

	<b>FREDERICKSBURG POLICE DEPARTMENT DIRECTIVES</b>	
	<b>OPERATIONS</b>	
<b>345.00</b>	<b>APPROVED:</b> <i>Brian F. Layton, Chief of Police</i>	<b>Initiated:</b> 10/01/2007
		<b>Revised:</b> 05/05/2025

## ANIMAL CONTROL

**345.00 – Animal Control Officer** – In accordance with Code of Virginia § 3.2-6555, Animal Control personnel shall be identified as the Animal Control Officer (ACO). The ACO shall adhere to and have the power to enforce the laws cited in the Code of Virginia § 3.2-5900 through § 3.2-6596 and the City of Fredericksburg Code sections 14-1 through 14-240.

All Fredericksburg Police Officers shall adhere to and have the power to enforce the laws cited in Code of Virginia § 3.2-5900 through § 3.2-6596 and the City of Fredericksburg Code sections 14-1 through 14-240 Virginia Department of Wildlife Resources (DWR) are responsible for all inland fisheries and wildlife; however, all Fredericksburg Police Officers have authority to enforce fish and game laws under §29.1-202. *“All Sheriffs, police officers or other peace officers of this Commonwealth shall be ex officio conservation police officers.”*

Officers shall take a report for the following calls for service:

1. Animal Cruelty (on found violations)
2. Animal Fighting
3. Animals killing livestock
4. Duties of owner (if summons is issued)
5. Failure to maintain premises (if summons is issued)
6. Larceny of an animal
7. Nuisance (if summons is issued)
8. Noise (if summons issued)

### Animal Pickup

Every animal that is picked up (to include wildlife) alive or deceased must have an animal field log completed for it when the animal is taken to the shelter. Dogs and cats brought to the shelter must be put in the staging kennels with the animal field log card clipped to the kennels. To get to the staging kennels use the key fob at

the door next to the old sally port on the backside of the shelter, the kennels are right there as soon as you enter. Cats will be placed in the Cat Quarantine Room. The animal field log card must be filled out completely. If there are any portions of the card that are not applicable, "NA" should be written in the space provided. All information from the collar must be noted. The *Disposition and Disposition Date* sections will be filled in if the animal is deceased. *Can go date* section of the Field Log Card: If animal has a collar, its 10 days + 1 day from the date animal is picked up. If animal has no collar (stray animal) its 5 days + 1 day from the date animal is picked up (ex. If animal is picked up on January 1<sup>st</sup> the *can go date* is January 12<sup>th</sup>.).

From 7AM to 11PM seven days a week, it is the responsibility of the Spotsylvania ACO to enforce the Code of Virginia and the Ordinances of the City of Fredericksburg concerning dogs, cats, domesticated animals, and feral animals located or coming into the city that could pose a public safety problem, and animal cases involving cruelty or other inhumane complaints that involve a violation of a state law or a city ordinance. When the Spotsylvania ACO is off-duty or unavailable, all police officers of this Department are required to handle and investigate dog, cat, and other animal complaints in the City.

**345.01 – Injured Domestic Animals** – The ACO and police officers may aid in the capture or handling of animals if necessary, and assist citizens with injured or sick animals by directing them to an office or location of a veterinarian.

In the event the owner or custodian of an injured domestic animal is not known or is unavailable, the Officer may carry the domestic animal to an approved veterinarian for treatment. The Officer should then make every effort to contact the owner and advise the location of the injured domestic animal so appropriate responsibility for the domestic animal and treatment may be assumed. Officers shall transport the injured domestic animal only if all attempts to locate an owner have been exhausted. If no owner is located, the officer shall transport the injured domestic animal in the ACO vehicle to an approved veterinarian hospital. During daytime hours (8AM to 5PM) officers should use the Ferry Farm Animal Clinic at 386 Kings Hwy. During nighttime hours (5PM to 8AM) and weekends, officers should use Virginia Veterinary Centers Emergency Hospital at 1301 Central Park Blvd.

If, in the opinion of the veterinarian the domestic animal would not respond to treatment, the veterinarian may conduct destruction of the domestic animal with Watch Commander approval. The officer shall place the remains of the domestic animal into the freezer at the animal shelter along with an animal log card with the incident number notated. The freezer is located on the backside of the shelter. The key to the freezer is located with the key to the FPD animal control vehicle and key FOB for the shelter.

**345.02 – Animal Destruction** – The destruction of an animal shall not be permitted unless assistance has been requested from a Spotsylvania ACO, DWR Officer, or Veterinarian as appropriate or an emergency exists requiring immediate action because:

- The animal is so seriously wounded or injured, critically ill or unweaned animal that, for humane purposes it is immediately euthanized to relieve it from further suffering by one of the methods prescribed or approved by the State Veterinarian (firearm or euthanasia drugs).
- The animal represents imminent danger to the safety of the police, animal control personnel or citizens.

An animal shall only be euthanized by means of shooting the animal with a department issued duty weapon or by euthanasia drugs per state law. If the animal is suspected of being rabid and needs to be tested, the animal will not be shot in the head. The Watch Commander must approve any type of animal destruction. Any euthanized animal shall be cremated, buried, or sanitarily disposed of by transporting the euthanized animal remains to the shelter or requesting public works to retrieve the animal. The watch commander may approve use of a department shotgun or rifle to euthanize an animal if duty pistol is not effective.

The Axon camera shall be turned on for any use of force used to euthanize an animal (Directive 306.03).

**345.03 – The Health Department** – The Health Department shall be contacted by the officer in the event of animal bites involving human exposure. During the daytime, the officer will contact Rappahannock Area Health Department directly at 540-899-4142 and ask to speak to the Environmental Health personnel/supervisor. During holidays, weekends (4pm Friday to 8am Monday) and after hours on weekdays, the officer will contact the Rappahannock Area Health Department Environmental Health Manager via cell phone. This information is maintained within the CAD phone directory, under “Health Department”.

If the officer is unable to reach the Environmental Health Manager after hours, the officer will contact the Virginia Department of Health after-hours emergency number (866) 531-3068 and request contact with the Rappahannock Area Health District.

The Fredericksburg Police Department point of contact for the Health Department will be the Patrol Division Commander or designee(s). In the event the Patrol Division Commander or designee is not available or is out for an extended period, the Watch Commander will be the point of contact.

The Patrol Division Commander or designee will email all Animal/Human – Exposure/Bite Reports involving possible rabies exposure to the Health Department Environmental Health Supervisor by the next business day. If the Patrol Division Commander or designee is on leave or in training, they will notify the shift Watch Commander who will ensure the task is completed.

**345.04 – Domestic Animal Bites** – The ACO is responsible for investigating all incidents where a person has been bitten by a domestic or feral animal; however, officers may be required to handle the initial incident if the ACO is unavailable or off-duty. Officers will not take a report if a domestic animal bites another domestic animal:

- **Domestic Animal Bite/Scratch, No Owner:** The officer shall complete an Animal/Human – Exposure/Bite Report form (located on forms drive) with as much information as possible. The domestic animal will be transported to the Spotsylvania Animal Shelter where the officer will fill out an Animal Field Log Card. The domestic animal will be placed in one of the staging kennels. If the domestic animal has the potential to escape the kennel, make sure it is placed in a carrier kennel and placed in the staging kennel. Cats will be taken to the Cat Quarantine Room. The Animal/Human – Exposure/Bite Report form will be provided to the FPD Animal Control/Health Department designee by the next day. The Animal/Human – Exposure/Bite Report must contain the incident number. The designee will email the form to the appropriate person at the Health Department and Spotsylvania Animal Control.
- **Domestic Animal Bite/Scratch, With Owner:** The officer shall complete an Animal/Human – Exposure/Bite Report form with as much information as possible to include rabies tag number and rabies vaccinations information and City dog license number. The officer will direct the owner to confine the animal until contacted by the Health Department. If the officer feels that the owner cannot properly confine the animal, the domestic animal will be transported to the Spotsylvania Animal Shelter where the officer will fill out an Animal Field Log Card. The domestic animal will be placed in one of the staging kennels. If the domestic animal has the potential to escape the kennel, make sure it is placed in a carrier kennel and placed in the staging kennel. Cats will be taken to the Cat Quarantine Room. The Animal/Human – Exposure/Bite Report form will be provided to the FPD Animal Control/Health Department designee by the next day. The Animal/Human – Exposure/Bite Report must contain the incident number. The designee will email the form to the appropriate persons at the Health Department and Spotsylvania Animal Control.
- **Possible Rabies Exposure:** If a domestic animal has bitten a human being, and is suspected of having or being exposed to rabies, the domestic animal needs to be captured. If the domestic animal has been captured or contained, the officer will notify the owner to confine the animal for 10 days of quarantine at a place where the animal cannot escape confinement. The 10 days commences from the date of the bite. The officer will then notify the proper health department officials of the situation and provide such information to the health department officials as may be required to resolve the situation. If the owner of the animal cannot be located or identified, the officer will ensure confinement by placing the suspected animal in the Spotsylvania animal shelter and maintain quarantine and disposition of the animal as provided by law. If the animal is quarantined at the shelter, an animal field log card will be filled out. Make sure to note on the card that the animal is being quarantined. If a domestic animal is bitten by a wild animal, it will need to be quarantined for 45 days.

An Animal/Human – Exposure/Bite Report form with the incident number shall be filled out and will be provided to the FPD Animal Control/Health Department designee by the next day. The designee will email the form to the appropriate Health Department and Spotsylvania Animal Control personnel. An ACO, when requested, will assist with any follow-up reports or other documentation required as the result of an animal bite when the preliminary investigation and report was assigned to an officer.

### **345.05 – Wild Animals** – General guidelines for handling wild animal incidents are:

- Wildlife issues should be referred to The Virginia Department of Wildlife Resources (DWR)
- Nuisance wildlife such as small mammals can be referred to private contractors or companies.
- Officers will respond to wildlife that is suspected of being rabid, is rabid, has attacked a human being, has attacked a domestic animal, is critically injured or is in the living space of a house (no attics, crawl spaces, etc.).
- Any wild animal having or suspected of having rabies or other contagious disease, shall be euthanized and taken to the Spotsylvania Animal Shelter for testing. An Animal/Human – Exposure/Bite Report with the incident number and an Animal Field Log Card shall be completed.
- Wildlife collected for rabies testing will be stored properly. Only deceased animals will be stored in the walk-in freezer for the Health Department. There is key for the freezer attached to key for the animal control vehicle. In the event the officer does not have access to the freezer at the shelter, the animal carcass will be placed in a sealed bag and placed in one of the staging kennels. Make sure to label the bag “Test for Rabies” and include the incident number.
- Any wild animal that may create a hazard to public safety, or is in a residence or business, may be released to an appropriate habitat. If the wild animal is sick or injured, or if the animal has attacked a person or domestic animal, the wild animal will need to be captured and euthanized or taken to shelter if the WC does not authorize the wild animal to be euthanized. An Animal/Human – Exposure/Bite Report with the incident number shall be completed in either event. An Animal Field Log Card shall be completed when the wild animal is taken to the shelter.
- Wildlife such as birds and small mammals that are picked up can be transported to a local rehabilitator.
- Officers will not respond to wildlife in a yard of a residence unless it is sick or injured.
- Officers will respond to wildlife at a school or City facility.
- Officers will not handle bees, small rodents or other pests.
- The handling and disposition of snakes remains within the discretion of the officer.
- A request by citizens to capture bats remains within the discretion of the officer but a reasonable attempt should be made to capture the bat if it is in a living space. See the bats section for further.

Officers may be assigned to respond if a wild animal is inside a building or residence, is exhibiting signs of illness, injury or aggressiveness, or if the caller requests to see an officer. Specific management for certain types of incidents are listed below:

- **Injured Wildlife:** Animals should not be left for any extended period of time to suffer. Depending on the severity of the injury, a wildlife rehabilitator may be called or if necessary, officers shall follow procedures outlined in the Animal Control Directive 345.02.

- **Wildlife Bites:** Officers shall complete an Animal/Human – Exposure/Bite Report with as much information as possible on the form. Inform the victim that the Health Department will contact with them about rabies, shots, quarantine etc. If the wild animal is captured and suspected of being rabid, it should be euthanized. If the watch commander does not authorize the animal to be euthanized it should be taken to the shelter in a carrier kennel depending on the size of the animal. The carrier kennel will be placed in one of the staging kennels at the shelter. An animal field log card will be filled out noting that the animal needs to be euthanized for rabies testing. An Animal/Human – Exposure/Bite Report form with the incident number shall be filled out and given to the FPD Animal Control/Health Department designee to email to the appropriate personnel at the Health Department and Spotsylvania Animal Control.
- **Bats:** Bats are considered rabid unless proven otherwise by the health department or by lab tests. Exposure is deemed to be anytime a person is in the same room with one. If the bat is in a non-living area such as an attic, the officer will advise the person to contact a pest control company. If captured the bat will be placed into an appropriate container they cannot escape from (small box or paper bag). The bat will be transported to the Spotsylvania Animal Shelter and placed in one of the stalls in the sally port. An animal field log card will be filled out and attached to the clipboard on the stall. Make sure to label the box or bag “Live Bat” or “Dead Bat.” An Animal/Human – Exposure/Bite Report form shall be filled out and given to the FPD Animal Control/Health Department designee to email to the appropriate personnel at the Health Department and Spotsylvania Animal Control.
- **Snakes and Reptiles:** Officers will respond to service requests in cases where a citizen has a snake in the living area of a house and make every effort to capture and remove it. Officers will not respond to calls where the snakes are in a yard, non-living space or outbuilding.
- **Honeybees:** No permit, license, or fee is required to keep honeybees. Keeping honeybees is allowed on lots that are occupied and the principal use is residential. Residents are allowed a maximum of 2 hives. No hive shall be closer than 10 feet to any side property line or public sidewalk or 5 feet to a rear property line. A constant supply of fresh water shall be provided on the lot, within 20 feet of all hives. A flyway barrier at least 6 feet in height shall shield any part of a property line that is within 25 feet of a hive, or facing a hive opening. The flyway barrier shall consist of a wall, solid fence, dense vegetation or a combination thereof. If hives do not comply with the above, contact the Property Maintenance Official in the Fredericksburg Community Planning & Building Department at 540-372-1180. If honeybees appear aggressive or unhealthy, a referral may be made to a pest control company.
- **Chickens:** No permit, license, or fee is required to keep chickens for egg production. Keeping chickens is allowed on lots that are occupied and the principal use is residential. The residents are allowed a maximum of 4 chickens. No roosters are allowed. Chickens may be kept only for household egg production. Selling eggs

or slaughtering chickens is not allowed. Chickens shall have a clean, covered, well-ventilated enclosure that is secure from predators. Chickens shall be kept in the covered enclosure or within a fenced area at all times. No chicken enclosure shall be closer than 25 feet to an occupied residential dwelling, 20 feet to a side yard line, and 5 feet to a rear lot line. If a chicken enclosure does not comply with the above, contact the Property Maintenance Official in the Fredericksburg Community Planning & Building Department at 540-372-1180. If the chickens are unhealthy or not being used for egg production, the Police Department/ACO will be contacted.

- **Bears:** Officers will respond to all reported bear sightings in an attempt to verify the complaint. Bear complaints are to be referred to DWR. Officers will aid a DWR officer when asked.

Category 3 (Not an immediate threat to itself or the public and has caused no damage): Communications Section will advise the caller that bear sightings are not unusual and, to leave the bear alone, or simply make loud noises if the bear approaches (this is usually enough to scare the bear off), to discontinue feeding pets or other animals outside because food of any kind attracts wildlife to the area, and to keep garbage in secure containers. The Spotsylvania ACO will be contacted during the hours of 7AM to 11PM. DWR shall be notified by the Communications Section of the sighting.

Category 2 (Potential future threat to the public because of minor damage caused or the bear has an injury but can still walk): The Communications Section will advise the caller the bear is potentially dangerous and not to approach it. The Spotsylvania ACO will be contacted during the hours of 7AM to 11PM. DWR shall be notified by Communications Section of the sighting.

Category 1 (Immediate threat to life of the public or the bear or immediate extreme threat to property): This requires PD response as well as the immediate notification of DWR. The Spotsylvania ACO will be contacted during the day time. The Animal Control Directive, section 345.02 procedures are to be followed by officers if necessary.

#### Exposure to Wildlife

- An Animal/Human – Exposure/Bite Report with an incident number, the form must be completed for any person or companion animal exposed to wildlife that is considered rabid.
- The Health Department must be notified of the exposure and a copy of the exposure report must be given to the FPD Animal Control/Health Department designee as soon as possible to be emailed to the appropriate personnel at the Health Department and Spotsylvania Animal Control.
- Officers must take all measures to capture the wild animal.
- Once the officer has captured the animal, the animal will be euthanized and placed in the freezer on the shelf or in plain view with a tag saying “Test for Rabies” and the incident number attached to the animal. If the officer does not have access to the freezer the deceased animal will be placed in a trash bag and placed in a stall in the sally port at the shelter. If the Watch Commander does not

approve the officer to euthanize the animal, it will be placed in a carrier kennel depending on the size of the animal and placed in a staging kennel at the shelter. No live animals will be placed in the freezer or refrigerators.

- The Health Department will pick the animal up for testing.

**345.06 – Leash Law** – City ordinance 14-151 states:

- It shall be unlawful for the owner or custodian of any dog or other animal, except cats, to allow such dog or other animal to “run at large” within the City at any time.
- For the purposes of this section, an animal is “running at large” while roaming, running or self-hunting off the property or premises of its owner or custodian and not under the immediate control of the owner or custodian or his agent. “Property or premises of its owner or custodian,” for purposes of this section, does not mean residential or commercial common areas.
- This section does not apply to any person while engaged in law enforcement or search and rescue activity; in a supervised formal obedience training class or show; during formally sanctioned field trials; while engaged in lawful hunting with a dog during open season; or during bona fide hunting or field trial dog training.
- It shall be unlawful for the owner of an animal to place the animal or allow it to be placed in the custody of any other person not physically capable of maintaining effective control of the animal.

For purpose of this section, a dog shall be deemed to run at large if it is off the property of its owner or custodian in the city and not under the immediate control of the owner or custodian or his agent. For purposes of this section, an animal other than a dog or cat shall be deemed to run at large while roaming, running, or self-hunting in the city while off the property of its owner or custodian.

**345.07 –Companion Animals Locked in Cars** – This is only an emergency on days when the outside temperature is 70 degrees or higher. It is not a violation on cool overcast days or at night. Temperature inside the vehicle must be 80 degrees or more for a violation.

- Spotsylvania Animal Control will be contacted to respond but if off-duty or unavailable an FPD officer will respond.
- If the officer can articulate that the animal is in extreme distress and the vehicle is locked, an officer may break a window with Watch Commander approval. An Information report will be done by the officer.
- The officer will transport the animal to an approved veterinarian hospital for medical treatment.



- Officer will conduct an investigation if they remove the animal from the vehicle prior to the ACO arriving and place the appropriate charges to the owner of the animal. The ACO will provide assistance at the request of the officer.
- Officers have civil immunity under VA Law against property damage if forcible entry of a motor vehicle is necessary to retrieve a companion animal if that animal is at risk of serious bodily injury or death [§ 3.2-6504.1]

**345.08 – Cats** – Cats are considered free roaming animals; there are no state codes restricting cats running at large. A cat found roaming, not with its owner and displaying symptoms of rabies or other serious disease shall be handled and disposed of in accordance with existing laws and ordinances. Cats will only be picked up if they are sick or injured, have bitten someone, and in circumstances where there is a rabies incident.

**345.09 – Transporting Unwanted Animals** – The police department does not provide transportation of any animal to a veterinarian, to the SPCA shelter, or to an animal control shelter merely because the owner no longer wants the animal. If an animal requires transportation by the police, it will be transported only in the animal control vehicle. This applies to any animal whether healthy, injured, or ill.

**345.10 –Animal Noise Violations–** Complaints concerning noise from animals shall be treated as a violation of the city’s noise ordinance 38-36F. Barking, howling, meowing, squawking, or other vocalizations of an animal that are plainly audible across a property boundary for 15 minutes between 7:00 a.m. and 11:00 p.m. or 10 minutes between 11:00 p.m. and 7:00 a.m. Spotsylvania ACOs will not be dispatched for these types of calls.

**345.11 – Animal Violations** – Officers are to handle animal violations as required by law. A Virginia Uniform Summons may be issued at the officer’s discretion for certain violations that occur in their presence.

Cruelty to Animals: These calls will be handled by the ACO during regular on duty hours 7AM to 11PM. If the call occurs after normal duty hours of the ACO the officer will complete the initial IBR and refer the incident to the ACO for follow up. These calls are only considered emergencies when an animal needs immediate medical attention. The officer will seize the animal and transport to a veterinarian hospital for treatment. The animal will then be transported to the shelter.

**345.12 – Traps:** The Fredericksburg Police Department does not loan traps out to the public. The Spotsylvania Animal Control Unit will loan traps to county citizens but does not offer this service to City residents.

Officers can respond for an animal in a trap. If the complainant had a pest control or private contractor set an animal trap the officer will not release the animal. The officer will advise the complainant to contact the company who set the trap. If the complainant did not set the trap, it is at the discretion of the officer to release the animal or not.

**345.13 – ACO Training** – The ACO shall meet training standards required by the Code of Virginia § 3.1-796.104:1.