

**An Ordinance to Amend Chapter 83 (“Animals”) of the Code of
Carroll County to Provide for Bonds to be Posted by the Owners of
Animals Seized as Abandoned, Cruelly Treated, or Deprived of
Adequate Care, Pursuant to Va. Code § 3.2-6569; and to Repeal §
83-42 of the County Code**

WHEREAS, in the event that an agricultural or companion animal is seized and impounded pursuant to Va. Code § 3.2-6569, the General Assembly of the Commonwealth has empowered the Courts to require the owners of such animals to post a bond for the costs of boarding the animal while impounded; and

WHEREAS, the Code of Virginia also empowers the locality in which such an animal is impounded, in lieu of obtaining a court order, to require such a bond for the costs of boarding the animal while it remains impounded; and,

WHEREAS, the Board of Supervisors of Carroll County (the “Board”) has determined that § 83-42 of the County Code is now moot and of no purpose and should be repealed; and,

WHEREAS, the Board believes it to be in the best interests of the County to amend Chapter 83 (“Animals”) for these reasons; and

NOW, THEREFORE, BE IT ORDAINED that Chapter 83 ("Animals") of the Carroll County Code is hereby amended as follows:

Section 83-42 is hereby REPEALED.

A new Article, ARTICLE VII, of Chapter 83 of the Code of Carroll County is hereby adopted as follows:

ARTICLE VII Animals That Have Been Abandoned, Cruelly Treated, or Deprived of Adequate Care.

§ 83-43. Seizure and Impoundment of Animals; Bond Required in Certain Situations for Boarding of Animal.

When an animal is seized by any law-enforcement officer, animal control officer, or other officer, pursuant to Va. Code § 3.2-6569, such officer shall provide for such animal until the court has concluded the hearing called for therein. The owner of any animal held pursuant to this subsection for more than thirty days may be required to post a bond in surety with Carroll County for the amount of the cost of boarding the animal for the time reasonably estimated by the law enforcement officer or animal control officer to conclude the hearing, not to exceed nine

months. Alternatively, the court may order the owner of an animal held pursuant to this subsection for more than 30 days to post a bond in surety with Carroll County for the amount of the cost of boarding the animal for a period of time not to exceed nine months. The bond shall not be forfeited if the owner is found to be not guilty of the violation alleged.

[Va. Code § 3.2-6569]

This Ordinance was duly adopted this _____ of _____, 2018

This ORDINANCE shall be effective IMMEDIATELY and continue in effect until further revised or amended.

Member	Vote
Robbie McCraw	_____
Rex Hill	_____
Thomas Littrell	_____
Joe Neil Webb	_____
R. J. "Bob" Martin, Jr.	_____
Phillip McCraw	_____

Clerk