

City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 27, 2006

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER

SUBJECT: BUDGET MEMO #56: REQUEST INFORMATION ON ANIMAL LICENSE FEES

In response to Councilman MacDonald's question regarding considering raising license fees for dogs, and whether or not cats are licensed.

The dog license fee is \$10 (unaltered dog license fee is \$30) for one year. Cats are also licensed; however, the cat license fee is \$2 (unaltered cat license fee is \$10) for one year. Multi-year license fees may be much higher, but incorporate a slight discount for a three-year term (see Attachment 1, docket item #19, 12/18/04, for additional information on the license fee structure as recently revised by City Council).

The Code of Virginia Section 3.1-796.87 sets the maximum fee for altered dogs and cats at \$10. The total number of City dog licenses are 3,049 and the total number of City cat licenses are 1,222. These license fees result in the collection of nearly \$55,000 in animal license fees in 2005, an increase of \$16,000 or 41 percent from 2004 (\$39,000), due to the change in fee structure, specifically the multi-year licensing option, however, it is unlikely that this amount will remain consistent for future years as the fee structure stabilizes.¹

The recent legislation, HB 339, which passed in the General Assembly on March 9, 2006, and is awaiting the Governor's signature, will change the timing of the due dates for imposition of the animal license fees; but still keeps the maximum yearly license fee of \$10. This pending legislation will amend the Code of Virginia by adding a section numbered 3.1-796.87:1, which

¹ For the 2005 year, a change was made in the licensing system, allowing for the additional of multi-year licenses and having license terms expire with the animal's rabies vaccination expiration. For 2005, this generated higher than normal fees, as many people chose the multi-year licensing option. The fees in 2005 were also affected by the pro-rating that the City observed for the transition year. In addition, unlike in previous years, licenses expired throughout the year (as opposed to December 31st), so some owners may have purchased more than one license during the year for the same animal, if that animal's rabies vaccination expired mid-year. We should see less of this over time as initial rabies vaccinations expire and new licenses are purchased close to the time of the rabies vaccinations.

would require veterinarians to report un-licensed pets to local treasurers (see Attachment 2, Assembly Bill - HB339ER); and could significantly impact the number of City pets actually registered in the future.

ATTACHMENTS:

1. Docket item #19, dated December 18, 2004
2. Assembly Bill - HB339ER

Introduction and first reading: 12/14/04
Public hearing: 12/18/04
Second reading and enactment: 12/18/04

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INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Sections 5-7-47 (LICENSE – REQUIRED; DISPOSITION OF REVENUE), 5-7-48 (SAME – TAX IMPOSED; TAX RATES; WHEN TAX PAYABLE) and 5-7-49 (SAME – APPLICATION; ISSUANCE; RECORDS TO BE KEPT) of Article C (DOGS AND OTHER ANIMALS), Chapter 7 (ANIMALS AND FOWL), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of The Code of the City of Alexandria, Virginia, 1981, as amended.

Summary

The proposed ordinance replaces the current system of issuing annual dog and cat licenses which expire and must be renewed at the end of each calendar year, with a system of one or three year licenses, at the option of the animal’s owner, which will expire when the animal’s rabies vaccination expires. The proposed license fees for dogs are \$30 for a one year license (\$10 if spayed or neutered) and \$75 for a three year license (\$25 if spayed or neutered). For cats, the proposed fees are \$10 for a one year license (\$2 if spayed or neutered) and \$25 for a three year license (\$5 if spayed or neutered). Senior citizens will receive a \$5 discount on one year dog licenses, and a \$15 discount on three year dog licenses, and no fee is charged for seeing eye and other service dogs. In the transition period, the fee will be prorated in accordance with the number of remaining months of the animal’s rabies vaccination.

Sponsor

Staff

Michele Evans, Assistant City Manager
Tara Blot, Executive Director, Animal Shelter
Ignacio Pessoa, City Attorney

Authority

§§ 2.01, 2.04(p), Alexandria City Charter

Estimated Costs of Implementation

See docket memorandum from City Manager

Attachments in Addition to Proposed Ordinance and Its Attachments (if any)

None

ORDINANCE NO. _____

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AN ORDINANCE to amend and reordain Sections 5-7-47 (LICENSE – REQUIRED; DISPOSITION OF REVENUE), 5-7-48 (SAME – TAX IMPOSED; TAX RATES; WHEN TAX PAYABLE) and 5-7-49 (SAME – APPLICATION; ISSUANCE; RECORDS TO BE KEPT) of Article C (DOGS AND OTHER ANIMALS), Chapter 7 (ANIMALS AND FOWL), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-7-47 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 5-7-47 License--required; disposition of revenue.

It shall be lawful for any person to be the owner of a dog or cat four months old or older within the city unless such dog or cat is licensed, as required by the provisions of this article.

(b) All dog and cat license taxes collected pursuant to this article shall be paid into the general fund from which sufficient funds for the operation and maintenance of the city may be provided, as authorized by council.

The owner of a dog or cat required to be licensed by this article shall obtain the license and pay the license tax within 30 days of moving into the city, acquiring the animal, or attainment of the required age by the animal, which ever is later.

(d) The owner of a dog or cat with an existing license required by this article shall renew the animal's license and pay the license tax within 10 days after expiration of such animal's license.

Section 2. That Section 5-7-48 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 5-7-48 Same--tax imposed; tax rates; when tax payable expiration.

(a) There is hereby imposed an annual license tax on dogs and cats required to be licensed by this article, except that no license tax shall be levied on any hearing dog, seeing-eye dog or service dog for each calendar year at the following rates, and due and payable as follows:

(1) For any male or female dog or cat ~~which shall be four months old or older on or before January 31 of the year, the license tax for that a one year license shall be \$30 for a dog, and \$10 for a cat, and shall be paid by the owner on or before January 31 of said year;~~ the license tax for a three year

1 license shall be \$75 for a dog and \$25 for a cat, except as provided in
 2 paragraphs (2), (3) or (4) below.

3
 4 ~~(2) If any male or female dog or cat shall become four months of age, or if a~~
 5 ~~dog or cat of that age or older shall come into the possession of an owner,~~
 6 ~~between January 31 and November 1 of any year, the license tax for that~~
 7 ~~year shall be \$30 for a dog, and \$10 for a cat, and shall be paid by the~~
 8 ~~owner within 10 days of the dog or cat attaining the age of four months or~~
 9 ~~coming into the possession of the owner,~~

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 11 ~~(3) If any male or female dog or cat shall become four months of age, or if a~~
 12 ~~dog or cat of that age or older shall come into the possession of an owner,~~
 13 ~~after October 31 of any year, the license tax of \$30 for a dog, and \$10 for a~~
 14 ~~cat, for the succeeding calendar year shall be paid by the owner within 10~~
 15 ~~days of the dog or cat attaining the age of four months or coming into the~~
 16 ~~possession of the owner,~~

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 18 (42) For any spayed or neutered dog or cat, ~~the provisions of this section shall~~
 19 ~~apply but the annual license tax for a one year license shall be \$10 for a~~
 20 ~~dog, and \$2 for a cat, and the license tax for a three year license shall be~~
 21 ~~\$25 for a dog and \$5 for a cat, ; and~~

22
 23 (5) ~~If any dog or cat coming into the possession of an owner on or before~~
 24 ~~October 31 of any year has a current license in another jurisdiction, a full~~
 25 ~~credit shall be allowed on the cost of obtaining the first city license.~~

26
 27 (3) For any hearing dog, seeing eye dog or service dog, a license shall be
 28 required but no license tax shall be charged.

29
 30 (4) For any dog owned by a person 65 years of age or older, there shall be a \$5
 31 discount in the applicable license tax for a one year license, and a \$15
 32 discount in the license tax for a three year license.

33
 34 (5) The owner of an animal required to be licensed by this article may elect to
 35 obtain a one year license or a three year license, and shall pay the
 36 corresponding license tax at the time the license is obtained.

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 38 (b) A one year license shall be valid for a maximum period of 12 months from the date
 39 of issuance; provided, however, that the license shall expire on the last day of the
 40 month in which the rabies vaccination of the licensed animal expires,

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 42 (c) A three year license shall be valid for a maximum period of 36 months from the date
 43 of issuance; provided, however, that the license shall expire on the last day of the
 44 month in which the rabies vaccination of the licensed animal expires.
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1 Section 3. That Section 5-7-49 of The Code of the City of Alexandria, Virginia, 1981, as
2 amended, be, and the same hereby is, amended and reordained to read as follows:

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4 **Sec. 5-7-49 Same--application; issuance; records to be kept.**

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6 Any owner may obtain a dog or cat license by making a signed written application to the
7 city manager or her the manager's designee. The application shall contain the name, sex,
8 age, breed and description of the dog or cat and the name and address of the owner, and
9 shall be accompanied by the amount of the license tax and a certificate of vaccination or
10 other evidence from a licensed veterinarian showing that the dog or cat is inoculated against
11 rabies and the expiration date of the vaccination, ~~or a certification from the owner~~
12 ~~containing the vaccination number showing that the dog or cat is inoculated against rabies.~~
13 Upon receipt of a proper application, accompanied by the amount of the license tax and a
14 proper certificate of vaccination or other evidence, ~~or a proper certification from the owner,~~
15 the city manager or her the manager's designee shall issue a license receipt and an
16 appropriate tag to the owner, and shall record upon the receipt and upon records maintained
17 by the city the name and address of the owner, the date of issuance, the year period of time
18 for which issued and date of expiration of the rabies vaccination, the serial number of the
19 license and the sex, age, breed and description of the dog or cat.
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21 Section 4. That this ordinance shall become effective at the time and on the date of final
22 passage; provided, however, that for one year licenses issued prior to December 18, 2005, the
23 license tax shall be one twelfth of the license tax otherwise established, for each month for
24 which the license shall remain valid, and provided further that for three year licenses issued
25 prior to December 18, 2007, the license tax shall be one thirty sixth of the license tax otherwise
26 established, for each month for which the license shall remain valid.
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28
29 WILLIAM D. EUILLE
30 Mayor

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32 Introduction: 12/14/04
33 First Reading: 12/14/04
34 Publication:
35 Public Hearing:
36 Second Reading:
37 Final Passage:
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ORDINANCE NO. 4369

AN ORDINANCE to amend and reordain Sections 5-7-47 (LICENSE – REQUIRED; DISPOSITION OF REVENUE), 5-7-48 (SAME – TAX IMPOSED; TAX RATES; WHEN TAX PAYABLE) and 5-7-49 (SAME – APPLICATION; ISSUANCE; RECORDS TO BE KEPT) of Article C (DOGS AND OTHER ANIMALS), Chapter 7 (ANIMALS AND FOWL), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-7-47 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 5-7-47 License--required; disposition of revenue.

- (a) It shall be unlawful for any person to own a dog or cat four months old or older within the city unless such dog or cat is licensed, as required by the provisions of this article.
- (b) All dog and cat license taxes collected pursuant to this article shall be paid into the general fund from which sufficient funds for the operation and maintenance of the animal shelter may be provided, as authorized by council.
- (c) The owner of a dog or cat required to be licensed by this article shall obtain the license and pay the license tax within 30 days of moving into the city, acquiring the animal, or attainment of the required age by the animal, which ever is later.
- (d) The owner of a dog or cat with an existing license required by this article shall renew the animal's license and pay the license tax within 10 days after expiration of such animal's license.

Section 2. That Section 5-7-48 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 5-7-48 Same--tax imposed; tax rates; expiration.

- (a) There is hereby imposed a license tax on dogs and cats required to be licensed by this article, as follows:
 - (1) For any male or female dog or cat the license tax for a one year license shall be \$30 for a dog, and \$10 for a cat, and the license tax for a three year license shall be \$75 for a dog and \$25 for a cat, except as provided in paragraphs (2), (3) or (4) below.

- (2) For any spayed or neutered dog or cat, the license tax for a one year license shall be \$10 for a dog, and \$2 for a cat, and the license tax for a three year license shall be \$25 for a dog and \$5 for a cat.
 - (3) For any hearing dog, seeing eye dog or service dog, a license shall be required but no license tax shall be charged.
 - (4) For any dog owned by a person 65 years of age or older, there shall be a \$5 discount in the applicable license tax for a one year license, and a \$15 discount in the license tax for a three year license.
 - (5) The owner of an animal required to be licensed by this article may elect to obtain a one year license or a three year license, and shall pay the corresponding license tax at the time the license is obtained.
- (b) A one year license shall be valid for a maximum period of 12 months from the date of issuance; provided, however, that the license shall expire on the last day of the month in which the rabies vaccination of the licensed animal expires.
 - (c) A three year license shall be valid for a maximum period of 36 months from the date of issuance; provided, however, that the license shall expire on the last day of the month in which the rabies vaccination of the licensed animal expires.

Section 3. That Section 5-7-49 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 5-7-49 Same—application; issuance; records to be kept.

Any owner may obtain a dog or cat license by making a signed written application to the city manager or the manager’s designee. The application shall contain the name, sex, age, breed and description of the dog or cat and the name and address of the owner, and shall be accompanied by the amount of the license tax and a certificate of vaccination or other evidence from a licensed veterinarian showing that the dog or cat is inoculated against rabies and the expiration date of the vaccination, or . Upon receipt of a proper application, accompanied by the amount of the license tax and a proper certificate of vaccination or other evidence, the city manager or the manager’s designee shall issue a license receipt and an appropriate tag to the owner, and shall record upon the receipt and upon records maintained by the city the name and address of the owner, the date of issuance, the period of time for which issued and date of expiration of the rabies vaccination, the serial number of the license and the sex, age, breed and description of the dog or cat.

Section 4. That this ordinance shall become effective at the time and on the date of final passage; provided, however, that for one year licenses issued prior to December 18, 2005, the license tax shall be one twelfth of the license tax otherwise established, for each month for which the license shall remain valid, and provided further that for three year licenses issued prior to December 18, 2007, the license tax shall be one thirty sixth of the license tax otherwise established, for each month for which the license shall remain valid.

WILLIAM D. EUILLE
Mayor

Final Passage: December 18, 2004

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 3.1-796.86 through 3.1-796.90 and 3.1-796.97 of the Code of Virginia*
3 *and to amend the Code of Virginia by adding a section numbered 3.1-796.87:1, relating to selling of*
4 *animal licenses, veterinarian participation; civil penalty.*

5 [H 339]
6 Approved
7

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That §§ 3.1-796.86 through 3.1-796.90, and 3.1-796.97 of the Code of Virginia are amended and**
10 **reenacted and that the Code of Virginia is amended by adding a section numbered 3.1-796.87:1 as**
11 **follows:**

12 § 3.1-796.86. How to obtain license.

13 Any person may obtain a dog license or cat license if required by an ordinance adopted pursuant to
14 subsection B of § 3.1-796.85, by making oral or written application to the treasurer of the county or city
15 in which such person resides, accompanied by the amount of license tax and current certificate of
16 vaccination as required by this article *or satisfactory evidence that such certificate has been obtained.*
17 The treasurer or other officer charged with the duty of issuing dog and cat licenses shall only have
18 authority to license dogs and cats of resident owners or custodians who reside within the boundary
19 limits of his county or city and may require information to this effect from any applicant. Upon receipt
20 of proper application and current certificate of vaccination as required by this article *or satisfactory*
21 *evidence that such certificate has been obtained,* the treasurer or other officer charged with the duty of
22 issuing dog and cat licenses shall issue a license receipt for the amount on which he shall record the
23 name and address of the owner or custodian, the date of payment, the year for which issued, the serial
24 number of the tag, whether dog or cat, whether male *or female, whether spayed or neutered, unsexed*
25 ~~female, female~~ *or whether a kennel,* and deliver the metal license tags or plates provided for herein. The
26 information thus received shall be retained by the treasurer, open to public inspection, during the period
27 for which such license is valid. The treasurer may establish substations in convenient locations in the
28 county or city and appoint agents for the collection of the license tax and issuance of such licenses.

29 § 3.1-796.87. Amount of license tax.

30 The governing body of each county or city shall impose by ordinance a license tax on the ownership
31 of dogs within its jurisdiction. The governing body of any county, city or town which has adopted an
32 ordinance pursuant to subsection B of § 3.1-796.85 shall impose by ordinance a license tax on the
33 ownership of cats within its jurisdiction. The governing body may establish different rates of taxation for
34 ownership of female dogs, male dogs, spayed or neutered dogs, female cats, male cats, and spayed or
35 neutered cats. The tax for each dog or cat shall not be less than one dollar and not more than ten dollars
36 for each year. If the dog or cat has been spayed, the tax shall not exceed the tax provided for a male
37 dog or cat. Any ordinance may provide for a license tax for kennels of ten, twenty, thirty, forty or fifty
38 dogs *or cats* not to exceed fifty dollars for any one such block of kennels.

39 No license tax shall be levied on any dog that is trained and serves as a guide dog for a blind
40 person, that is trained and serves as a hearing dog for a deaf or hearing impaired person or that is
41 trained and serves as a service dog for a mobility-impaired person.

42 As used in this section, "hearing dog" means a dog trained to alert its owner by touch to sounds of
43 danger and sounds to which the owner should respond and "service dog" means a dog trained to
44 accompany its owner for the purpose of carrying items, retrieving objects, pulling a wheelchair or other
45 such activities of service or support.

46 § 3.1-796.87.1. Veterinarians to provide treasurer with rabies certificate information; civil penalty.

47 *Each veterinarian who vaccinates a dog against rabies or directs a veterinary technician in his*
48 *employ to vaccinate a dog against rabies shall provide the owner a copy of the rabies vaccination*
49 *certificate. The veterinarian shall forward within 45 days a copy of the rabies vaccination certificate or*
50 *the information contained in such certificate, to the treasurer of the locality in which the vaccination*
51 *occurs.*

52 *The rabies vaccination certificate shall include at a minimum the signature of the veterinarian, the*
53 *animal owner's name and address, the species of the animal, the sex, the age, the color, the primary*
54 *breed, the secondary breed, whether or not the animal is spayed or neutered, the vaccination number,*
55 *and expiration date. The rabies vaccination certificate shall indicate the locality in which the animal*
56 *resides.*

57 *It shall be the responsibility of the owner of each vaccinated animal that is not already licensed to*

58 apply for a license for the vaccinated dog. If the treasurer determines, from review of the rabies
 59 vaccination information provided by veterinarians, that the owner of an unlicensed dog has failed to
 60 apply for a license within 90 days of the date of vaccination, the treasurer shall transmit an application
 61 to the owner and request the owner to submit a completed application and pay the appropriate fee.
 62 Upon receipt of the completed application and payment of the license fee, the treasurer or other agent
 63 charged with the duty of issuing the dog licenses shall issue a license receipt and a permanent tag.

64 The treasurer shall remit any rabies vaccination certificate received for any animal owned by an
 65 individual residing in another locality to the local treasurer for the appropriate locality.

66 Any veterinarian that willfully fails to provide the treasurer of any locality with a copy of the rabies
 67 vaccination certificate or the information contained in such certificate may be subject to a civil penalty
 68 not to exceed \$10 per certificate. Monies raised pursuant to this subsection shall be placed in the
 69 locality's general fund for the purpose of animal control activities including but not limited to spay or
 70 neuter programs.

71 This section shall become effective January 1, 2007.

72 § 3.1-796.88. When license tax payable.

73 A. On January 1 and not later than January 31 of each year, the owner of any dog or cat four
 74 months old or older shall pay a license tax as prescribed in § 3.1-796.87. The license tax as prescribed in
 75 § 3.1-796.87 is due not later than 30 days after a dog or cat has reached the age of four months, or not
 76 later than 30 days after an owner acquires a dog or cat four months of age or older and each year
 77 thereafter.

78 B. If a dog or cat becomes four months of age or comes into the possession of any person between
 79 January 1 and November 1 of any year, the license tax for the current calendar year shall be paid by the
 80 owner. Licensing periods for individual dogs and cats may be equal to and may run concurrently with
 81 the rabies vaccination effective period. Any kennel license tax prescribed pursuant to § 3.1-796.87 shall
 82 be due on January 1 and not later than January 31 of each year.

83 C. If a dog or cat becomes four months of age or comes into the possession of any person between
 84 October 31 and December 31 of any year, the license tax for the succeeding calendar year shall be paid
 85 by the owner and this license shall be valid from the date the license is purchased.

86 D. Notwithstanding subsections A, B and C above, the governing body of each county or city which
 87 requires dogs or cats to have a rabies inoculation prior to the issuance of a license may designate when
 88 the tax is payable and allow the tax to be payable for up to a three-year period thereafter, as long as
 89 this period does not exceed the period that the rabies inoculation is effective as certified by a
 90 veterinarian.

91 § 3.1-796.89. Effect of dog or cat not wearing collar as evidence.

92 Any dog or cat not wearing a collar bearing a valid license tag of the proper calendar year shall
 93 prima facie be deemed to be unlicensed, and in any proceedings under this chapter the burden of proof
 94 of the fact that such dog or cat has been licensed, or is otherwise not required to bear a tag at the time,
 95 shall be on the owner of the dog or cat.

96 § 3.1-796.90. What dog or cat license shall consist of.

97 A dog or cat license shall consist of a license receipt and a metal tag. The tag shall be stamped or
 98 otherwise permanently marked to show the jurisdiction issuing the license and the calendar year for
 99 which issued and bear a serial number or other identifying information prescribed by the locality. The
 100 tag may be stamped or otherwise marked to show the sex of the dog or cat.

101 § 3.1-796.97. Evidence showing inoculation for rabies prerequisite to obtaining dog or cat license;
 102 rabies clinics.

103 No license tag shall be issued for any dog or cat unless there is presented, to the treasurer or other
 104 officer of the county or city, or other agent charged by law with the duty of issuing license tags for
 105 dogs and cats at the time application for license is made, satisfactory evidence satisfactory to him
 106 showing that such dog or cat has been inoculated or vaccinated against rabies by a currently licensed
 107 veterinarian or currently licensed veterinary technician who was under the immediate and direct
 108 supervision of a licensed veterinarian on the premises.

109 Rabies clinics, approved by the appropriate health department and governing body, shall be held at
 110 least once per year in each county in which the governing body finds that the number of resident
 111 veterinarians is otherwise inadequate to meet the need.

112 2. That the provisions of this act shall become effective on January 1, 2007.

113 3. That the Treasurers' Association of Virginia and the Virginia Veterinary Medicine Association,
 114 in consultation with the Virginia Municipal League and the Virginia Association of Counties, are
 115 requested to develop and distribute to their members, no later than October 1, 2006, uniform
 116 application forms and materials for implementing the provisions of the act.