

## ANIMAL CONTROL (OPR.20.01)

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Approved: 

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### I. POLICY

The role of animal law enforcement, and the methods of capture, confinement, and disposition of loose and nuisance animals, both domestic and feral, as it occurs within an urban area, require that the animals concerned be treated in the most humane manner possible. The Animal Control Officer shall ensure that all animals be provided proper food, water, shelter, vet care and any other necessary care regard within state and county guidelines and without sacrificing the rights to human beings.

### II. PURPOSE

To establish standards, requirements, and guidelines for the methods of capture, transportation, confinement, and ultimate disposition of animals found within the County of Warren and the Town of Front Royal or creating a nuisance to the peace and tranquility of the community, or creating a hazard to the safety or health of the citizens.

### III. TRAINING

- A. All Animal Control Officers are required to meet the minimum training standards as required by the *Code of Virginia*.
- B. Any related DCJS training and any other Sheriff's Office required training, including but not limited to Legal Updates yearly.

### IV. PROCEDURES

The procedures outlined in this directive are to be followed by either the Animal Control Officer(s) of the County, or any deputy who may be assigned a complaint of an animal nature.

#### A. Method of capture of animals

Animals shall be captured in the most humane manner possible, utilizing only that amount of force necessary to affect the capture of the animal while ensuring the safety of the deputy and public.

- 1. Small non-aggressive mammals may be captured by the use of hands. Deputies shall wear heavy, elbow-length leather welder-type gloves when utilizing this method, as any animal may turn aggressive after capture. This method is to be used solely in the deputy's discretion

when capturing small animals, usually of a domestic nature.

2. Use of a catch-pole device is recommended in most situations. Deputies should take care to ensure that the noose of the device is securely around the neck of the animal so as to prevent its escape and provide for the control of the animal, yet not so tight as to cause undue harm or be fatal to the animal, insofar as possible. Once the animal is secured in the proper transporting device, the catch pole mechanism shall be dislodged from the animal. Deputies shall take care at all times not to compromise the safety of the public or themselves when capturing an animal of any type. Fear of the unknown and the natural will to survive can combine to make even the most docile pet become aggressive, and the animal may inflict serious injury to the deputy or innocent bystanders.
3. Use of cat-tongs or snake-tongs is recommended in appropriate situations according to the judgment of the capturing deputy. All snakes shall be considered to be poisonous, since even a bite from a non-poisonous snake is painful, and may cause severe discomfort. Extreme caution shall be used when handling any reptile, to include turtles which can inflict severe injury through biting or clawing. Infection from the bite or scratch of any feral or domestic animal, fowl, reptile, insect or spider is always a concern.
4. Trapping with cage type traps may be necessary to capture nuisance or other animals in those situations where other methods have been futile or may compromise public or officer safety. Traps shall be of a humane type and shall be baited with a non-toxic material. At no time shall leg-hold traps be used for the capture of any animal. All trapped animals shall be transported within the trap to their destination. When traps are in use, they shall be inspected at least once daily. Neighbors in the immediate vicinity of the area in which a trap is used should be notified of the existence of the trap. Trapping of nuisance feral animals, should be done on an as-needed basis. Such animals may be presumed to be carriers of rabies and/or other diseases and removal of such feral animals is conducted as a service to the public to be rendered as time, personnel, and circumstances permit. Trapping shall be conducted on an as needed basis, except where the health or safety of neighborhood residents may be concerned.
5. Trapped feral animals shall be transported to the Human Society or disposed of by deadly force in those situations that present a clear and present danger to the public or the responding deputy. If at all possible, the responding deputy shall receive prior authorization from the on-duty shift supervisor before using deadly force. In any event, the use of deadly force in the capture or disposal of animals shall be reported in writing.

B. Method of transportation

1. When necessary, Patrol Deputies may transport animals under the following circumstances:
  - a. Small, stray animals after-hours when no ACO is available
  - b. Injured animals that may need treatment at the Winchester Emergency Veterinarian
  - c. No animal shall be transported in a vehicle that is not equipped for the transportation of animals:
    - (1) Such vehicles shall conform to the applicable standards promulgated by the State Veterinarian under the Department of Agriculture and Consumer Services (VDACS) and shall be vented to allow for adequate air flow.
    - (2) Plastic and cardboard carriers are available to deputies for small animals; however, they are not to transport loose dogs in their vehicles.
  - d. Only compatible animals of the same species shall be transported together;
  - e. Young and old animals shall be separated when possible;
  - f. Male and female animals shall be separated when possible;
  - g. Sick and healthy animals shall be separated; and
  - h. Transportation enclosures shall be cleaned of organic material after each use.
2. Adult animals shall not be confined in a transportation enclosure for more than two (2) hours, and puppies and kittens shall not be confined for more than one (1) hour, unless exigent circumstances are present or unless the animal is being transported in an animal control vehicle that is equipped with climate control.
3. At the very minimum, ACO vehicles used in the transportation of animals will be equipped with the following, in addition to a proper transportation enclosure:
  - a. proper restraint equipment to include: a catch pole, dog and cat cages, dog and cat traps, cat tongs, snake tongs, muzzles, leashes, and horse leads

- b. a pair of heavy leather animal safety gloves or gloves of a type that provides equivalent protection;
  - c. at least one gallon of potable water; and
  - d. a blanket.
- 4. During transit, it shall be the responsibility of the transporting deputy to:
  - a. visually observe the animals as frequently as circumstances dictate, but not less than every 30 (thirty) minutes;
  - b. assure that animals are receiving sufficient air for normal breathing;
  - c. ensure that the ambient temperature will not endanger the animals health or welfare by adjusting the integrated sliding windows to allow for proper air flow;
  - d. determine if any of the animals are in obvious physical distress;
  - e. provide any needed veterinary care as soon as possible; and
  - f. ensure that animals are transferred to other enclosures that conform to the standards of the VDACS within the prescribed time period. Exotic animals should be confined in their primary enclosure at all times, except in case of extreme emergency.
- 5. Any aggressive animal shall be transported in its own primary enclosure, when possible.
- 6. Birds shall not be confined in a transporting conveyance for more than 45 (forty-five) minutes.

7. As soon as the animal(s) are properly secured and transported, the deputy shall complete an Animal Custody Form (vdac 03145) as required by the Virginia Department of Agriculture and Consumer Services for each animal. All of the appropriate blocks shall be completed in a legible manner. A copy of this Animal Custody Form shall be left with the Humane Society. The original shall be filed with the administrative assistant of the patrol division.

C. Records keeping function

As with any other law enforcement or public service agency, proper documentation is essential for management of operations, reduction of public and individual liability, and proof of compliance with all applicable Federal, State, and local statutes, rules, regulations, and guidelines. In order that the Warren County Sheriff's Office Animal Control meet and remain in compliance with the Rules and Regulations of the Virginia Department of Agriculture and Consumer Services, the following record will be completely and legibly maintained by the Sheriff's Office.

1. Complaints Received

- a. All requests for services by Animal Control or other deputies, or reports of suspected rabies cases, or reports of animal bites, or of violations of the animal laws, shall be channeled through the Communications Center for proper documentation of receipt of notification of event. The Communications Officer on-duty shall process the complaint as with any other law-enforcement or request-for-service complaint. If on-duty, the Animal Control Officer shall be given the complaint via radio. If no Animal Control Officer is on-duty, the complaint will be dispatched to the on duty shift supervisor for investigation and follow-up. The responding deputy shall take whatever action is appropriate under the circumstances, be it a warning, summons, arrest, or referral to the Animal Control Officer for follow-up during the next business day. The Animal Control Officer is to be called out only under emergency conditions, with the approval of the ACO Sergeant or Patrol Supervisor.
- b. CAD Reports are generated for all Animal Control calls received. Deputies responding to animal complaints shall be responsible to document their actions as with any other complaint.

D. Veterinary Services

The County of Warren and the Town of Front Royal supports the humane treatment of all animals, domestic and feral, within reasonable limits, and in accordance with applicable law. To that end, the County will provide

veterinary services to those animals that are in need of emergency treatment and have a likelihood of benefiting from such treatment. Extreme or extraordinary measures to prolong the life of stray or unclaimed or feral animals are usually unwarranted.

1. Animals that are obviously injured or in severe distress shall be evaluated by an approved veterinarian, if possible.
  - a. Owners of such animals will be responsible for the payment for veterinary and other services rendered.
  - b. The County of Warren will not be responsible for the payment for services for any animal that has not been authorized for veterinary care by the Animal Control Officer or shift supervisor. Private citizens who present injured or distressed animals to a veterinarian for treatment assume the responsibility for payment for services by such veterinarian. Authorization by County officials shall be conducted by personal contact with the treating veterinarian.
  - c. Animals that have tags, and that are in distress or are injured, shall have their owners contacted prior to the treatment of such injury or distress, if at all possible. Owners shall then become responsible for the welfare and disposition of the animal. An attempt to locate the owner of any animal should not result in an unreasonable delay in the treatment of the animal.
  - d. The approved veterinarian shall render a medical decision as to whether the animal shall be treated or euthanized.

2. Injured wildlife:

The Animal Control Officer or on-duty shift supervisor shall use his/her best judgment as to the disposition of the injured animal. If a decision is made to terminate the life of the animal, it shall be done in a quick, discreet, and humane manner so as not to arouse public outcry. Report of the incident shall be made forthwith through the chain of command.

E. Cleaning and Maintenance of Animal Transportation Vehicles

1. The on-duty Animal Control Officer (ACO) shall inspect the Animal Control vehicle daily for compliance with safety, equipment, and cleanliness standards. Deficiencies shall be brought to the attention of the ACO Sergeant and shall be corrected prior to operation of the vehicle.
2. Vehicular animal enclosures shall be kept clean and free of any

organic material, and shall be hosed out as needed, weather permitting.

3. Animal Control vehicles shall be conspicuously marked, and shall be kept clean and in good repair so as to present an acceptable public image of the operation.
4. All Animal Control vehicles are equipped with a siren, emergency lights, and radios. These shall be inspected to ensure that they are in working order at the beginning of each shift.
5. Operations Order.01.08 (Special Purpose Vehicles”, should be reviewed for applicability.

K. Length of Confinement of Animals

1. The *Code of Virginia* provides that unlicensed animals that are impounded must be kept for a minimum of five (5) days.
2. Animals with identification such as a collar with or without tags, microchip, harness, etc. will be held for 10 days.
3. Animals that are being held as evidence in a criminal proceeding, or pursuant to a court order, will not be restricted to the five (5) day limit.
4. Animals in which there is no time limit specified in the *Code of Virginia*, Code of Warren County, or Code of the Town of Front Royal shall be held for a reasonable period of time in order that a diligent effort may be made to ascertain the owner of the animal. This period of time will be dictated by the size of the animal, the nature of the animal, special feeding/housing requirements, danger to the deputy or public, and other special circumstances as may be present.
5. Feral animals shall not be confined except under court orders or extreme exigent circumstances.

L. Trapping of Animals

1. Animals may be trapped by the Animal Control Officer or other deputy by the use of humane traps as specified by the *Code of Virginia*.
2. A log of animals trapped, and location of the traps set shall be maintained at the sheriff's office. This list shall be kept current.
3. A list of traps in use, and their location shall be maintained by the ACO unit. Any persons wanting to request a trap to be set should be directed to an Animal Control Officer.

4. Traps shall be stored in the ACO storage area at the sheriff's office or at the Warren County Humane Society.
5. Traps shall be identified as the property of the Warren County Sheriff's Office, and otherwise in accordance with all applicable law.
6. Traps shall be inspected for serviceability and proper operation before being placed into service, and shall be inspected at least once daily while in service. Less frequent inspection of traps may be considered as cruel or inhumane treatment to trapped animals which may or may not be someone's pet.
7. Traps shall be cleaned of organic material as needed.

No provision of this Operations Order shall be construed in any way to limit the authority of the County of Warren to regulate operations conducted in accordance with applicable statute. Whenever any provision of this Operations Order is in conflict with the law, the law shall prevail. The Sheriff or his designee shall cause periodic review of this Operation Order to be conducted, and such changes, as may be necessary, shall be made with the approval of the Sheriff.