ORDINANCE-3803

# AN ORDINANCE TO AMEND SECTIONS 5-301 THROUGH 5-304 TO THE CITY CODE PERTAINING TO PET LICENSING

SECTIONS AMENDED: § 5-301 THROUGH 5-304

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA BEACH, VIRGINIA:

 That Sections 5-301 through 5-304 of the Code of the City of Virginia Beach, Virginia are hereby amended and reordained to read as follows:

**Sec. 5-301. Application; applicant to be city resident.**

1. Any person may obtain a one-, two-, or three-year city dog or cat license by making oral or written application to the city treasurer or an appointed agent, accompanied by the amount of the license tax and the evidence of vaccination required by section 5-306.
2. Additionally, any person obtaining a rabies vaccination from a vet-agent as provided in section 5-302 below may obtain a one-, two-, or three-year local license ~~that runs concurrently with the vaccination administered~~ by paying the tax as provided in section 5-303. The vet-agent shall only have authority to license dogs and cats of resident owners or custodians who reside within the city.
3. Any person purchasing a dog or cat license shall provide residency information to the city treasurer or the appointed agent. It shall be unlawful for any person to make any false statement in or present any false evidence with an application submitted under this section, in order to secure a dog or cat license to which such person is not entitled.
4. A one-year license tag shall be valid for up to twelve (12) months from the date of issue~~, not to exceed the duration of the current rabies vaccination~~; a two-year license tag shall be valid for up to twenty-four (24) months from the date of issue~~, not to exceed the duration of the current rabies vaccination~~; and a three-year license tag shall be valid for up to thirty-six (36) months~~, not to exceed the duration of the current rabies vaccination~~. The vaccination required by City Code § 5-200 shall remain current during the period that a license tag is valid, unless the exception in § 5-200(a) applies.

**Sec. 5-302. Veterinarians as appointed agents.**

1. The city treasurer may appoint agents for the collection of the license tax and the issuance of the license tags. Any veterinarian who vaccinates or supervises the vaccination of dogs and cats against rabies and is licensed to do business in Virginia Beach may submit an application to the city treasurer for such an agent appointment.
2. The vet-agent shall have authority to issue local license tags on those occasions where he or she is presented with a current rabies certificate or when administering rabies vaccinations to dogs or cats of owners or custodians who reside within the city. ~~The issued local tag shall run concurrently with the vaccination administered or in conjunction with the current certificate~~. The vet-agent shall collect the required fee as outlined below in section 5-303. The fee and the required report shall be submitted to the city treasurer as provided in the written agreement required in subsection (d) below.
3. For every one-, two-, or three-year local license tag issued, the vet-agent shall deduct one dollar ($1.00) from the amount due to the city treasurer.
4. Each appointed vet-agent shall agree in writing to abide by procedures and protocols established by the city treasurer. Any vet-agent who fails to follow the established procedures or protocols may have his or her authority to collect the license taxes and issue the license tags revoked by the city treasurer.

**Sec. 5-303. Tax imposed.**

(a) A license tax is hereby imposed on dogs and cats required to be licensed under this article in the following nonrefundable amounts:

(1) For each dog or cat, not spayed or not neutered:

1-year tag.....$10.00

2-year tag.....$20.00

3-year tag.....$30.00

(2) For each dog, spayed or neutered:

1-year tag.....$7.00

2-year tag.....$14.00

3-year tag.....$21.00

(3) For each cat, spayed or neutered:

1-year tag.....$5.00

2-year tag.....$10.00

3-year tag.....$15.00

(4) Kennel of five (5) to twenty (20) dogs, cats, or combination of either ~~five (5) to twenty (20) cats~~, annually.....$35.00

(5) Kennel of twenty-one (21) or more dogs, cats, or combination of either ~~or of twenty-one (21) or more cats~~, annually.....$50.00

Pursuant to Code of Virginia § 3.2-6500, a "kennel" is any establishment in which five or more canines, felines, or hybrids of either are kept for the purpose of breeding, hunting, training, renting, buying, boarding, selling, or showing. The owner of a kennel ~~or cattery~~ shall pay the kennel ~~or cattery~~ tax imposed above but shall not be required to also pay the individual dog or cat license fees listed in subsections (1) and (2) for any dog or cat that is owned by the owner of the kennel ~~or cattery~~ and that is housed within the kennel ~~or cattery~~.

(b) A license tax in the nonrefundable amount of fifty dollars ($50.00) is hereby imposed on pet shops, annually.\*

Pursuant to Code of Virginia § 3.2-6500, a "pet shop" is a retail establishment where companion animals are bought, sold, exchanged, or offered for sale or exchange to the general public.

~~(c) A quarterly prorated license tax shall be imposed on any dog or cat owner when he or she moves to Virginia Beach or purchases, adopts, or otherwise acquires a dog or cat that has a current rabies vaccination. This prorated fee may only be imposed by the staff at the office of the city treasurer, and no prorated fee may be offered by appointed agents authorized by section 5-302. The prorated fee shall be based on date of residence or date of purchase as compared to the date of rabies expiration. Verification of these dates must be provided at time of licensing. Quarterly prorated license fee shall be determined based upon the amount of time remaining before the rabies vaccination expires. The quarterly prorated fee shall be as follows:~~

~~(1) Twenty-five (25) percent of the annual fee if at least one (1) month, but less than four (4) months, remain before expiration of the vaccination.~~

~~(2) Fifty (50) percent of the annual fee if at least four (4) months, but less than seven (7) months, remain before expiration of the vaccination.~~

~~(3) Seventy-five (75) percent of the annual fee if at least seven (7) months, but less than ten (10) months, remain before expiration of the vaccination.~~

~~(4) One hundred (100) percent of the annual fee if at least ten (10) months remain before expiration of vaccination.~~

~~(d) A quarterly prorated license fee shall be imposed on any dog or cat owner having a valid rabies certificate issued between January 3, 2005 and September 30, 2007. The prorated fee shall be based on the time remaining on January 1, 2008 and the expiration of the rabies certificate. Quarterly prorated fees shall be imposed only on portions of years, and shall be imposed as follows:~~

~~(1) Twenty-five (25) percent of the annual fee if at least one month, but less than four (4) months, remain before expiration of the vaccination.~~

~~(2) Fifty (50) percent of the annual fee if at least four (4) months, but less than seven (7) months, remain before expiration of the vaccination.~~

~~(3) Seventy-five (75) percent of the annual fee if at least seven (7) months, but less than ten (10) months, remain before expiration of the vaccination.~~

~~(4) One hundred (100) percent of the annual fee if at least ten (10) months remain before expiration of vaccination.~~

~~(e)~~ (c) No license tax shall be levied under this section on any dog that is trained and serves as a guide dog for a blind person, that is trained and serves as a hearing dog for a deaf or hearing-impaired person, or that is trained and serves as a service dog for a mobility-impaired person. For the purposes of this subsection, a "hearing dog" is a dog trained to alert its owner, by touch, to sounds of danger and sounds to which the owner should respond, and a "service dog" means a dog trained to accompany its owner for the purpose of carrying items, retrieving objects, pulling a wheelchair or other such activities of service or support.

~~(f)~~ (d) Any person who applies for a license tag for a neutered or spayed dog or cat shall present, at the time of application, an appropriate veterinarian's certification suitable to the city treasurer attesting to the neutering or spaying of the dog or cat. If such certification is not so presented, the dog or cat shall be taxed the fee levied on unneutered and unspayed dogs or cats.

**Sec. 5-304. When tax due and payable.**

The license tax on dogs and cats shall be due and payable as follows:

(1) When a dog or cat becomes four (4) months of age and receives its first rabies vaccination.

~~(2) When a dog or cat receives a subsequent rabies vaccination.~~

~~(3)~~(2) Within thirty (30) days from the day a person brings a dog or cat into the city from another jurisdiction, if such dog or cat is to be kept in the city more than thirty (30) days.

(3) When a previous license has expired.

Adopted by the City Council of the City of Virginia Beach, Virginia, on this 6th day of May, 2025.