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**HOUSE BILL NO. 2338****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources  
on February 2, 2005)

(Patron Prior to Substitute—Delegate Athey)

*A BILL to amend and reenact § 3.1-796.84 of the Code of Virginia, relating to permits to sell companion animals; penalties.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 3.1-796.84 of the Code of Virginia is amended and reenacted as follows:**

§ 3.1-796.84. Local ordinances; penalties.

The governing body of any county, city or town may, by local ordinance, require a person operating a pet shop or operating as a dealer in companion animals to obtain a permit. Such local governing body may charge no more than ~~forty dollars~~ \$50 per year for such permit. The revenues derived therefrom shall be used for the administration and enforcement of such ordinance.

The aforementioned local ordinance may provide: (i) that records be kept by the permittees as are deemed necessary; (ii) for public hearing prior to issuance, renewal or revocation of any such permit; or (iii) for the denial of issuance, denial of renewal or for the revocation of such permit for fraudulent practices or inhumane treatment of the animals dealt with by the permittee.

The local ordinance may also provide ~~penalties for violation of the ordinance~~ *for either a criminal penalty not to exceed those of a Class 3 misdemeanor or a civil penalty not to exceed \$500 for any violation of the ordinance. Any civil penalties collected shall be deposited by the local treasurer pursuant to § 3.1-796.101.*

HOUSE SUBSTITUTE

HB2338H1