

A-11-3
AN ORDINANCE TO AMEND
THE CODE OF THE COUNTY OF DINWIDDIE, 1985, AS AMENDED
BY AMENDING SECTION 4-17. RUNNING AT LARGE, GENERALLY
AND DELETING SECTION 4-22. RUNNING AT LARGE IN RESIDENTIAL AREAS
CHAPTER 4. ANIMALS AND FOWL.

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County:

(1) That Section 4-17 of the Code of the County of Dinwiddie, 1985, as amended, is amended and re-enacted to read as follows:

Sec. 4-17. Running at large ~~generally~~.

(a) For the purposes of this section, the following definitions shall apply:

(1) A dog shall be deemed to run at large while roaming, running or self hunting off the property of its owner or custodian and not under its owner's or custodian's immediate control.

(2) A dog under restraint shall mean any dog secured by a leash or lead or penned up or under the control of a responsible person and obedient to that person's commands, or within the real property limits of its owner, provided, that restraint of hunting dogs shall be as provided in the Code of Virginia, as amended.

(b) No person shall knowingly cause or permit any female dog in heat to run at large in the county at any time. Evidence that such person was previously informed by the animal warden or any other person that the dog is in heat shall create a rebuttable presumption that such person knowingly allowed the dog in question to run at large in violation of this subsection.

(c) All dogs shall be kept under restraint at all times in the areas described below:

(1) The area bounded to the north by the Chesterfield County line, and following a line South along Whippernock Creek to its intersection with Sutherland Road; Southeast along Sutherland Road to its intersection with Namozine Road; South along Namozine Road to its intersection with Cox Road; South along Claiborne Road from its intersection with Cox Road to its intersection with Harris Drive; East along Harris Drive to the point 37°11'07.08" N, 77°32'48.64" W; Southeast from the point 37°11'07.08" N, 77°32'48.64" W along Picture Branch to the intersection of Picture Branch and Butterwood Road; South from the intersection of Picture Branch and Butterwood Road to the point 37° 10' 20.41" N, 77° 31' 53.48' W; South from the point 37°10'20.41" N, 77°31'53.48" W to the point 37°09'47.62" N, 77°31'52.04" W; West from the point 37° 09'47.62" N, 77°31'52.04" W to the point on Hatchers Run 37°09'44.24" N, 77°32'11.18" W; Southeast along Hatchers Run to the point 37°09'23.49" N, 77°31'38.26" W; South from the point 37°09'23.49" N, 77°31'38.26" W to the point on White Oak 37°08'58.70" N, 77°31'46.39" W; East along White Oak Road to its intersection with Boydton Plank Road; Northeast on Boydton Plank Road to its intersection with Hofheimer Way; East on Hofheimer Way to the Petersburg City line; and North along the Petersburg City line to its intersection with the Chesterfield County line; and

(2) All that certain lot, parcel or piece of land with the improvements thereon located in Rohoic District, Dinwiddie County, Virginia, commonly known as Virginia Hills Subdivision as shown in Plat Book 9, pages 75, 94, 95 and Plat Book 10, pages 129, 130 and 131 of the

Dinwiddie County Circuit Clerk's Office, located on the northwestern side of Squirrel Level Road, State Route 613; and

(3) All property in the county owned by Dinwiddie County and the Dinwiddie County School Board; and

(4) All mobile home parks, manufactured home parks, campgrounds, and apartments in the county.

(5) In subsection (c)(1) above, if a boundary of the restraint area is a road, street, drive, or way, the restraint area shall include property abutting each side of such road, street, drive or way.

(d) The areas within the county in which subsection (c) applies may be enlarged, reduced or other areas added thereto upon amendment hereto properly adopted by the board of supervisors. Any property owners residing in a definable area adjacent to the areas of the county in which this section applies, may request the board of supervisors to extend the restrictions of this section to their area by a petition signed by a majority of the property owners within said area. Upon consideration of said extension, after notice and public hearing as required by the Code of Virginia, said extension shall be approved unless the board of supervisors determines that good cause exists not to extend the restriction of this section to such area.

(e) Any person who permits a dog owned by him to run at large or remain unconfined, unrestricted, unrestrained or not penned up during times mentioned in this section shall be deemed to have violated the provisions of this section.

(f) It shall be the duty of the animal warden to cause all dogs found running at large in violation of this section to be caught and penned up at the owner's expense in the county dog pound.

~~(a) For the purposes of this section, a dog shall be deemed to run at large while roaming, running or self hunting off the property of its owner or custodian and not under its owner's or custodian's immediate control.~~

~~(b) No person residing in the county on the east side of U.S. Interstate 85 shall cause or permit any dog owned or kept by him to run at large in the county during the period of April 1 through April 30 of each year and no person residing in the county on the west side of U.S. Interstate 85 shall cause or permit any dog owned or kept by him to run at large in the county during the period of May 1 through May 31 of each year.~~

~~(c) No person shall knowingly cause or permit any female dog in heat to run at large in the county at any time. Evidence that such person was previously informed by the animal warden or any other person that the dog is in heat shall create a rebuttable presumption that such person knowingly allowed the dog in question to run at large in violation of this subsection.~~

~~(d) Any person who permits a dog owned by him to run at large or remain unconfined, unrestricted or not penned up during times mentioned in this section shall be deemed to have violated the provisions of this section.~~

(2) That Section 4-22 of the Code of the County of Dinwiddie, 1985, as amended, is deleted in its entirety, as shown in strikethrough below.

~~Sec. 4-22. Running at large prohibited in certain residential areas.~~

~~(a) It shall be unlawful to permit any dog to run at large at any time during the year~~

within any portion of the following areas of the county:

~~———— (1) ——— All that certain lot, parcel or piece of land with the improvements thereon located in Rohoic District, Dinwiddie County, Virginia, and bounded generally as follows: on the north by Lake Chesdin and the Appomattox River; on the east by the City of Petersburg and U.S. Highway #1; on the south by U.S. Highway #1; State Route 460 and State Route 601 and 708; on the west by Route 623 and Whippernock Creek.~~

~~———— (2) ——— All that certain lot, parcel or piece of land with the improvements thereon located in Rohoic District, Dinwiddie County, Virginia, commonly known as Virginia Hills Subdivision as shown in Plat Book 9, pages 75, 94, 95 and Plat Book 10, pages 129, 130 and 131 of the Dinwiddie County Circuit Clerk's Office, located on the northwestern side of Squirrel Level Road, State Route 613.~~

~~———— (b) ——— All dogs shall be kept under restraint in the above described areas. A dog under restraint shall mean any dog secured by a leash or lead or penned up or under the control of a responsible person and obedient to that person's commands, or within the real property limits of its owner, provided, that restraint of hunting dogs shall be as provided in the Code of Virginia, as amended.~~

~~———— (c) ——— It shall be the duty of the animal warden to cause all dogs found running at large in violation of this section to be caught and penned up at the owner's expense in the county dog pound.~~

~~———— (d) ——— The areas within the county in which this section applies may be enlarged, reduced or other areas added thereto upon amendment hereto properly adopted by the board of supervisors. Any property owners residing in a definable area adjacent to the areas of the county in which this section applies, may request the board of supervisors to extend the restrictions of this section to their area by a petition signed by a majority of the property owners within said area. Upon consideration of said extension, after notice and public hearing as required by the Code of Virginia, said extension shall be approved unless the board of supervisors determines that good cause exists not to extend the restriction of this section to such area.~~

(3) That this ordinance shall become effective immediately upon adoption.

Adopted April 19, 2011