

VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

CHAPTER 286

An Act to amend and reenact §§ 3.1-796.105 and 3.1-796.120 of the Code of Virginia, relating to animal wardens, shelters and pounds.

[H 2534]

Approved March 12, 1997

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.1-796.105 and 3.1-796.120 of the Code of Virginia are amended and reenacted as follows:

§ 3.1-796.105. Animal wardens; limitations; records; penalties; training courses.

A. No animal warden shall give or sell or negotiate for the gift or sale to a pet shop, dealer, or research facility of any animal which may come into his custody in the course of carrying out his official assignments. No animal warden shall be granted a dealer's license, and each application for such license shall include a statement made under oath that neither the applicant nor any member or employee of the firm, partnership, or corporation making application is an animal warden within the meaning of the definition herein.

B. An animal warden or the custodian of any pound, upon taking custody of any animal in the course of his official duties, or any representative of a humane society, upon obtaining custody of any animal on behalf of the society, shall immediately make a record of the matter in the manner prescribed by local ordinance, and the record shall include a description of the animal including color, breed, sex, approximate weight, reason for seizure, location of seizure, the owner's name and address if known and all license or other identification numbers and the disposition of the animal. Records required by this subsection shall be available for public inspection upon request, *and a summary of such records shall be submitted annually to the State Veterinarian in a format prescribed by him.*

C. Any animal warden or custodian of any pound who violates any provision of this chapter which relates to the seizure, impoundment and custody of animals by an animal warden may be subject to suspension or dismissal from his position.

D. Animal wardens, custodians or animal control officers engaged in the operation of a pound shall be required to have a knowledge of the laws of Virginia governing animals, including this chapter, as well as basic animal care. They shall avail themselves of at least one training course offered by the Commonwealth for law-enforcement officers or for humane investigators, or any animal warden, humane officer, or law officer workshop approved by the State Veterinarian. The Commonwealth shall bear the expenses associated with any required attendance of such a training course, and the State Veterinarian shall approve the training course prior to any expenditure of state funds for the course.

§ 3.1-796.120. Gift, sale, or delivery of animals from pounds or animal shelters.

A. The governing body of any political subdivision shall dispose of impounded animals in accordance with the provisions of § 3.1-796.96. Any proceeds deriving from the gift, sale, or delivery of such animals shall be paid directly to the treasurer of the political subdivision, and no part of such proceeds shall accrue to any individual.

B. The following shall confine and dispose of animals in their custody in accordance with the provisions of § 3.1-796.96:

1. Any humane investigator who has custody of any animal pursuant to his official duties;
2. Any humane society; and
3. Any animal shelter.

Animals which have been confined at a county or city pound as required by § 3.1-796.96 prior to being delivered to a local humane society or animal shelter may be immediately placed for adoption, or humanely euthanized in accordance with methods approved by the State Veterinarian. Any proceeds deriving from the gift, sale, or delivery of such animals shall be paid directly to the clerk or treasurer of the humane society for the expenses of the society and expenses incident to any agreement concerning the disposing of such animal. No part of the proceeds shall accrue to any individual except for the aforementioned purposes. Humane societies, humane investigators and animal shelters shall keep accurate records of all animals handled. Records shall include a description of the animal including color, breed, sex, approximate weight, reason for bringing in, age, owner's or finder's name, address and telephone number, license number or other identifying tags or markings, as well as disposition of the animal. *Humane societies and animal shelters shall submit a summary of such records to the State Veterinarian annually in a format prescribed by him.*