Procedure for seizure and impoundment of abandoned agricultural animals is laid out in Code of Virginia, §3.2-6569)