

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 3, 2003

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER *PS*

SUBJECT: RESOLUTION APPOINTING THE CHIEF ANIMAL CONTROL OFFICER

ISSUE: Resolution appointing the City's chief animal control officer.

RECOMMENDATION: That City Council adopt the attached resolution (Attachment 1).

DISCUSSION: Section 3.1-796.104 of the Virginia Code requires that the City's chief animal control officer be appointed by Council in order to be empowered to enforce the animal laws of the Commonwealth of Virginia. Section 2.04 (p) of the City Charter provides for the appointment of a dog warden, who, in the enforcement of the dog laws of the City, shall have the powers of a state game warden, within the City only.

On December 12, 2000, Council adopted Resolution No. 1990 (Attachment 2), which appointed Alexandria Animal Shelter Director Mary Phelan as Chief Animal Control Officer. Ms. Phelan resigned effective September 18, 2002.

The Alexandria Animal Welfare League has appointed Tara Blot to be the director of the Alexandria Animal Shelter. As a result, the proposed resolution appoints Tara Blot as the Chief Animal Control Officer of the City of Alexandria and provides that she also serves as the City's Dog Warden.

STAFF: Michele R. Evans, Assistant City Manager

ATTACHMENTS:

Attachment 1. Proposed Resolution

Attachment 2. Resolution No. 1990, Adopted December 12, 2000

RESOLUTION NO. ____

WHEREAS, city council is authorized by Virginia Code § 3.1-796.104 to appoint an officer to be known as the animal control officer who shall have the power to enforce chapter 27.4 of title 3.1 of the Virginia Code, which contains the comprehensive animal laws of the Commonwealth of Virginia, all city ordinances enacted pursuant to chapter 27.4 of title 3.1 of the Virginia Code, and all other laws for the protection of domestic animals;

WHEREAS, city council is authorized by city charter § 2.04(p) to provide for the appointment of a dog warden who, in the enforcement of the dog laws of the city, shall have the powers of a state game warden, within the city only;

WHEREAS, city council, in Resolution No. 1990, adopted on December 12, 2000, appointed Mary Phelan "chief animal control officer" to have the powers of an animal control officer under the Virginia Code and a dog warden under the city code;

WHEREAS, Mary Phelan has resigned as chief animal control officer, effective as of September 18, 2002;

WHEREAS, since that date Tara Blot, as chief deputy, has exercised the authority of the chief animal control officer pursuant to Virginia Code § 15.2-1502;

WHEREAS, city council has determined that it is necessary and desirable to appoint Tara Blot as chief animal control officer for the City of Alexandria, in order that the animal laws of the city and the Commonwealth may be administered and enforced in a safe, professional and expedient manner;

NOW, THEREFORE, BE IT RESOLVED BY THE
CITY COUNCIL OF ALEXANDRIA, VIRGINIA

1. That, pursuant to Virginia Code § 3.1-796.104 and city charter § 2.04(p), Tara Blot be, and hereby is, appointed as the chief animal control officer of the City of Alexandria, with all of the rights, privileges and powers pertaining thereto, including without limitation the power to enforce chapter 27.4 of title 3.1 of the Virginia Code, all city ordinances enacted pursuant to chapter 27.4 of title 3.1 of the Virginia Code and pursuant to § 2.04(p) of the city charter, and all other laws for the protection of domestic animals.

2. That the city manager be, and hereby is, authorized to rescind the appointment made by this resolution for any reason, with or without cause.

3. That the individual appointed as chief animal control officer by this resolution shall serve in her position until her resignation, the rescission of her appointment by city council, or the rescission of her appointment by the city manager, whichever shall first occur.

4. That this resolution shall become effective on June __, 2003.

ADOPTED:

KERRY S. DONLEY, MAYOR
On behalf of the City Council
of Alexandria, Virginia

ATTEST:

Beverly I. Jett, CMC City Clerk

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RESOLUTION NO. 1990

WHEREAS, city council is required by Virginia Code § 3.1-796.104 to appoint an officer to be known as the animal control officer who shall have the power to enforce chapter 27.4 of title 3.1 of the Virginia Code, which contains the comprehensive animal laws of the Commonwealth of Virginia, all city ordinances enacted pursuant to chapter 27.4 of title 3.1 of the Virginia Code, and all other laws for the protection of domestic animals;

WHEREAS, city council is authorized by city charter § 2.04(p) to provide for the appointment of a dog warden who, in the enforcement of the dog laws of the city, shall have the powers of a state game warden, within the city only;

WHEREAS, city council, in Resolution No. 1950, adopted on February 22, 2000, appointed Tara Blot "acting chief animal control officer" to have the powers of an animal control officer under the Virginia Code and a dog warden under the city code;

WHEREAS, Mary Phelan has been hired as the executive director of the Animal Welfare League of Alexandria, which has contracted to provide to the City of Alexandria animal shelter and animal control services; and

WHEREAS, city council has determined that it is necessary and desirable to appoint Mary Phelan as chief animal control officer for the City of Alexandria, in order that the animal laws of the city and the Commonwealth may be administered and enforced in a safe, professional and expedient manner;

**NOW, THEREFORE, BE IT RESOLVED BY THE
CITY COUNCIL OF ALEXANDRIA, VIRGINIA:**

1. That the appointment of Tara Blot as acting chief animal control officer is hereby rescinded.

2. That, pursuant to Virginia Code § 3.1-796.104 and city charter § 2.04(p), Mary Phelan be, and hereby is, appointed as the chief animal control officer of the City of Alexandria, with all of the rights, privileges and powers pertaining thereto, including without limitation the power to enforce chapter 27.4 of title 3.1 of the Virginia Code, all city ordinances enacted pursuant to chapter 27.4 of title 3.1 of the Virginia Code and pursuant to § 2.04(p) of the city charter, and all other laws for the protection of domestic animals.

3. That the city manager be, and hereby is, authorized to rescind the appointment made by this resolution for any reason, with or without cause.

4. That the individual appointed as chief animal control officer by this resolution shall serve in her position until her resignation, the rescission of her appointment by city council, or the rescission of her appointment by the city manager, whichever shall first occur.

5. That this resolution shall become effective on December 12, 2000.

ADOPTED: December 12, 2000

4

RESOLUTION NO. 2072

WHEREAS, city council is authorized by Virginia Code § 3.1-796.104 to appoint an officer to be known as the animal control officer who shall have the power to enforce chapter 27.4 of title 3.1 of the Virginia Code, which contains the comprehensive animal laws of the Commonwealth of Virginia, all city ordinances enacted pursuant to chapter 27.4 of title 3.1 of the Virginia Code, and all other laws for the protection of domestic animals;

WHEREAS, city council is authorized by city charter § 2.04(p) to provide for the appointment of a dog warden who, in the enforcement of the dog laws of the city, shall have the powers of a state game warden, within the city only;

WHEREAS, city council, in Resolution No. 1990, adopted on December 12, 2000, appointed Mary Phelan chief animal control officer to have the powers of an animal control officer under the Virginia Code and a dog warden under the city code;

WHEREAS, Mary Phelan has resigned as chief animal control officer, effective as of September 18, 2002;

WHEREAS, since that date Tara Blot, as chief deputy, has exercised the authority of the chief animal control officer pursuant to Virginia Code § 15.2-1502;

WHEREAS, city council has determined that it is necessary and desirable to appoint Tara Blot as chief animal control officer for the City of Alexandria, in order that the animal laws of the city and the Commonwealth may be administered and enforced in a safe, professional and expedient manner;

**NOW, THEREFORE, BE IT RESOLVED BY THE
CITY COUNCIL OF ALEXANDRIA, VIRGINIA:**

1. That, pursuant to Virginia Code § 3.1-796.104 and city charter § 2.04(p), Tara Blot be, and hereby is, appointed as the chief animal control officer of the City of Alexandria, with all of the rights, privileges and powers pertaining thereto, including without limitation the power to enforce chapter 27.4 of title 3.1 of the Virginia Code, all city ordinances enacted pursuant to chapter 27.4 of title 3.1 of the Virginia Code and pursuant to § 2.04(p) of the city charter, and all other laws for the protection of domestic animals.

2. That the city manager be, and hereby is, authorized to rescind the appointment made by this resolution for any reason, with or without cause.

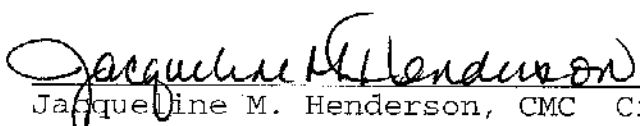
3. That the individual appointed as chief animal control officer by this resolution shall serve in her position until her resignation, the rescission of her appointment by city council, or the rescission of her appointment by the city manager, whichever shall first occur.

4. That this resolution shall become effective on June 10, 2003.

ADOPTED: June 10, 2003


KERRY J. DONLEY MAYOR

ATTEST:


Jacqueline M. Henderson, CMC City Clerk