

ORDINANCE # 17-14

AN ORDINANCE TO AMEND SECTIONS 4-76, 4-77 AND 4-81 OF ARTICLE II, DIVISION 3 OF CHAPTER 4 OF THE WILLIAMSBURG CODE IN ORDER TO PROVIDE FOR THE OPTIONAL ISSUANCE OF LIFETIME DOG LICENSES

WHEREAS, at its 2017 Session the Virginia General Assembly enacted Senate Bill 856 that authorizes Virginia localities to provide by ordinance for the issuance of lifetime dog licenses; and

WHEREAS, City Council deems it in the best interests of Williamsburg's citizens to allow issuance of lifetime dog licenses at the option of the dog owner;

NOW THEREFORE, it is hereby ORDAINED, that Sections 4-76, 4-77 and 4-81 of Articles II, Division 3 of Chapter 4 of the Williamsburg Code are hereby as follows:

Sec. 4-76. – Dog license required; term; amount of tax.

- (a) It shall be unlawful for any person to own and keep a dog four months old or over in this city unless such dog is licensed as required by the provisions of this division. At the option of the dog owner applicant a dog license shall be issued for one, two or three calendar years, or a lifetime license may be issued as provided in subsection (b) (ii). In all instances, prior to the issuance of the license, the dog to be licensed must have a current rabies vaccination. Thereafter, the rabies vaccination must be kept current throughout the license period. In all instances, the license shall remain effective only so long as the dog's owner resides in the city and the animal's rabies vaccination is kept current.
- (b) The license tax shall be payable at the department of finance and shall be as follows:
- (i) Annual license taxes shall be:
For neutered and spayed dogs, each, per calendar year \$5.00
For non-neutered and non-spayed dogs, each, per calendar year \$10.00
 - (ii) Lifetime license taxes for neutered and spayed and non-neutered and non-spayed dogs shall be \$50.00

Except as provided in section 4-77, license taxes shall not be prorated or refunded.

- (c) No license tax shall be levied on any dog that is trained and serves as a guide dog for a blind person, that is trained and serves as a hearing dog for a deaf or hearing-impaired person, or that is trained and serves as a service dog for a mobility impaired or otherwise disabled person. As used in this section, the term "hearing dog," "mobility-impaired person," and "service dog" have the following meanings:

Hearing dog means a dog trained to alert its owner by touch to sounds of danger and sounds to which the owner should respond.

Mental impairment means: (i) a disability attributable to intellectual disability, autism, or any other neurologically handicapping condition closely related to intellectual disability and requiring treatment similar to that required by individuals with intellectual disability; or (ii) an organic or mental impairment that has substantial adverse effects on an individual's cognitive or volitional functions, including central nervous system disorders or significant discrepancies among mental functions of an individual.

Mobility-impaired person means any person who has completed training to use a dog for service or support because he is unable to move about without the aid of crutches, a wheelchair, or any other form of support or because of limited functional ability to ambulate, climb, descend, sit, rise, or perform any related function.

Otherwise disabled person means any person who has a physical, sensory, intellectual, developmental, or mental disability or a mental illness.

Service dog means a dog trained to do work or perform tasks for the benefit of a mobility-impaired or otherwise disabled person, which work or tasks shall be directly related to the individual's disability or disorder. Examples of work or tasks include providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting an individual to the presence of allergens, retrieving items, carrying items, providing physical support and assistance with balance and stability, and preventing or interrupting impulsive or destructive behaviors. The provision of emotional support, well-being, comfort, or companionship shall not constitute work or tasks for the purposes of this definition.

Sec. 4-77. - Payment of tax—when due and payable.

A resident of the city who owns and keeps any dog four months old or older in the city shall pay the license tax as prescribed in section 4-76.


- (a) If a dog shall become four months of age or if a dog over four months of age unlicensed by this city shall come into the possession of any city resident owner between January 1 and November 1 of any year, a license tax for the current calendar year or the permanent license shall be paid forthwith by the owner.
- (b) If a dog shall become four months of age or if a dog over four months of age unlicensed by this city shall come into the possession of any city resident owner between November 1 and December 31 of any year, the license tax for the succeeding calendar year or the permanent license shall be paid forthwith by the owner. No license tax shall be due for the remainder of the current calendar year.

Sec. 4-81. - Composition of license.

A dog license shall consist of a license receipt and a metal tag, which tag shall be of uniform type and size, regardless of sex, of a bright color, stamped or otherwise permanently marked to show the calendar year or years for which issued, or to indicate that it is a lifetime license. The license shall bear a serial number which corresponds to the receipt. The director of finance will attempt to use at least five different colors of tags for at least five consecutive years, if five different colors are available, before the color is repeated. A different colored tag shall be issued for lifetime licenses.

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

Adopted: August 10, 2017



Paul T. Freilting, Mayor

Attest: 

Donna Scott, City Council Clerk