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SENATE BILL NO. 916

Offered January 8, 2025

Prefiled January 5, 2025

A BILL to amend and reenact §§ 3.2-6537 and 3.2-6543 of the Code of Virginia, relating to local ordinances; regulation of pet shops.

 Patron—Salim

 Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:**1. That §§ 3.2-6537 and 3.2-6543 of the Code of Virginia are amended and reenacted as follows:****§ 3.2-6537. Ordinances; penalties.**

A. The governing body of any locality may, by 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 \$50 per year for such permit. The revenues derived therefrom shall be used for the administration and enforcement of such ordinance.

1. The aforementioned 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.

2. The ordinance may provide for either a criminal penalty not to exceed 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 § 3.2-6534.

B. *The governing body of any locality may, by ordinance, regulate or restrict the acquisition, marketing, and sale of animals in a pet shop, provided that such ordinance is consistent with state law. Any ordinance adopted pursuant to this subsection may distinguish between certain types of pet shops and include provisions to require special licensing, inspections, reporting, or restrictions on the sale of certain animals.*

§ 3.2-6543. Governing body of any locality may adopt certain ordinances.

A. The governing body of any locality of the Commonwealth may adopt, and make more stringent, ordinances that parallel §§ 3.2-6511, 3.2-6511.1, 3.2-6521 through 3.2-6539, 3.2-6546 through 3.2-6555, 3.2-6562, 3.2-6569, 3.2-6570, 3.2-6574 through 3.2-6580, and 3.2-6585 through 3.2-6590. Any town may choose to adopt by reference any ordinance of the surrounding county adopted under this section to be applied within its town limits, in lieu of adopting an ordinance of its own.

Any funds collected pursuant to the enforcement of ordinances adopted pursuant to the provisions of this section may be used for the purpose of defraying the costs of local animal control, including efforts to promote sterilization of cats and dogs.

B. Any locality may, by ordinance, establish uniform schedules of civil penalties for violations of specific provisions of ordinances adopted pursuant to this section. Civil penalties may not be imposed for violations of ordinances that parallel § 3.2-6570. Designation of a particular violation for a civil penalty shall be in lieu of criminal sanctions and preclude prosecution of such violation as a criminal misdemeanor. The schedule for civil penalties shall be uniform for each type of specified violation and the penalty for any one violation shall not be more than \$150. Imposition of civil penalties shall not preclude an action for injunctive, declaratory or other equitable relief. Moneys raised pursuant to this subsection shall be placed in the locality's general fund.

An animal control officer or law-enforcement officer may issue a summons for a violation. Any person summoned or issued a ticket for a scheduled violation may make an appearance in person or in writing by mail to the department of finance or the treasurer of the locality issuing the summons or ticket prior to the date fixed for trial in court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged.

INTRODUCED

SB916