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Introduction and first reading: 05/11/2010
Public hearing: 05/15/2010
Second reading and enactment: 05/15/2010

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Section 5-7-31 (DEFINITIONS), and to add new Section 5-7-36.1, (PROVISION OF ADEQUATE SHELTER AND SPACE, TETHERING OF DOGS), all of Article C (DOGS AND OTHER ANIMALS), Chapter 7 (ANIMALS AND FOWL), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of the Code of the City of Alexandria, Virginia, 1981, as amended.

Summary

The proposed ordinance makes it unlawful for any person to fail to provide any dog with adequate space and shelter, or to tether a dog for more than one hour cumulatively within any twenty-four hour period, whether or not the tethered dog has been provided adequate space.

Sponsor

Staff

Authority

§ 3.04(g), Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

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ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 5-7-31 (DEFINITIONS), and to add new Section 5-7-36.1, (PROVISION OF ADEQUATE SHELTER AND SPACE, TETHERING OF DOGS), all of Article C (DOGS AND OTHER ANIMALS), Chapter 7 (ANIMALS 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:

(The following is all new language)

Section 1. That Section 3-7-31 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended to read as follows:

Sec. 5-7-31 Definitions.

- (n) *Adequate space.* Means sufficient space to allow each animal to:
 - (1) easily stand, sit, lie, turn about, and make all other normal body movements in a comfortable, normal position for the animal; and
 - (2) interact safely with other animals in the enclosure. When an animal is tethered, "adequate space" means a tether that permits the above actions and is appropriate to the age and size of the animal; is attached to the animal by a properly applied collar, halter or harness, configured so as to protect the animal from injury and prevent the animal or tether from becoming entangled with other objects or animals, or from extending over an object or edge that could result in the strangulation or injury of the animal; and is at least three times the length of the animal, as measured from the tip of its nose to the base of its tail, except when the animal is being walked on a leash or is attached by a tether to a lead line. When freedom of movement would endanger the animal, temporarily and appropriately restricting movement of the animal according to professionally accepted standards for the species is considered provision of adequate space.
- (o) *Adequate shelter.* Means provision of and access to shelter that is suitable for the species, age, condition, size, and type of each animal; provides adequate space for each animal; is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; is properly lighted; is properly cleaned; enables each animal to be clean and dry, except when detrimental to the species; and, for dogs and cats, provides a solid surface, resting platform, pad, floormat, or similar devices that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner. Under this chapter, shelters whose wire, grid, or slat floors:
 - (1) permit the animals' feet to pass through the openings;
 - (2) sag under the animals' weight; or
 - (3) otherwise do not protect the animals' feet or toes from injury are not adequate shelter.

