LIVESTOCK OR FOWL CLAIM

Note: The law requires that all claims for damage to livestock and fowls be presented within 60 days from sustaining such damage.

Christiansburg, VA
Date: 5/4/16

TO THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY:

I hereby certify that on the 4th day of May, 2016 a dog or dogs entered my premises and (1) injured, (2) killed, (3) destroyed, (4) carried away (strike out such of the foregoing that does not apply) the following poultry and livestock:

_____ sheep, assessed valuation each $_____ Total $_____

_____ lambs, fair value each $_____ Total $ _____

_____ turkeys, weight (total) _____ lbs.
fair value per pound _____¢ Total $ _____

10 chickens, weight (total) 55 lbs.
fair value per pound _____¢ Total $ _____

_____ _____ weight _____ lbs., or assessed
or fair value $_____ Total $ _____

GRAND TOTAL: $_____

Looking on line for young hens can't replace under $20 ea. Range $20-35 depending on seller.

Plus loss of average 8 eggs per day.

Note: Underline the correct statement below:

I further certify that the owner or owners of the dog or dogs that did the damage is No tags - couldn't catch. Officer Ogle

I do not know the owner or owners of the dog or dogs that did this damage.

India Averette (India Averette)
(Signature)

2100 Wetherburn Rd
Christiansburg, VA 24073
(Address& Phone) 540-616-6289

I, the undersigned, do hereby certify that I know to my personal knowledge, or by careful investigation, that the above stock or fowls were killed by dogs.

M Ogle Unit 82
(Animal Control)

Subscribed and sworn to before me this 23rd day of May, 2016

Susan Caldwell
Notary Public or other person authorized to administer an oath

Title: Notary Public

My Commission expires: 5-31-19

SUSAN C. CALDWELL
NOTARY PUBLIC
REG. #336312
MY COMMISSION EXPIRES 5-31-19
COMMONWEALTH OF VIRGINIA

MONTGOMERY COUNTY ANIMAL CONTROL
INCIDENT REPORT

LOCATION OF INCIDENT: 2100 WETHERBURN ROAD CHRISTIANSBURG VA

DATE/TIME OF INCIDENT: 5/04/2016 AT 12:50 PM

TYPE OF INCIDENT: DOG KILLING POULTRY

DATE RECEIVED: 5-4-2016 TIME RECEIVED: 1:00PM

COMPLANITANT/VICTIM'S NAME: CHARLES AVERETTE

ADDRESS: 2100 WEATHERBURN ROAD

CITY: CHRISTIANSBURG

STATE: VA ZIP CODE: 24073

HOME PHONE: 540-616-6289 WORK PHONE:

SEX: M RACE: W D.O.B.

S.S.N.: T23892955 TESTIFY(Y OR N):

ANIMAL: DOG BREED: SHEPHERD MIX

SEX: N/A COLOR: MEDIUM BROWN

TAG NUMBER:

NAME:

ADDITIONAL INFORMATION:

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MONTGOMERY COUNTY ANIMAL CONTROL
INCIDENT REPORT

NAME OF OWNER: UNKNOWN

ADDRESS: _____

CITY: _____ STATE: _____

ZIP CODE: _____

HOME PHONE: _____ WORK PHONE: _____

SEX: _____ RACE: _____ D.O.B. _____

S.S.N.: _____

CHARGES PLACED (Y OR N): _____ CHARGES: _____

COURT DATE: _____ TIME: _____

CASE IS?(Y OR N): PENDING: _____ INACTIVE: _____ ACTIVE: _____

OFFICER'S SIGNATURE: [signature]

BADGE NUMBER: MAC82

SUPERVISOR SIGNATURE: Ray Helmick

OTHER OFFICERS INVOLVED: _____

DEPARTMENTS ASSISTING: _____

ATTACHMENTS: _____ NO. OF PAGES: _____

OFFICER'S NARRATIVE: Received call on May 04,2016 at aprox. 1:00pm from dispatch stating that a dog had killed some chickens at 2100 Wetherburn Road. I responded and when I arrived, I saw several chickens and feathers laying in the chicken pen. I talked to India Averette, the owner, and she stated that she and her husband came home and found a medium sized brown short hair dog in with her chickens in the act of killing them. Her husband had left in search of the dog. I also went in the direction the dog went and searched for it but was unable to find. I came back to residence and took pictures of the dead chickens. There were 9 already dead and 2 injured. I had to euthanize one and the owners were not sure if the other one would make it. That made a total of 10 dead and 1 injuried.

Sec. 3-31. - Compensation for livestock and poultry killed by dogs.

(a) Any person who has any livestock or poultry killed or injured by any dog not his own shall be entitled to receive as compensation from the governing body of the county the fair market value of such livestock or poultry, not to exceed four hundred dollars ($400.00) per animal or ten dollars ($10.00) per fowl. Nothing in this section shall be construed as limiting the common law liability of an owner of a dog for damages committed by it.

(b) No payment by the county shall be made under this section until:

(1) The claimant has furnished evidence under oath to the board within sixty (60) days of discovery of the quantity and value of the dead or injured livestock or poultry and the reasons the claimant believes that death or injury was caused by a dog;

(2) The claimant has exhausted his or her remedies against the owner, if known, of the dog doing the damage for which compensation under this section is sought, and the claimant shall submit to the governing body evidence that he or she has exhausted his or her legal remedies against the owner of the dog, if such owner is known; and

(3) The owner of such livestock or poultry has notified the animal control officer for the county of his or her intention to make a claim under this section and shall have afforded the animal control officer an opportunity to view such livestock or poultry within seventy-two (72) hours of the discovery by the owner of the death of, or injury to, such livestock or poultry, and such animal control officer certifies to the governing body that he or she found physical evidence upon the livestock or poultry showing that one (1) or more dogs caused such injury or death.

Exhaustion shall mean a judgment against the owner of the dog upon which an execution has been returned unsatisfied.

(c) Upon payment under this section the board shall be subrogated to the extent of compensation paid to the right of action to the owner of the livestock or poultry against the owner of the dog and may enforce the same in an appropriate action at law.

(Code 1975, § 4-14; Ord. No. 1998-23, 10-13-98)

State Law reference— Compensation for livestock and poultry killed by dogs, Code of Virginia, § 3.1-796.118.