

CITY OF FAIRFAX POLICE DEPARTMENT

**GENERAL ORDER**

Subject ANIMAL CONTROL	Number 5-19
Effective Date June 1, 2003	Rescinds General Order 5-19, dated 08-31-01
Accreditation Standards N/A	Authority Colonel Richard J. Rappoport Chief of Police

PURPOSE:

To establish the Animal Control Section and clarify its functions.

POLICY:

Animal control laws and ordinances should be enforced by Animal Control Officers (ACOs) in an objective, impartial and professional manner. ACOs help ensure compliance with animal control ordinances found in Chapter 6 of the Code of the City of Fairfax and the applicable State Comprehensive Animal Laws, Title 3.1, Article 27.4 of the Code of Virginia. Public education and the initiation of positive public contacts are considered important requirements of ACOs.

DISCUSSION:

For the purpose of this directive, the following definitions apply:

STRAY DOG: is defined as an at large dog with no identification or rabies tag and no apparent owner in the vicinity.

LARGE ANIMAL: is a dog or any other animal or fowl, except a domestic cat, off the premises of the owner and not under the leashed control of the owner, a member of his/her family, employee or other duly authorized person.

OWNER: is any person owning, keeping or harboring animals or fowl. Any person having a right of property in an animal, and any person who keeps or harbors an animal, or has it in his/her care, or who acts as its custodian, and any person who permits an animal to remain on or about any premises occupied by him/her.

DANGEROUS DOG: is a dog that has bitten, attacked, or injured a person, companion animal other than a dog, or another dog causing serious injury without previous provocation or justification.

VICIOUS DOG: is a dog that has killed or inflicted serious injury or disfigurement to a person without adequate provocation or justification. Justification includes the customary warning and protective functions of a watchdog.

ANIMAL: is defined as any live vertebrate creature, domestic or wild, but not including birds.

PET: is any animal kept for pleasure rather than utility.

VICIOUS ANIMAL: is any animal or animals that constitute a physical threat to human beings or other animals, but not including guard dogs.

WILD OR EXOTIC ANIMAL: is any live monkey (nonhuman primate), raccoon, skunk, wolf, squirrel, fox, leopard,

panther, tiger, lion, lynx or any other warm blooded animal, poisonous snake, constrictor snake in excess of six (6) feet in length, tarantula, crocodile or alligator which can normally be found in the wild state or any other member of crocodilian, including, but not limited to, alligators, crocodiles, caimans, and gavials. Ferrets, rabbits and laboratory rats which have been bred in captivity and which have never known the wild and any animal specifically trained to assist a handicapped person are excluded from this definition.

- EMERGENCY: is any situation where an ACO, who is otherwise acting lawfully, faces circumstances under which he/she or a member of the public faces death or serious bodily harm.

- ANIMAL CONTROL OFFICER (ACO): is any person employed, contracted or appointed by the City for the purposes of aiding in the enforcement of the comprehensive animal laws or any other law or ordinance relating to the licensing of dogs, control of dogs and cats, cruelty to animals, seizure and impoundment of companion animals, and includes any employee of the City whose duties in whole or in part include assignments which involve seizure or the taking into custody any dog or other animal.

- COMPANION ANIMAL: is a domestic dog, cat, monkey, guinea pig, hamster, rabbit, exotic animal and exotic or native birds. Game species shall not be considered companion animals.

PROCEDURE:

I. PRIORITIES

A. The animal control function includes a myriad of tasks and responsibilities, which are prioritized as follows:

B. Vicious or wild animals at large attacking humans.

1. Human bitten by animal.
2. Suspected rabid animals.
3. Injured animals.
4. Livestock at large.
5. Wild animals within confines of residence.
6. Wild animals near residence posing threat to humans.
7. Humane investigations/exotic pet investigation.
8. Pick up dogs, which are running at large.
9. Check with complainant about past violations of animal control laws.
10. Check all areas for dogs at large.
11. Request to check for dog license and rabies inoculation.
12. Routine patrol for animal control violations.
13. Proper vehicle and equipment care and maintenance.

II. CASE ASSIGNMENT AND CLOSURE

- A. ACOs are responsible for responding to animal control cases, providing appropriate "report/no report" designations to Communications, and completing all necessary paperwork prior to the end of their tour of duty.
- B. ACOs are not granted arrest authority by the State Code, therefore they must rely on officers to provide that support. Officers or Detectives may be requested to effect arrests and assist with investigative steps.
- C. An open case file is maintained in the Animal Control Office. The file contains all pending cases of ACOs.
 - 1. ACOs must check the file regularly and contribute to the closure of cases, regardless of original case assignment, unless there is a mutually agreed upon plan of action between ACOs for the closure of the case or a supervisor has specified action.
 - 2. All action or activity on open cases must be documented on a supplement report prior to the end of tour of duty.
- D. The ACOs Log Book is used in conjunction with the open case file to convey information between ACOs. Special requests, unusual circumstances, or other information that aids ACOs in their duties may be included in the log.
- E. ACOs should work in concert toward the goals and objectives of the section and to ensure that cases are handled expediently and given appropriate follow up.

III. AFTER HOURS ANIMAL CONTROL

- A. Routine animal control services are not provided on a 24 hour basis.
 - 1. ACOs are scheduled regular tours of duty by their supervisor.
 - 2. Off-duty ACOs are subject to recall only upon authorization of the Duty Supervisor. Attempts should be made to contact the full-time ACO prior to recalling the part-time ACO.
 - 3. ACOs are only recalled for exigent circumstances as determined by the Duty Supervisor.
 - 4. When ACOs are on duty, E.C.C. receives/relays messages and dispatch ACOs to calls for service in a timely manner.
- B. Police Officers do not respond to routine animal control cases. When ACOs are unavailable, Police Officers do respond to:

1. Animals posing a clear and immediate danger to persons.
2. Investigate animal bite to persons.
3. Investigate complaint of barking dog.
4. Other complaints as decided by the Patrol Supervisor.

C. The Patrol Supervisor ensures that officers are provided gloves, capture poles or other equipment as necessary. This equipment should be left available in the ACO vehicle. Keys for the vehicle should be left on the ACO desk at the end of each shift.

IV. HUMANE CAPTURE OF ANIMALS

- A. All animals must be treated humanely at all times and especially when captured, caged, moved, fed or handled for any reason.
- B. Any Officer/ACO who willfully mistreats, abuses, or neglects an animal may be subject to discipline.
- C. In those cases where euthanasia is necessary, ACOs should be especially careful to treat animals in a humane manner and conduct themselves and maintain a professional demeanor.
- D. It is recognized that ACOs are called upon to deal with frightened, vicious, or wild animals, which are dangerous and certain handling techniques or restraints may be employed to avoid injury. In such cases, ACOs are permitted to use only reasonable force to control the animal and protect persons and property.

V. LOST AND FOUND PETS

- A. Lost and found pets are documented by an ACO or Communications if an ACO is not available.
- B. Lost and found pets are reported and tracked on the form PD-85 Lost and Found Animal Report as follows:
 1. Obtain full name and address of person calling.
 2. If applicable, ask for both home phone number and business phone number of the caller or owner.
 3. Ask for the specific location where the pet was lost/found.
 4. Try to pinpoint the breed and sex of the pet; if it is a mixed breed help the caller identify the most dominant features.
 5. Ask for any I.D. tags, collar, scars, tattoo or distinguishing marks.

6. Include the color, type of hair, tail, and ears, and approximate size or weight of the pet.
7. Impress upon the owner of lost pets that it is important to notify the Department if they find the pet prior to an ACO contacting them so we can purge the report.
8. Advise owners of lost pets to consider the possibility that the pet strayed into Fairfax County (County Shelter (703) 830-1100). Recommend that they contact local animal hospitals and place signs up in their neighborhood.
9. Forward the completed PD-85 to the shift supervisor for review as soon as possible. The shift supervisor forwards completed PD-85 forms to the Animal Control Office.

C. The Animal Control Office maintains a lost and found pet file:

1. Owners of lost pets are contacted on a regular basis to determine if the pet has been located.
2. The file is continually updated by ACOs and kept in a conspicuous place in the office, so others can check status.
3. The file is purged after 60 days.

D. ACOs are not routinely recalled to duty after hours to pick up strays or dogs at large and police officers are not routinely authorized to handle strays. When no ACO is available, the finders of these dogs are left to their own resources and judgment as to what to do with the stray dog. They may take the dog to Town and Country or the Fairfax County Animal Shelter if Town and Country is unavailable.

E. If an officer does transport a dog to Town and Country, a PD-141 should be filled out with the pink copy left at Town and Country and the white and yellow copies left on the dog pick up board in E.C.C. All information should then be forwarded to the next ACO on duty.

1. Those finders who have an expressed interest in the ultimate adoption of the dog may be given first option on such adoption. If the animal is not claimed within the required holding period the finder may adopt the animal upon paying the \$75 adoption fee.
2. Finders of dogs should be advised when the next available ACO reports for duty and that the ACO will pick the dog up at that time if the finder wishes to hold the dog until it may be relinquished.
3. Stray domestic cats are not in violation of the at large ordinance. Cats are only picked up in the event that

they have bitten someone, they are in immediate danger of illness or injury, or they pose an immediate health threat to citizens.

VI. ANIMAL IMPOUNDMENT

- A. ACOs are responsible for picking up stray dogs, at large animals, and injured or sick animals, when an owner cannot be located to take possession of the animal. ACOs should direct their unassigned time, particularly during early morning and early evening hours, toward the enforcement of dog laws and ordinances through routine patrol.
- B. Instances where an animal constitutes a direct and immediate threat to the public may be handled by an officer or an ACO in accordance with Code of Virginia 3.1-796-108.
- C. Stray dogs are picked up and brought to Town and Country Animal Hospital as soon as possible after pickup. A case is originated and a report made.
 - 1. A PD-141 seizure and release form is filled out with as much information as possible.
 - 2. The white and yellow copies of the confinement form are attached to the working copy of the case.
 - 3. The pink copy of the confinement form is left with Town and Country personnel during business hours.
 - 4. The pink copy is left on the receptionist's desk in the front lobby after hours.
- D. Animals left after hours are put in an available pen. A 3" x 5" card is left in the cardholder on the pen, bearing the confinement slip number, sex and breed of dog, and the date. Animals left after hours are provided with water. No food is given to animals prior to examination by the veterinarian in the morning (with the exception of animals obviously suffering starvation). ACOs are responsible for the notification of owners in accordance with Section 6-34 of the Code of the City of Fairfax.
- E. At large animals or unleashed dogs may, at the discretion of the ACO, be transported back to the owner and a warning or summons issued as appropriate.
 - 1. If a warning ticket is issued, the white copy is given to the owner and the gold copy is filed in the ACOs Office.
 - 2. If a summons is issued, a case is originated and report made at the option of the ACO. "Summons Issued" is the CAD designation for a no report.
 - 3. Only at large animals or unleashed dogs with a current rabies certificate may be directly routed to the owner, dogs without current rabies certificates are handled as strays and must be confined at Town and Country until current rabies certificate is presented by the owner. This does not apply to dogs under 4 months of age.
 - 4. The ACO may reconfine at large animals on premises; (such as with broken runs or open pens) if there is a reasonable expectation that the animal will remain confined on premises until the owner can be reached

with a PD-81 (Notice of Animal Complaint).

5. If the ACO does not elect to return an at large animal directly to the owner, he/she must confine the dog at Town and Country Animal Hospital as outlined in paragraph VI, B above and submit a written report.
- F. Injured animals found during normal working hours, 0700 – 1900 Monday through Friday and 0700-1500 Saturday, may be taken directly to Town and Country Animal Hospital for emergency treatment. After hours, a veterinarian may be contacted and called out to Town and Country Animal Hospital, if available, for emergencies only. If a veterinarian from Town and Country is not available the animal may be taken to the Vienna Emergency Clinic.
1. An attempt should be made to identify the owner of an injured dog through tags and contact attempted prior to transporting the dog to Town and Country or the emergency clinic. The owner may wish to respond and transport the dog to a private veterinarian.
 2. In cases where the dog dies prior to arrival at Town and Country Animal Hospital, the body should be held at Town and Country while attempts are made to locate an owner. If an owner can not be located within a reasonable time, Town and Country may dispose of the body in their usual recommended fashion. Any identifying tags or collars must be removed from the body prior to disposal. The tags are then held by the Animal Control Office until an owner can be located.
 3. The nature and extent of injuries, likelihood of recovery, and likelihood of finding an owner or responsible party should be considered in the decision of when and where to take an injured animal for emergency treatment.
 4. All injured animals taken to Town and Country or the emergency clinic require a written report and follow-up investigation by an animal control officer.
 5. When an animal is taken to the Vienna Emergency Clinic they must be picked up before 8:00am the next business day and transported to Town and Country.

VII. ANIMAL RELEASE PROCEDURE

- A. ACOs have primary responsibility for the release of animals confined at Town and Country Animal Hospital. ACOs ensure that animals are released to owners in a timely fashion.
- B. In any anticipated absence of an ACO where a release is expected, the ACO forwards all attendant paperwork to Communications. Communications personnel effect the release of the animal, fill out the required paperwork, and place the cash, checks and receipts in the lock box in Records. ACOs should make every attempt to keep after hours releases to a minimum.
- C. The normal business hours for Town and Country, hence the only time animals may be released, are: Monday

through Friday, 700-1900 and Saturday, 0700-1500. There is a fixed charge for confinement. Any part of any calendar day is considered a full day for the purpose of calculating fees for board.

- D. The owner of any animal must provide four items prior to the release of any animal.
1. A driver's license or proper identification.
 2. A current rabies inoculation certificate for the animal.
 3. A current City or other Virginia dog license.
 4. Cash or check for the fees.
- E. The animal release form is filled out entirely after confirmation of tags and rabies certificate is made.
1. The fee is totaled and cash or check received from the owner.
 2. A receipt is filled out for the amount of the fee. The white original receipt is given to the payer. The yellow and blue copies of the receipt are sealed in an envelope with the fee and placed in the lock box in Records.
 3. The owner is then given the yellow copy of the release form and is directed to Town and Country Animal Hospital for the release of the animal.
 4. The remaining white copy of the release form is attached to the case and forwarded back to Animal Control.
 5. The Technical Services Lieutenant must forward any fees collected to the Treasurer's Office.
- F. The owner must take the pet to the Fairfax County Animal shelter if the animal is no longer wanted unless other arrangements have been made previously with an ACO.
- G. Town and Country Animal Hospital is under contract with the City as the "City Animal Shelter". In accordance with the contract, Town and Country Animal Hospital may act as agent of the Department in the adoption or euthanasia of animals, after approval of the ACO, except where medical conditions indicate immediate euthanasia is appropriate.
- H. ACOs provide Town and Country Animal Hospital with the yellow copy of all release forms for pets released to an owner, adopted, or euthanized.
1. Adopted pets are designated prominently on the form with the disposition "Adopted".

2. Euthanized animals are designated with a "PTS" symbol under the fee section.

VIII. ANIMAL BITE CASES

- A. Animal Control Officers (ACO) have primary responsibility for investigating alleged animal bites. ACO's are not routinely recalled to duty to investigate an after hours bite. Police officers therefore, may have to conduct the preliminary investigation of bite cases in the absence of an ACO. All information should then be forwarded to the animal control division for follow-up investigation.
- B. Animal bite cases must receive prompt response in order to confirm that an actual bite has taken place, and to ensure that the animal, which bit the human, can be identified and confined. Bite victims calling from outside the City should be instructed to respond to the City to make a report of cases, which occurred within the City limits. Cat scratches are investigated in the same manner as bites.
 1. Some reported cases turn out to be animal scratches, (other than cats) and may not be within the scope of the animal confinement laws. However, if there is any question of possible contact of saliva because of the scratch, the health department should be contacted in order to provide the appropriate procedures.
 2. In some cases there is no breaking of the skin or injury whatsoever.
 3. The circumstances leading up to some bite cases may constitute an assault (i.e. the owner intentionally turns a dog loose on a person during an altercation).
- C. Once it is determined that an actual bite or cat scratch has occurred, the identity of the injured party and the complete nature and extent of injuries must be noted for report purposes. The identity and the location of the animal must be obtained. If the biting animal is a dog, cat, or ferret, a current rabies inoculation certificate must be documented where applicable and the animal must be quarantined according to the quarantine procedures found in Section VIII – E of this directive. Withholding information concerning the identity or location of an animal involved in a biting injury may be a violation of Virginia State Code 18.2-313.1.
- D. When a person has been bitten by a wild animal and the animal is caught, the animal **MUST** be destroyed and the brain tissue preserved for laboratory analysis. A dead animal, or brain tissue (head) must be refrigerated until such time as an ACO can transport it to a lab for analysis. Any person bitten must be kept informed by the ACO of the status of the lab analysis in a timely manner. It should also be recommended that a person bitten contact the Fairfax County Health Department (703) 246-2433 in order to be advised on recommended post exposure procedures.
 1. Every effort not inconsistent with ACO and public safety, will be extended to retrieve for testing any wild animal which has bitten a human or pet, or has had other contact which could reasonably be interpreted as a potential rabies exposure.
 2. Bats which are found either dead or alive in the occupied living space of a residence under circumstances in which the length of time the animal has been inside the structure is unknown will be impounded for testing in all cases. Investigating officers must exercise care to ascertain and document the presence of all persons (especially small children) and domestic animals, which may have had contact with the bat in the

time period prior to its discovery.

E. Quarantine Procedures

1. When a dog, cat, or ferret has bitten a human, or a cat scratch has occurred, Section 6-111 of the Code of the City of Fairfax, requires that the animal be quarantined for a period of ten days.
2. If the dog, cat, or ferret has a current rabies vaccine for which proof of the vaccine can be obtained, and the owner can guarantee secure confinement from other animals and humans, a home quarantine may be conducted at the discretion of the investigating ACO. Confinement in a fenced yard or inside with other pets does not constitute a secure confinement.
3. Dog, cats, or ferrets for which no proof of a current rabies vaccine can be obtained, and which have bitten their owners or the owners close relative, may be confined at the owner's residence at the investigating ACO's discretion and with the concurrence of a supervisor. Animals whose age, health or physical condition is such that quarantine outside the owner's residence would create a hardship, may be confined at home, as may animals in other circumstances when in the ACO's opinion, and with the supervisors approval, home confinement is appropriate.
4. Animals that are not appropriate candidates for home quarantine must be confined at Town and Country Animal Hospital or other private licensed veterinary facility at the owner's expense. Supervisory personnel may approve other locations on a case-by-case basis.
5. Person's responsible for ensuring the integrity of a quarantine will be required to sign a Animal Confinement Agreement form (PD-82) and will be furnished with a Animal Quarantine PD-83 form explaining the above quarantine procedures.
6. Investigating ACO's should inform owners of dogs that have bitten or attacked humans, companion animals other than dogs, or another dog causing serious injury, of possible dangerous/vicious dog charges.
7. Companion animals other than dogs, cats, or ferrets, and other domestic animals subject to rabies infection will normally be confined at the owner's residence for a time period and under circumstances prescribed by the Fairfax County Health Department. (This does not include wolf hybrids).
8. Dogs, which were unrestricted and in violation of law at the time of the bite incident will not normally be confined at home, absent extenuating circumstances.
9. Animal's owners who indicate or demonstrate an inability or unwillingness to maintain quarantine integrity will not be permitted the option of home confinement.

10. Animals which have bitten a human and which are not under direct supervision of a responsible owner or custodian may be seized if in plain sight, not confined to a structure, present a risk of escape, another bite incident, or an attack on other domestic animals.
11. A formal quarantine is not necessary when the victim and the owner of the pet are the same. If the pet has a current rabies vaccination, the owner should be advised what to observe for over the ten day period and what to do should the animal become ill, die, or become missing. If the pet is not current on rabies vaccinations the owner should be instructed not to have the pet vaccinated for ten days. Again they should be advised on what to observe for and what to do if the animal should become ill, dies, or is missing within the ten day observation period.
12. If the owner of a biting pet cannot be immediately contacted a PD-81, Animal Complaint notification form is left at the owner's address to help effect a notification.
13. ACO's are responsible for the follow up of all bite cases and are to make frequent checks to ensure the provisions of confinement are being carried out according to law.

F. Dangerous or Vicious Dogs

1. If a canine or canine crossbreed bites, attacks, or inflicts death or injury on a person or companion animal, members must weigh the circumstances of the bite, injury, or attack against the definitions for dangerous or vicious dogs defined elsewhere in this order. In determining whether probable cause exists to believe that a dog is dangerous or vicious, members must also consider the exempted behavior listed in Section 6-63 of the Code of the City of Fairfax.
 - a. Where probable cause exists to believe that a dog is dangerous or vicious, the ACO or investigating officer shall apply to the magistrate for the issuance of an appropriate summons.
2. In all dog bite cases, members shall follow the confinement/quarantine procedures outlined elsewhere in this order. Additionally, if the magistrate issues a dangerous or vicious dog summons, the ACO shall ensure the dog is confined until the evidence in the case is heard and a verdict is rendered.
3. If the court determines a dog is vicious, the dog will be euthanized in accordance with the provision of 3.1-796.119 of the Code of Virginia. The owner or custodian of a dog determined to be "dangerous" has 10 days to register the dog and obtain a special license from the ACO. The ACO will collect all fees and will issue a special tag that must be worn by the dog at all times. Owners or custodians must also follow the additional provisions for dangerous dogs as outlined in the Code of the City of Fairfax.

- a. If the owner is a minor, the custodial parent or legal guardian shall be responsible for complying with all requirements of the City Ordinance regarding vicious and dangerous dogs.

IX. ANIMAL CRUELTY CASES

- A. ACOs have primary responsibility for the investigation of animal cruelty cases in accordance with Title 3.1 of the Code of Virginia.
- B. Any reported complaint of cruelty to animals is assigned to an ACO. The ACO investigates the complaint and provides a full written report of the actions taken.
- C. Most cruelty to animal cases present search and seizure decisions. Any training received by an ACO on search and seizure is included in their training file.
 1. ACOs should always be aware when investigating cruelty cases if they are proceeding within the laws governing plain view, consent without a warrant, exigent circumstances, or search with a warrant.
 2. When in doubt as to warrant requirements, ACOs must contact their supervisor or the Duty Supervisor for direction and assistance. See Section 3.1-796.113 of the Code of Virginia: Power to Search.
- D. When, in the opinion of the ACO, physical evidence, photographs, or documented testimonial evidence is needed for the prosecution of the case, the ACO contacts his/her supervisor or the Duty Supervisor. The appropriate supervisor ensures that the evidentiary matters are handled in the same manner as any other criminal case.
- E. ACOs must cooperate with and assist any bona fide State Humane Investigator in the investigation of any reported cruelty to animal case within the City.
- F. None of the above paragraphs (A through E) precludes the investigation of cruelty to animals by a police officer in the absence of an ACO or when an ACO is not immediately available.
- G. ACOs have no power to arrest offenders concerning cruelty to animals.

X. BARKING DOG COMPLAINTS

- A. ACOs respond to barking dog complaints during their normal tour of duty.
 1. ACOs maintain a file on barking dogs.
 2. ACOs attempt to identify barking dog cases that are prompted by abuse or neglect and investigate those cases accordingly.
 3. Cases of chronic barking are identified by ACOs, who solicit the support of neighbors, witnesses, and others to properly curb or adjudicate the problem.

- B. When ACOs are not available, complaints of barking dogs not in progress may be referred to the Animal Control Section for later investigation.
- C. In progress complaints of barking dogs must not be deferred. Police officers should be sent to investigate, particularly during nighttime hours.
 - 1. It should be explained to the complainant that the officer can investigate the cause of the barking dog and attempt a warning of the owner. Unlike other noise violations, however, the courts generally require that evidence of the chronic nature of the problem be articulated by a complainant or other witnesses.
 - 2. Officers should make a conscientious effort to locate the barking dog and the owner and determine the cause of barking when possible.
 - 3. If possible abuse or neglect is involved, a case report is written and forwarded to Animal Control for follow up.
 - 4. Officers responding to barking dog complaints should consider time of day, location and history of previous prowlers or criminal activity in the vicinity and conduct their response accordingly.
 - 5. If it becomes necessary to secure warrants for a noise violation, the complaining citizen should be referred to the magistrate.

XI. IMMOBILIZATION PROCEDURES

- A. Occasionally it is necessary to immobilize animals that cannot be captured by routine methods available to ACOs. Since the use of a capture/immobilization gun may result in death to the animal, these procedures must be strictly adhered to.
- B. Immobilizing of animals must not be attempted unless other conventional methods of capture have failed or an emergency exists.
- C. Immobilizing of animals must not be done merely to prevent the escape of an animal that does not pose a threat to public health or safety.
- D. Some examples where immobilizing an animal may be justified are:
 - 1. An animal which is threatening to or is attacking people.
 - 2. An animal which has allegedly bitten a human.
 - 3. An animal which is known to be vicious as defined in City Code Chapter 6-63.
 - 4. An animal which is actively causing severe property damage.

5. An animal which poses an obvious threat to life, limb, or property.
 6. An animal which is suspected to be rabid.
 7. Livestock straying on highways which could cause traffic accidents.
 8. An emergency exists.
- E. In any case where an ACO determines that an animal must be immobilized, he/she must not shoot recklessly, in any place, or under any circumstances where injury to a human may be a reasonable likelihood.
- F. Immobilizing of an animal while the ACO or Police Officer is positioned in a vehicle must not be attempted under any circumstances.
- G. Immobilization guns, projectiles, and drugs are kept in a locked cabinet within the passenger compartment of the Animal Control vehicle.
1. These items are kept clean and serviceable at all times.
 2. The Animal Control supervisor conducts periodic inspections of this equipment.
- H. When animals have been tranquilized by an ACO, the time immediately following the administration of the tranquilizer solution is critical to the animal's survival. The animal should be handled carefully, not subjected to extremes of heat or cold, and carefully observed to determine if it is going into a state of shock.
- I. It is important that after the tranquilizer solution is administered, that an adequate period of time, i.e., one-half hour, elapse to permit the solution to take effect. If possible, ACOs should wait until the animal becomes completely tractable before handling. If an adequate period of time does not elapse and the tranquilizer has not had time to take effect, the animal may struggle violently, pumping adrenaline into its system which will not only make it stronger than normal, but it will double or triple the effect of the tranquilizer on the system of the animal which can then result in death of the animal.
- J. When an ACO shoots an animal with an immobilization gun or, discharges the gun for any reason, they shall, as soon as possible, submit a completed Incident Report and a completed PD-86 Capture Gun Discharge Report to their supervisor.

XII. USE OF FIREARMS

- A. Shooting of animals shall not be employed except in cases where capture, trapping, tranquilizing, immobilizing or other means of eliminating the problem have failed or an emergency situation exists which requires immediate action by the ACO. Only sworn officers are authorized to utilize a firearm.
- B. Shooting of animals shall not be done merely to prevent the escape of the animal. If the animal is wild and has bitten a human and its escape will require that the person bitten undergo a series of inoculations to prevent rabies, shooting of the animal may be justified.
- C. In any case where an officer is justified in shooting an animal, they shall not shoot recklessly or at any place or under any circumstances where injury or death to a human may be a reasonable likelihood. The officer should be aware of where the bullet will end up should the target be missed.

- D. Before shooting the animal, the officer shall make a reasonable effort to ascertain the ownership if the animal is a companion animal. If killing the animal is necessary, the officer shall request permission from the Duty Supervisor, clear the area of spectators, and using the utmost caution, accomplish the task if approved.
- E. When shooting large animals, a well placed bullet ends life humanely. Most wild and domestic animals may be instantly destroyed if shot correctly. Most bullets can pass completely through the animal's head and deflect from other surfaces. Extreme caution must be taken to prevent the chance of ricochets. Place the muzzle of the weapon as close as possible to the vital spot. Since the animal may move its head, be patient and shoot only when properly positioned. Shooting of small animals is less practical, in those cases the shotgun may be a more effective choice.
- F. Shooting of an animal from a vehicle shall not be done under any circumstances.

XIII. IMMOBILIZATION GUN QUALIFICATIONS FOR ANIMAL WARDENS

- A. All ACOs are required to qualify with the immobilization gun.
- B. Firearms qualifications will be held for all ACOs on a semiannual basis. Every ACO is required to attend and satisfactorily complete qualification on a semiannual basis.
- C. Certification concerning qualification shall be inserted in each ACO's training file and shall indicate the date of qualification, qualifying score and complete description of the device on which qualified.

XIV. RABIES CONTROL / WILDLIFE PROCEDURE

- A. Refer to Article IV of Chapter 6 of the Code of the City of Fairfax for rabies control.
- B. It is commonly recognized that of all the wildlife indigenous to this area only five species are generally known to be carriers of the disease of rabies and these species are identified as:
 - 1. Fox
 - 2. Skunk
 - 3. Bat
 - 4. Raccoon
 - 5. Groundhogs.
- C. Complainants may, most particularly on weekends, call for the services of an ACO simply because they have spotted some form of wildlife in their yard and they are concerned about contracting rabies. It should be explained to these complainants that wildlife, like all other living creatures, become sick, injured, or die on a regular basis and unless one of the above species has bitten or had other contact with a human, the possibility of contracting rabies is extremely remote.
- D. If a wildlife complaint is received and an ACO is on duty, the ACO responds and offers necessary assistance. ACOs are responsible for the trapping and statistical tracking of wildlife for rabies control. ACOs are not, however, qualified exterminators and should refer those cases most appropriately handled by a private exterminator, without recommending a specific company.
- E. ACOs should not be recalled to duty to capture wildlife unless the animal presents a danger to humans or domestic animals or has bitten a human or domestic animal and needs to be captured for rabies testing.

F. In any case where a suspected rabid animal had made contact with humans or domestic animals euthanasia is performed using the below described procedure and a lab analysis is conducted to determine the presence of rabies. All other possible rabies carriers are likewise euthanized and a lab analysis is requested.

G. Euthanasia Procedures

1. Unless an emergency, wildlife or other animals are euthanized in the privacy of Town and Country Animal Hospital.
2. Trapped or captured animals scheduled for euthanasia are transported to Town and Country as soon as possible. No such animal is left in a cage or the ACO vehicle for extended periods of time. During normal business hours, the animal may be euthanized by either the ACO or Town and Country staff.
 - a. If performed by the ACO, the amount of letalis and ketaset used is recorded in the outgoing controlled drug log. Whether a rabies test is to be conducted is relayed to the staff at Town and Country and noted in the ACO's report.
 - b. All euthanasia cases require the ACO to properly identify the animal by case number.
 - c. The animal should be placed in the appropriate refrigeration unit. Animals must be refrigerated and not frozen prior to testing. Freezing may kill the virus.
 - d. Animals must not be left after hours without documentation of drugs used or services requested.

XV. DOGS AND CATS / PROPERTY RIGHTS

A. All dogs and cats are deemed personal property and may be the subject of larceny and malicious or unlawful trespass in accordance with Code of Virginia 3.1-796.127.

XVI. TRAPPING OF WILDLIFE

- A. Requests for the loan of police department wildlife traps will be made to the ACOs. It is important that every effort be made to understand the nature of the problems presented and to fully explain to the citizen all of the exclusion options available, prior to the lending of traps.
- B. Traps will not be loaned to citizens unless it can be determined that exclusion methods have been seriously attempted and have not been successful, or exclusion methods are not possible, practical, unduly difficult to apply, or otherwise are inapplicable. Financial hardship may be a factor in a finding that exclusion methods are not possible. Responsibility for evaluation of each request for a trap is the responsibility of the ACO lending the trap.
- C. ACOs will make a conscientious effort to offer information to increase citizen awareness of the ecological role of wildlife and to encourage humane tolerance for wildlife in our community.
- D. Traps may be approved for a seven day or less loan period. It is the responsibility of the citizen requesting a trap to return the trap at the end of the loan period, unless other arrangements are agreed upon.
- E. State game laws prohibit anyone from transporting wildlife without proper licensing. ACOs may do so within the confines of performing their duties. Any wildlife that has been trapped must be transported by an ACO and not the citizen. The ACO may then determine whether the situation provides for the animal to be relocated, euthanized, or turned over to a licensed rehabilitator. If the citizen is trapping to remove an animal from inside

their residence they may release the animal directly outside if they so desire.

- F. If there is any question as to whether the trapped animal has had contact with humans or domestic animals or for any reason it could be suspected that the animal may be carrying the rabies virus it must be transported to Town and Country and euthanized. In the event of possible exposure or at the citizen's request the animal will then be sent for rabies testing.
- G. Instructions for the use of the trap, monitoring advice to protect animals from weather and environmental conditions, along with food and water recommendations, will be given by the ACOs when the loan of a trap is approved.
- H. Accountability for each trap is the responsibility of the ACO. A PD-26A (Property Receipt) will be used to account for each trap.
- I. When wildlife are confined or euthanized, an Incident Report must be filled out to document such and a PD-141 seizure and release form is completed.
- J. If a citizen has requested a trap to remove nuisance cats, it will be the citizen's responsibility to transport the cats to the Fairfax County Animal Shelter.

XVII. DECEASED ANIMALS

- A. Complaints about deceased wildlife in or along the roadway should be referred directly to the Street division. Squirrels and small birds will not be picked up. ACOs do not routinely pick up deceased animals. In most cases the street division should be contacted. (703 385-7980).
- B. Deceased wildlife in a homeowner's yard where there have been no exposures and they do not pose a rabies threat should be bagged, placed on the curb, and the street division notified to pick it up.
- C. ACOs will only respond in the following instances.
 - 1. There has been a possible rabies exposure.
 - 2. A citizen requests rabies testing of a deceased animal in their yard which does not show other obvious signs for it's death. In these cases the ACO will transport the body to Town and Country and arrange for rabies testing.
 - 3. If it is a domestic animal with tags or a dog without tags that does appear to be owned. The ACO will then transport the body to Town and Country and make reasonable efforts to locate/contact an owner. The body should be held following the same guidelines in article VI section F.
 - 4. In some cases dead crows, bluejays, and raptors will be picked up by an ACO for West Nile Virus testing. This is determined on a case by case basis in accordance with the current Fairfax County Health Department guidelines. Whenever these guidelines are in question the health department should be contacted at (703) 246-2300. If no ACO is available, citizens may be referred to this number for further instructions on how the case should be handled.

Colonel Richard J. Rappoport / Chief of Police

Index as: Animal Bite(s)
 Animal Control
 Animal Cruelty
 Animal Impoundment
 Animal Release
 Barking Dog Cases
 Deceased Animals
 Euthanasia
 Humane Capture/Animals
 Immobilization Procedures
 Lost and Found Animals
 Rabies Control
 Trapping Wildlife
 Wildlife