



Legislation Details (With Text)

File #: 24-2226 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 5/30/2024 **In control:** City Council Legislative Meeting
On agenda: 6/11/2024 **Final action:**
Title: Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 5-7-57 (LIMITATION ON NUMBER OF DOGS AND CATS KEPT PER DWELLING UNIT) Chapter 7 (ANIMALS AND FOWL) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of the Code of the City of Alexandria, Virginia, 1981, as amended.
Sponsors:
Indexes:
Code sections:
Attachments: 1. 24-2226_Ordinance Cover, 2. 24-2226_Ordinance

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 4, 2024
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: CHERAN IVERY, CITY ATTORNEY

DOCKET TITLE:
Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 5-7-57 (LIMITATION ON NUMBER OF DOGS AND CATS KEPT PER DWELLING UNIT) Chapter 7 (ANIMALS AND FOWL) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of the Code of the City of Alexandria, Virginia, 1981, as amended.

ISSUE: Consideration of an ordinance to amend Chapter 7 of Title 5 of the Code of the City of Alexandria, the Animals and Fowl Ordinance, to increase the limit on the number of dogs per dwelling unit from three (3) to five (5).

RECOMMENDATION: That City Council pass on first reading and set for public hearing, second reading and final passage on June 15, 2024, an ordinance (Attachment 1) to increase the limit on the number of dogs per dwelling unit.

BACKGROUND: The current ordinance limiting the number of dogs and cats per dwelling unit in the City was enacted in 1995, to address a contemporaneous problem of an increased number of rabies exposures and feline disease across an unruly feral cat population within the City. The limit to the number of dogs was codified to reflect then-existing limits within the Zoning Ordinance. In December of 2023, City residents contacted City Council requesting a change to the limit of the number of dogs permitted per dwelling unit in the City. The current limit to the number of dogs is three (3).

DISCUSSION: Previously, the Zoning Ordinance contained a definition of a kennel, which was a lot or premises on which four or more dogs, more than four (4) months of age, are kept or maintained for any purpose. This was removed from the Zoning Ordinance in 2016; but the prohibition on the limit to the number of dogs in the Animal Code was not addressed.

Residents have requested a change to the limit on the number of dogs permitted per dwelling unit; this increase will respond to that request. At the time that the Zoning Ordinance was enacted, and the 1995 passage of the code, there were no policy reasons listed for the limit to three dogs per household.

Staff considered the residents' request, and upon discussion of current limit and the impact of the proposed changes, concluded in support of an increase to five (5) dogs per dwelling unit. This increase will allow an owner to have more dogs without compromising Animal Control's ability to regulate the care and keeping of animals within the City. Alternative approaches based on animal weight or lot size present significant encumbrances in enforceability and are not recommended.

The increased limit will have no bearing on Animal Control's ability to intervene to prevent any animal harm or abuse as they already do.

FISCAL IMPACT: There is no anticipated fiscal impact associated with adopting these changes into the existing ordinance.

ATTACHMENTS:

1. Ordinance Cover
2. Proposed Ordinance

STAFF:

Stella Hanly, Executive Director, AWLA
Anthony Rankin, Chief Animal Control Officer
Cheran Ivery, City Attorney
Helen Clemens, Assistant City Attorney