

**Emergency DRAFT AMENDMENT**

**LDR 2023-03; Proposed Emergency Ordinance added Amendment to Chapter 14. Animals to add Article V. Livestock and Poultry, Section 14-80. Livestock and poultry not to be off owner's premises; enforcement**

The purpose of the proposed ordinance is to address situations where people in Louisa County are not properly controlling their livestock and poultry or fowl.

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Secs. 14-74—14-79. - Reserved.

**Article V. Livestock and Poultry**

**Sec. 14-80. – Livestock and Poultry not to be off owner's premises; enforcement.**

- (a) It shall be unlawful for any livestock or poultry in this county to run at large at any time.
- (b) For the purpose of this section, livestock or poultry shall be deemed to be "running at large" while roaming or running off the property of its owner or custodian and not under its owner's or custodian's immediate control.

~~(c) A habitual offender, with three or more violations within two years, will result in a \$100.00 fine. A violation under this section shall result in a \$250.00 fine.~~

~~(d) Each animal unlawfully deemed to be running at large shall constitute a separate violation.~~

~~(e) Animals running at large, pursuant to this section, shall be impounded.~~

~~(f) A violation of this section will result in a court summons pursuant to Louisa County Code section 14-51 for an unlawful act that constitutes a Class 4 misdemeanor.~~

~~(e)(g) In accordance with Section 58.1-3230 of the Code of Virginia, livestock and poultry owners whose real estate is devoted to agricultural use and has been recognized as "in land use" by the Commissioner of Revenue shall be exempt from the enforcement of this ordinance.~~

~~(d) A violation within two years of receiving the fine will result in a court summons pursuant to Louisa County Code section 14-51 for an unlawful act that constitutes a Class 4 misdemeanor.~~

(e) The Louisa County Board of Supervisors adopts this ordinance after careful consideration of several situations where people in Louisa County are not properly controlling their livestock and poultry or fowl. Commercial farmers are not the problem this ordinance is designed to address because they protect their animals and take immediate action when they are aware their livestock and poultry or fowl are off their property. This ordinance is not designed to penalize those farmers who are making a demonstrable effort to prevent their animals from leaving their property.

**State Law reference— Code of Virginia, §§ 3.2-6544(B), 3.2-6587(9), and 15.2-1427(F)**

**(Included for reference only.)**

Existing Definitions in Louisa County Code § 14-2:

**Livestock** means and includes all domestic or domesticated bovine animals, equine animals, ovine animals, porcine animals, cervidae animals, caprae animals, animals of the genus Lama, ratites, fish or shellfish in aquaculture facilities as defined in Code of Virginia, § 3.2-2600, enclosed domesticated rabbits or hares raised for human food or fiber, or any other animal specifically raised for food or fiber, except companion animals.

**Poultry or fowl** means and includes all domestic fowl and game birds raised in captivity.

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TEXT LEGEND		
<b>Bold Text</b> = To Be Added	Regular Text = To Remain	<del>Strikethrough</del> = To Be Removed