



Animal Control Procedure

Procedure Number: 301P

Responsible Office: Police

Forms: N/A

Effective Date: 09/01/2016

Date Last Reviewed: 02/21/2024

1. Purpose

To protect the College from liability in animal control incidents.

2. Definitions

Direct Physical Control: the owner or other responsible person is physically holding the animal in such a way that it is not likely to escape.

Service Animal: any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other Mental disability. (On a limited case-by-case basis, a miniature horse that has been similarly individually trained may also qualify as a service animal.) This includes an animal that is in training to become a service animal. The work or tasks performed by a service animal must be directly related to the individual's disability. Tasks may include, but are not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to sounds, pulling a wheelchair, retrieving dropped items, turning off/on switches, assisting during a seizure, or providing physical support and assistance with balance and stability.

3. Procedure

a. General Provisions

i. Animals are prohibited:

1. In any College owned or controlled facility.
2. At any public gathering held on College owned or controlled property including, but not limited to, sporting events, outdoor concerts, demonstrations, exhibits, or fairs.
3. On any College owned or controlled athletic field.

ii. Animals may not be tethered and left unattended.

iii. Animals should not be left in closed vehicles on campus.

- iv. Horses shall not be ridden on any College owned or controlled property that is developed or landscaped.
- b. Exceptions to this Policy
 - i. This policy does not apply to service animals as defined by federal and state statutes and regulations.
 - ii. Emotional Support Animals
 - 1. Emotional support animals that are leashed, caged or being held under the control of a handler or owner are permitted in outdoor areas on NOVA's campuses and around NOVA's facilities.
 - 2. Emotional support animals are not permitted inside of NOVA's buildings and facilities except where the animal has been approved as a reasonable accommodation for a disability in accord with standard procedures for requesting such accommodations.
 - iii. This policy does not apply to animals used by law enforcement or emergency personnel in the exercise of their official duties.
 - iv. This policy does not apply to animals that have been authorized for use in academic programs, teaching or research, or approved student activities.
- c. Responsibilities of Handler or Owner
 - i. When animals are permitted, the animal must be under direct control of the handler or owner at all times. The handler or owner is responsible for promptly cleaning up any animal waste.
- d. Licensing and Vaccination Requirements
 - i. Any animal permitted on campus must be licensed and/or vaccinated as required by state or local laws.
- e. Unsupervised Animals
 - i. Any unsupervised or uncontrolled animal on college property may be trapped or otherwise restrained by NVCC employees, Facilities Services personnel, College Police or their designee. Unless the owner can be quickly identified, an animal that is trapped as the result of being unsupervised or uncontrolled will be turned over to the local animal control authorities.
 - ii. Staff who discover animals (domestic or wildlife) in buildings or classrooms should contact Facilities Services for assistance if the animal cannot be safely apprehended.
- f. Sick, Diseased, or Dangerous Animals
 - i. Any dog or cat, for which no proof of current rabies vaccination is available, which has

bitten a person on College owned or controlled property and is subsequently trapped shall be turned over to the local animal control authorities.

g. Fraudulent Representation of a Service Dog

- i. Fraudulent representation of a service dog is a Class 4 misdemeanor in Virginia. In the event that an individual is discovered knowingly and willfully misrepresenting that a dog is a service dog or hearing dog, the College may pursue legal actions and other administrative sanctions.

h. Violations

- i. Local county ordinances, as well as state and federal regulations, will be followed in regards to animal control and enforcement.
- ii. Any animal discovered on College owned or controlled property in violation of this policy may be impounded and turned over to the appropriate local animal control authority. Any law-enforcement officer may request assistance from local animal control to lawfully seize and impound any animal that has been abandoned on College owned or controlled property, has been cruelly treated, or is suffering to a degree that has rendered the animal in such a condition as to constitute a direct and immediate threat to its life, safety or health.
- iii. College Police may forcibly enter a motor vehicle in order to remove an unattended companion animal that is at risk of serious bodily injury or death.