



CITY OF CHARLESTON WEST VIRGINIA



COUNCIL MEMBER – WARD 20

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Ordinance and Rules Committee, Chair
Parks and Recreation Committee
Finance Committee
Parking Facilities Committee

A meeting of the Council Committee on Ordinance & Rules will be held on Monday, August 3, 2026
at 5:00 PM. **To be held in person**
AV ROOM #308, CITY HALL

Agenda

APPROVAL OF PREVIOUS MINUTES

1. 7-6-2026

BILLS

1. Bill No. 8083– A BILL to amend the Municipal Code relating to the responsibility of animal owners to remove animal excrement left by their animal from public and other property, and the penalties and fines therefore.

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MINUTES

ORDINANCE AND RULES COMMITTEE MEETING

6:00 P. M., JULY 6, 2026

THE MEETING WAS HELD IN PERSON IN THE AV ROOM #308 IN CITY HALL.

Chad Robinson, Chairperson, called the meeting of the Charleston City Council Committee on Ordinance and Rules to order at 6:00 p.m., July 6, 2026.

Committee Members Present:

Chad Robinson, Chair
Patrick Salango, Vice Chair
Frank Annie
Becky Ceperley
Joseph Jenkins
Emmett Pepper
Harper Gardner

Absent:

Other Councilmembers Present:

Mary Beth Hoover
Shawn Taylor

1. Approval of Previous Minutes –

Councilmember Annie motioned to approve the previous minutes from 2-17-2026. Councilmember Gardner seconded the motion. With those being present having voted unanimously in the affirmative, the Chair declared the minutes as approved as amended.

2. Bill No. 8077– A BILL to amend the Municipal Code relating to procedures applicable to caring for and/or impounding animals subject to poisoning or animal cruelty, and the penalties and fines.

City Attorney Joe Baldwin stated that the intent of the bill is to meet the needs of the Kanawha Charleston Humane Association. Currently when an individual is charged with animal cruelty, that animal is impounded for a significant time. The bill proposes that a forfeiture clause is enacted if individual fails to appear in court. The animal will be able to be treated and put up for adoption instead of being in holding for multiple months. The penalties have also been increased.

Councilmember Jenkins confirmed with Baldwin that violations listed in 10-2, 10-3 and 10-4 are related to cruelty to animals: poisoning, cruelty and tethering. Most people surrender their animal when found guilty. Councilmember Jenkins confirmed that a guilty plea or verdict would result in the surrender of the animal unless the judge allows it as part of the plea bargain.

Councilmember Pepper confirmed that a person will be charged, the animal will be impounded until the results of the case. If the case is dismissed, the person has 5 days from the dismissal to collect the animal. If the person fails to appear for any of their court dates, the animal is legally available for adoption after 7 days from the missed date.

From the audience, Councilmember Taylor added that the bill contains possible loopholes. If the case is dismissed, a person could claim that they shouldn't have to pay for expenses from their animal being taken. Additionally, if the animal is surrendered, likely from a guilty verdict, what is to stop that person from adopting that dog back from the shelter.

From the audience, Councilmember Steelhammer added that a Humane Officer brought this issue to her attention. The Humane Association tracks who are charged for animal abuse etc. in their system. Councilmember Talyor suggested that the bill should have some sort of required reporting to the Humane Association.

Councilmember Jenkins added that he had issues with Section E. If an animal is taken due to suspicion of cruelty (if their animal had been stolen and abused for example) and the person is found not guilty, that person is still responsible for paying for any vet bills that arise from that. If they can't pay the bills, they must forfeit the animal.

Councilmember Salango suggest that "must" be changed to "shall" or "may."

Councilmember Annie motioned to approve the bill. Councilmember Ceperley seconded the motion. With those being present having voted unanimously in the affirmative, Chair Robinson declared Bill No. 8077 as approved.

3. Bill No. 8078 Committee Substitute– A BILL to amend the Municipal Code relating to the prohibition against aggressive dogs at large, to add a charge for subsequent offenses, and the penalties and fines, and to set procedures to automatically trigger the Dangerous Dogs provisions.

Baldwin stated that the fines have been increased. Upon subsequent offenses, the Judge will obtain a dangerous dog review. The dog will be impounded if it is caught loose etc. if its owner has already been served with a dangerous dog charge.

Councilmember Jenkins confirmed with Baldwin that the dog is not taken from the person for the first charge.

Councilmember Taylor confirmed with Baldwin that the dog would have to be aggressive away from the owner's property (which wouldn't likely include attacks on delivery drivers).

Councilmember Steelhammer added that the bill is meant to address dogs that attack animals and people.

Councilmember Jenkins stated that the fines seem disproportionately small compared to other related fines. Councilmember Robinson added that the fines could be consistent with the first offense.

Councilmember Annie motioned to approve the bill. Councilmember Ceperley seconded the motion. With those being present having voted unanimously in the affirmative, Chair Robinson declared Bill No. 8078 Committee Substitute as approved.

4. Bill No. 8081– A BILL to amend the Municipal Code and enact a new section relating to creation of the Trespass Enforcement Authorization Program.

Baldwin stated that the bill will allow people to register their property with Police that their property is not subject to occupancy by anyone other than the owner(s). It allows for notice through the Trespass Notification Program. Baldwin added that this has been modeled in other cities.

Councilmember Jenkins added that it would be a problem and hassle for someone to sign that affidavit and then hire a person to mow their lawn, for example. Baldwin added that they can identify other individuals other than the homeowners who are allowed on the property.

Councilmember Pepper confirmed with Baldwin that larger cities like Daytona Beach have similar laws, but none in West Virginia.

Councilmember Ceperley added that a lot of citizens are concerned about this issue and supported giving the Police a tool to help with this.

Councilmember Annie motioned to approve the bill. Councilmember Gardner seconded the motion. With those being present having voted in the majority as affirmative, with 1 recognized nay from Jenkins, Chair Robinson declared Bill No. 8081 as approved.

Councilmember Annie motioned to adjourn the meeting. Meeting adjourned.

Bill No. 8083

Introduced in Council:

June 15, 2026

Adopted by Council:

Introduced by:

Frank Annie Chad Robinson
Harper Gardner

Referred to:

Ordinance & Rules

Bill No. 8083 - A BILL to amend and reenact Section 10-7 of the Municipal Code of the City of Charleston, as amended, relating to the responsibility of animal owners to remove animal excrement left by their animal from public and other property, and the penalties and fines therefore.

Now, therefore, be it ordained by the Council of the City of Charleston:

That Article I of Chapter 10, specifically, Section 10-7 of the Municipal Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

Sec. 10-7. - Animal owner responsibility for removal of animal excrement; fines.

(a) Duty to remove excrement. It shall be unlawful for any person to appear with an animal upon the public right-of-way, within public places or upon the property of another, absent that person's consent, without some means for removal of excrement that may be deposited by the animal.

(b) Immediate removal required. It shall be unlawful for any person who is an owner, keeper, or possessor of an animal, or who has an animal in his or her care, to fail to promptly remove and properly dispose of any fecal excrement deposited by the animal upon any public or private property, other than the property of the owner of the animal's owner.

~~(c) The provisions of this section shall not apply to persons who have a physical disability or visual impairment, are using service dogs, and can provide upon demand by an humane officer or police officer adequate documentation that the service dog is an animal trained by an accredited institution which trains dogs for service work for the physically disabled or visually impaired.~~

~~(dc) Penalty. Violation of this section shall be punished as follows, and the municipal court judge shall have no authority to suspend the fine or any portion thereof:~~

~~(1) First offense: ~~by a~~ for a first offense, a fine of not less than ~~\$10.00~~50.00, nor more than ~~\$25.00~~100.00, plus applicable court costs. ~~The municipal court Judge shall have no authority to suspend the fine or any portion thereof.~~~~

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37 (2) Second offense within 12 months: for a second offense within 12 months of a
38 conviction for a prior first offense, a fine of not less than \$100.00 nor more than
39 \$150.00, plus applicable court costs.

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41 (3) Third and subsequent offenses within 12 months: for any third or subsequent
42 offenses within a 12-month period of a conviction for a prior second or subsequent
43 offense, a fine of not less than \$250.00, plus applicable court costs; in addition, the
44 municipal court judge may order not less than 4 hours of community service related to
45 [neighborhood](#) or park clean-up in the City of Charleston.