

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2006 Legislative Session

Legislative Day # 4

BILL NO. 2006-06

Introduced by: Charles County Commissioners

CHARLES COUNTY ANIMAL REGULATIONS

Date introduced: 03 / 20 / 06

Public Hearing: 04 / 11 / 06 @ 2:00 p.m.

Commissioners Action: 06 / 19 / 06 Adopt

Commissioner Votes: WC: Y, RF: Y, AS: Y, EP: Y, CQK: Y

Pass/Fail: Pass

Effective Date: 08 / 04 / 06

Remarks: Follow-up work session 6/19/06

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law.

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2006 Legislative Session

Bill No. 2006-06

Chapter. No. 230

Introduced by Charles County Commissioners

Date of Introduction 03/20/06

BILL

1 AN ACT concerning

2 **Charles County Animal Regulations**

3
4 FOR the purpose of

5 adding new provisions and clarifying or modifying existing provisions of the Charles
6 County Animal Regulations.

7
8 BY repealing and reenacting, with amendments:

9
10 Chapter 230 – Dogs and Other Animals
11 Article I
12 *Code of Charles County, Maryland*
13 (1994 Edition, 2005 Supplement)

14
15 **SECTION 1.** BE IT ENACTED BY THE COUNTY COMMISSIONERS OF
16 CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as
17 follows:

18
19 **§ 230-1. Statement of Purpose.**

1 These Animal Regulations are hereby established by the County Commissioners of Charles
2 County, Maryland to provide for the safety of the public, the humane care and treatment of
3 animals and to encourage responsible pet ownership.
4

5 **§ 230-2. Definitions.**

6 As used in these Regulations the following terms are defined below:
7

8 ADULT ANIMAL – Any animal four months of age or older.
9

10 AIR, PROPER – Enclosed areas must be constructed or modified to allow free flow of
11 air to control temperature, humidity and prevent air stagnation.
12

13 ANIMAL – Every non-human species of animal both domestic and wild including but
14 not limited to dogs, cats, livestock and fowl.
15

16 ANIMAL AT LARGE – Any animal off the premises of the owner, and not under the
17 restraint of a person capable of controlling the animal.
18

19 ANIMAL CONTROL – Charles County Animal Control shall include but not be limited
20 to any individual designated by the County Commissioners to enforce these regulations
21 and the State Code.
22

23 ANIMAL CONTROL OFFICER – Any Animal Control Officer employed by Charles
24 County Commissioners to enforce these regulations and the State Code. (Also referred
25 to as an “ACO”).
26

27 ANIMAL EXPOSED TO RABIES – Any animal which has been bitten by an animal
28 which either has rabies or has been in proximity to or contact with an animal that has
29 rabies, or any animal which has not been bitten but which has been in proximity to or in

1 contact with or has otherwise been exposed for any period of time to an animal which
2 has rabies. The determination whether an animal is infected with rabies shall be made
3 by the Health Officer for Charles County and the Maryland Department of Health and
4 Mental Hygiene.

5
6 ANIMAL SHELTER – Any facility operated by a municipal agency or its agents, for the
7 purpose of impounding animals under the authority of these regulations or State Code
8 for care, confinement, return to owner, adoption or euthanasia.

9
10 ANIMAL/VETERINARY HOSPITAL – Any establishment maintained or operated by a
11 licensed veterinarian for the immunization, hospitalization, surgery or diagnosis,
12 prevention and treatment of diseases and injuries of animals.

13
14 AUCTION – Any place or facility where animals are regularly bought, sold, or traded,
15 except for those facilities otherwise defined in these regulations.

16
17 BOARD – The Animal Matters Hearing Board established pursuant to these
18 Regulations.

19
20 CAGE – Any enclosure of limited space, enclosed on the bottom, top and all sides by a
21 wall or otherwise, in which animals are placed for any purpose, including confinement or
22 display.

23
24 CIRCUS – A commercial variety show featuring animal acts for public entertainment.

25
26 COMMERCIAL ANIMAL ESTABLISHMENT – Any person, partnership or
27 corporation or other legal entity that has as a purpose the sale, transfer, or conveyance of
28 any animal/animal services for money. Shall include but not be limited to any pet shop,
29 grooming shop, auction, zoological park, circus, performing animal exhibition, boarding

1 or breeding [kennel/cattery] FACILITY or any establishment with the purpose of
2 training, leasing, or selling guard dogs. Shall not include animal hospitals, animal
3 shelters or humane societies.

4
5 COMMERCIAL BOARDING [KENNEL/CATTERY] FACILITY – Any establishment
6 for the commercial boarding, grooming, sale or training of [dogs/cats] ANIMALS for
7 which a fee is charged; provided that any animal hospital maintained by a licensed
8 veterinarian as part of the practice of veterinary medicine for the treatment of animals
9 shall not be considered a “Commercial [Kennel/Cattery] FACILITY”. SHALL NOT
10 INCLUDE LIVESTOCK, POULTRY AND OTHER FARM ANIMALS USED IN
11 CUSTOMARY AND NORMAL AGRICULTURAL HUSBANDRY PRACTICES.

12
13 COMMERCIAL BREEDING [KENNEL/CATTERY] FACILITY – Any person,
14 partnership or corporation or other legal entity that owns, keeps, harbors or is custodian
15 of four or more unneutered male animals or four or more unspayed female animals or
16 four or more of any combination of unneutered male, unspayed female animals kept or
17 used for stud for which a fee is charged and/or for breeding for which a fee is charged for
18 the offspring; shall not include livestock, POULTRY and other farm animals used in
19 customary and normal agricultural husbandry practices.

20
21 CRUELTY – As defined in § 230-8.

22
23 CUSTODIAN – Any person, partnership or corporation having or taking temporary
24 responsibility of any animal as caretaker or otherwise.

25
26 DANGEROUS ANIMAL – As defined under § 230-12.5.

27
28 DOMESTIC ANIMAL – Any animal kept for pleasure rather than utility; an animal of a
29 species that has been bred and raised to live in or about the habitation of humans and is

1 dependent on people for food and shelter. DOMESTIC ANIMALS INCLUDE BUT
2 ARE NOT LIMITED TO FARM ANIMALS AND PETS SUCH AS DOGS, CATS,
3 RABBITS, GUINEA PIGS, HAMSTERS, AND OTHER SMALL RODENTS,
4 EUROPEAN FERRETS AND HEDGEHOGS, NONPOISONOUS REPTILES, AND
5 AMPHIBIANS, PARAKEETS, COCKATIELS AND OTHER COMMERCIALY
6 RAISED BIRDS.

7
8 GROOMING SHOP – A commercial establishment where animals are bathed, clipped,
9 plucked or otherwise groomed.

10
11 GUARD DOG – Any dog that is trained specifically and/or used to protect private
12 property or [a secured area] FOR PERSONAL PROTECTION.

13
14 GUARD DOG TRAINING CENTER - ANY ESTABLISHMENT THAT TRAINS
15 AND/OR BROKERS AND/OR SELLS DOGS TO BE USED TO PROTECT
16 PUBLIC/PRIVATE PROPERTY OR FOR PERSONAL PROTECTION.

17
18 HUMANE SOCIETY – A non-profit organization dedicated to the rescue, rehabilitation
19 and adoption of injured and ailing pets and to the humane education of both adults and
20 children.

21
22 IMPOUND – Any animal in the custody of animal control or its agents.

23
24 LIVESTOCK - CATTLE, EQUINES, GOATS, SHEEP OR SWINE UNLESS
25 OTHERWISE PROVIDED.

26
27 OWNER – Any person, partnership or corporation owning, keeping or harboring one or
28 more animals. An animal shall be deemed to be harbored if it is fed or sheltered for
29 three consecutive days or more.

1 PERFORMING ANIMAL EXHIBITION – Any spectacle, display, act or event, other
2 than circuses, in which performing animals are used.

3
4 PET SHOP – Any person, partnership or corporation, whether operated separately or in
5 connection with another business enterprise, that buys or brokers any species of animal
6 for SALE OR resale [for] AS pets.

7
8 PETTING ZOO – Any activity or facility where a fee is charged, whose purpose is to
9 permit persons to come into physical contact with animals maintained within or upon
10 such establishment, activity or facility.

11
12 POTENTIALLY DANGEROUS ANIMAL – AS DEFINED UNDER § 230-12.5.

13
14 PUBLIC NUISANCE – As defined under § 230-12.4.

15
16 RABIES VACCINATION – An anti-rabies vaccination using a vaccine type approved
17 by the Maryland State Department of Health and Mental Hygiene or the Maryland Public
18 Health Veterinarian.

19
20 RESTRAINT – Any animal humanely secured by a leash or lead and/or under the
21 control of a responsible person and obedient to that person’s commands.

22
23 SANITARY – A condition of good order and cleanliness which minimizes the
24 probability of transmission of disease.

25
26 SPACE, PROPER – Space available to the animal must be usable and safe (e.g. must be
27 provided an area free from standing water, accumulated waste, sharp objects and debris
28 and maintained in a safe and healthful manner). Space must be appropriate and
29 sufficient for the age, breed/type, quantity, condition and size of the animal(s).

1 STATE CODE – Any and all animal laws of the Annotated Code for the State of
2 Maryland.

3
4 VICIOUS ANIMAL – As defined under § 230-12.5.

5
6 WILD ANIMAL – ~~{As defined in State and Federal Code.} AN ANIMAL WHICH IS
7 NOT DEFINED AS A DOMESTIC ANIMAL AND IS INCAPABLE OF BEING
8 COMPLETELY DOMESTICATED OR TAMED. AN ANIMAL WHICH IN ITS
9 NATURAL STATE IS WILD, DANGEROUS OR FEROCIOUS AND THOUGH IT
10 MAY BE TRAINED AND HABITUATED BY THE OWNER WILL REMAIN
11 DANGEROUS TO THE PUBLIC AT LARGE. ANY HYBRID OR CROSSBRED
12 ANIMAL, WHICH IS PART EXOTIC OR WILD.~~

13
14 WOLF HYBRID – ANY ANIMAL THAT IS ADVERTISED, REGISTERED,
15 LICENSED, OR OTHERWISE DESCRIBED OR REPRESENTED AS A WOLF
16 HYBRID BY ITS OWNER OR ANY ANIMAL EXHIBITING PRIMARY PHYSICAL
17 AND BEHAVIORAL WOLF CHARACTERISTICS.

18
19 ZOOLOGICAL PARK – Any facility operated by a person, partnership, corporation or
20 government agency, other than a pet shop or kennel, displaying or exhibiting one or
21 more species of nondomesticated animals.

22
23 **§ 230-3. Duties of all animal owners to be responsible owners.**

- 24 A. It shall be the duty of every owner of any animal, or anyone having any animal in
25 his possession or custody, to exercise reasonable care and to take all necessary
26 steps and precautions to protect other people, property and animals from injuries
27 or damage which might result from their animals' behavior, regardless of
28 whether such behavior is motivated by mischievousness, playfulness or ferocity.

1 B. In the event that the owner or keeper of any animal is a minor, the parent or
2 guardian of such minor shall be responsible to ensure that all provisions of these
3 regulations and the State Code are complied with.

4
5 C. No animal may be sold or given to a minor without the written consent of the
6 parent or legal guardian.

7
8 **§ 230-4. Animal Matters Hearing Board.**

9 A. Membership; rules; support.

10 (1) There is hereby created an Animal Matters Hearing Board which
11 shall consist of not more than nine members to be appointed by
12 the County Commissioners. The Board shall consist of not less
13 than four citizens at large and one representative each from the
14 following agencies and professions:

15 (a) Charles County Office of the Sheriff

16 (b) Charles County Humane Society

17 (c) A veterinarian licensed to practice in Charles County

18 (2) The members shall all be Charles County citizens.

19 (3) The term of appointment is for four years. Any person appointed
20 to fill a vacancy created by resignation or otherwise shall be
21 appointed only to fulfill the unexpired term of the member who
22 has vacated the position. OF THE MEMBERS FIRST
23 APPOINTED, TWO MUST BE APPOINTED FOR 1-YEAR
24 TERMS, TWO MUST BE APPOINTED FOR 2-YEAR TERMS,
25 TWO MUST BE APPOINTED FOR 3-YEAR TERMS, AND
26 ONE MUST BE APPOINTED FOR A 4-YEAR TERM.

27 Additional appointments shall be at the pleasure of the County
28 Commissioners in accordance with applicable laws.

29 (4) The members of the Board shall serve without compensation.

- 1 (5) Board members shall abide by the Charles County Code of Ethics.
- 2 (6) The Chairman and Vice Chairman shall be appointed by the
- 3 County Commissioners of Charles County, Maryland.
- 4 (7) A quorum shall consist of a majority of the appointed members.
- 5 (8) To the extent provided by the approved fiscal year budget, the
- 6 County Commissioners of Charles County, Maryland shall
- 7 provide for the Board such office space, supplies and equipment
- 8 as may be required by the Board.
- 9 (9) To the extent provided by the approved fiscal year budget the
- 10 County Attorney's Office shall provide support personnel as may
- 11 be required by the Board.
- 12 (10) The Board shall use Roberts Rules of Order as a guide to conduct
- 13 any and all public hearings.

14

15 B. Powers and/or duties of the Animal Matters Hearing Board.

- 16 (1) The Board shall meet twice monthly or at the discretion of the
- 17 Chairman to fulfill the duties and responsibilities of the Board.
- 18 (2) The Board shall submit an annual report to the County
- 19 Commissioners concerning its responsibility hereunder.
- 20 (3) The Board shall recommend to the County Commissioners
- 21 changes in the law regarding the control of animals in Charles
- 22 County.
- 23 (4) The Chairman shall notify the County Commissioners if a Board
- 24 member misses three regularly scheduled meetings annually; this
- 25 member may then be replaced at the discretion of the County
- 26 Commissioners.
- 27 (5) Upon a written complaint or a request from a person receiving a
- 28 violation notice, the Board shall conduct a public hearing after due
- 29 notice to determine whether violations of these regulations have

1 occurred and whether a person subject to an order of the Board
2 has complied with that order.

3 (6) At the close of all evidence in a case, if the Board finds that a
4 violation of the Charles County Animal Regulations occurred, it
5 may levy fines as provided in § 230-12.9. The Board may reduce
6 or increase any fine imposed to an amount that the Board
7 considers appropriate in accordance with §§ 230-4 and 230-12.9
8 of these regulations. If the Board finds that a violation did not
9 occur, it shall dismiss the charges.

10 (7) The Board shall have the power to issue subpoenas for the
11 attendance of any witness(es) and the production of document(s)
12 at a hearing of the Board.

13 (8) Upon determination after notice and hearing that violations of
14 these regulations have occurred and that a public nuisance animal
15 or condition exists, require the payment of penalties and the
16 taking of other affirmative action to abate.

17 (9) Any animal that has been determined by the Board to be a public
18 nuisance and/or vicious and or/dangerous that is impounded for a
19 repeat violation of the same charge may be held, at the Board's
20 request, at the Sheltering Facility until the case can be heard by
21 the Board.

22 (10) A complaint under these regulations shall be filed within one year
23 and one day from the date of the alleged violation.

24
25 C. Hearing procedures: Findings and Orders. The Board shall conduct
26 public hearings when:

27 (1) A written complaint that a person has violated or permitted his
28 animal to violate the provisions of these Regulations is filed with
29 the Board. The complaint must be specific, particularly with

1 regard to identification of animals and dates and locations of
2 particular incidents.

- 3 (2) A written complaint that a person has failed to comply with an
4 outstanding order of the Board is filed with the Board.
- 5 (3) A person who has been served with a citation failed to pay the fine
6 before the required date; or
- 7 (4) An Animal Control Officer signs a written complaint.

8
9 D. The Board shall give notice in writing to the defendant of a complaint by
10 either personal delivery, or by certified mail, restricted delivery, return
11 receipt requested. Said notice shall be received by the defendant at least
12 14 days prior to the public hearing regarding the alleged violation.

13
14 E. At the close of all of the evidence, the Board shall deliberate and
15 within 14 days, the Board shall issue its written decision and order. The
16 order shall contain findings of fact and conclusions of law. If the Board
17 finds that a violation did not occur, it shall dismiss the complaint or
18 citation. In addition to imposing penalties, the Board may require
19 appropriate affirmative action, including, but not limited to:

- 20 (1) The mandatory restriction or confinement of the animal under
21 such conditions as the Board may require in its discretion.
- 22 (2) The mandatory disposition of the animal as the Board may direct
23 in its discretion.
- 24 (3) The correction of conditions or methods of animal care, keeping,
25 maintenance, housing or veterinary treatment, as the Board may
26 determine in its discretion; all costs associated with the Board's
27 recommendation shall be the responsibility of the owner.
- 28 (4) Ordering the owner/custodian of an animal, after having found
29 them in violation of these regulations or the State Code, to make

1 restitution of expenses incurred for board, veterinary care, etc. to
2 Charles County Department of Animal Control Services.

3
4 F. All decisions of the Board authorized under these regulations shall be
5 final and subject to review only by the Circuit Court for Charles County
6 upon a timely appeal filed pursuant to the Maryland Rules of Procedure
7 by any party aggrieved by a decision within the time prescribed for
8 appeals from administrative agencies by such rules of procedure.

9
10 G. Orientation for the Board. At the beginning of each year, the assigned
11 County Attorney will conduct a briefing for the Board. (The serious
12 consequences for all concerned makes it imperative that the hearing be
13 conducted properly and with fairness to all parties. Not only should the
14 members of the Board, and in particular the Chairman, know and follow
15 the adopted rules of administrative procedure, but the Board should be
16 educated in the principles and practice of due process, including but not
17 limited to, how to examine and weigh evidence and testimony. The
18 briefing proposed above would serve as an orientation for new members
19 and a “refresher” for incumbents).

20
21 **§ 230-5. Chief of Animal Control Services.**

22 A. The Chief shall ensure the enforcement of the provisions of these
23 regulations, including but not limited to public safety, public nuisance,
24 prevention, cruelty to animals and minimum standards for animal care.
25 The Chief shall implement and maintain the following:

26 (1) A program of regular patrols and response to citizen complaints
27 for the purpose of enforcing these regulations and the State Code
28 regarding animals.

29 (2) A program inspection of all animal establishments required to

1 have a special permit under the provision of these regulations.

- 2 (3) A program to maintain accurate records of licenses,
3 impoundments, dispositions and enforcement actions and animal
4 bites.
- 5 (4) Provision of twenty-four-hour, seven-day-a-week animal
6 emergency service to the extent provided by the current approved
7 fiscal year budget.
- 8 (5) Public information programs on these regulations, adoption, spay
9 and neuter, health care, and other programs as needed.

10
11 B. The Chief shall serve as an advisor to the Animal Matters Hearing Board.

12
13 C. The Chief shall carry out the orders resulting from the hearings of the
14 Animal Matters Hearing Board.

15
16 **§ 230-6. Animal Control Officer.**

17 A. Any Animal Control Officer employed by the County Commissioners of
18 Charles County, Maryland, shall exercise that authority necessary to
19 enforce the provisions of these regulations and the State Code. Animal
20 Control Officers are specifically authorized and empowered by these
21 regulations, without limitation, to:

- 22 (1) Humanely impound any animal which has been observed by an
23 Animal Control Officer to be kept in violation of those
24 Regulations or the State Code;
- 25 (2) Make a prompt and reasonable effort to locate and notify the
26 owner or custodian of an impounded animal, including
27 coordinating with the shelter staff;
- 28 (3) Issue notices of violations to the owner or custodian of an animal
29 when it has been observed by an Animal Control Officer to be in

1 violation of these regulations or the State Code.

2 (4) Shall promptly respond to administer emergency assistance, first
3 aid and/or qualified medical assistance to injured or diseased stray
4 animals which come into the custody of the County, without the
5 consent of the owner or custodian of such animal. For this
6 purpose, neither the officer administering such assistance, Charles
7 County nor any of its employees or agents shall be liable for acts
8 committed or omitted while rendering such assistance unless such
9 act or omission constitutes gross negligence or malice.

10 (5) To investigate animal bites and make recommendations to the
11 Animal Matters Hearing Board and/or Health Department
12 pursuant to these regulations.

13 (6) Receive and investigate complaints concerning dangerous and/or
14 vicious animals. Whenever an animal complained against shall be
15 reasonably deemed by an Animal Control Officer to be a
16 dangerous and/or vicious animal as defined in § 230-12.5 of these
17 regulations, the Animal Control Officer may issue a citation for
18 violation of animal regulations to the owner and/or custodian of
19 the animal citing § 230-12.5 and any other applicable sections of
20 the Animal Regulations. A citation for the violation of § 230-12.5
21 requires the owner and/or custodian to appear before the Animal
22 Matters Hearing Board on the date specified on the citation for a
23 hearing to determine if the animal is to be designated as dangerous
24 and/or vicious pursuant to these regulations.

25 _____ (a) If the Animal Control Officer determines that an animal
26 which has threatened the public safety and welfare
27 continues to present a threat to the public safety and
28 welfare, the Animal Control Officer may impound the
29 animal. The Animal Control Officer may enter private

1 property upon probable cause in order to determine if the
2 animal threatens the public safety and welfare and to
3 impound the animal pursuant to this section. The animal
4 shall remain impounded pending a hearing before the
5 Animal Matters Hearing Board. Whenever an animal has
6 been impounded pursuant to this section the owner and/or
7 custodian, if known, shall be issued a citation for violation
8 of animal regulations [§ 230-12.7] § 230-12.5 with the
9 date and time for the scheduled hearing by the Animal
10 Matters Hearing Board. The Animal Control Officer,
11 owner and/or custodian may petition the Chairman of the
12 Animal Matters Hearing Board to conduct a special
13 hearing on the matter prior to the next regularly scheduled
14 meeting of the Animal Matters Hearing Board in
15 accordance with § 230-4 of these regulations.

16 (b) During the period of impoundment under this section the
17 owner and/or custodian may be held responsible for all
18 costs and maintenance expenses incurred. These expenses
19 shall be itemized and presented to the Animal Matters
20 Hearing Board to make a decision on amount of restitution
21 to be paid by the owner and/or custodian of the animal.

- 22 (7) Conduct public information programs on these regulations,
23 adoption, spay neuter, health care, and other programs as directed.
- 24 (8) Conduct inspections of commercial animal establishments as
25 provided in these regulations.
- 26 (9) Receive stray and unwanted animals.
- 27 (10) Initiate a complaint or other form of enforcement of these
28 regulations and/or the State Code. Prior to a complaint being filed
29 by an Animal Control Officer with either the Board or Court of

1 the State of Maryland, the Animal Control Officer shall have
2 probable cause of an alleged violation of these regulations or the
3 State Code.

4 (11) To serve subpoenas requiring appearance before the board.

5
6 B. It shall be a violation of these regulations to interfere with, hinder, or
7 molest an Animal Control Officer performing the duties as prescribed in
8 these Regulations and the State Code. Such prohibited interference
9 includes, but is not limited to: physically striking or attempting to strike
10 the animal control officer; removing or attempting to remove any animal
11 from the control of an Animal Control Officer; removing or attempting to
12 remove any animal from any vehicle used by an Animal Control Officer
13 in the lawful performance of his/her duties, and; taking or damaging any
14 county property used by an Animal Control Officer in the lawful
15 performance of his/her duties. Certain violations of this section may also
16 be subject to prosecution under the Annotated Code of Maryland.
17

18 **§ 230-7. Powers and duties of animal shelter.**

19
20 A. The animal shelter shall have the powers to:

- 21 (1) Receive stray and unwanted animals;
22 (2) Ascertain the identity of the owner of any impounded animal, and
23 as a precondition of release require the payment of all charges for
24 the care, impoundment, board, veterinary treatment and unpaid
25 license fees from the animal owner;
26 (3) Place for adoption unredeemed or unwanted animals in
27 accordance with these regulations, the State Code, and the policies
28 established by the Sheltering Authority;
29 (4) Humanely euthanize unredeemed or unwanted animals in

1 accordance with these regulations and the State Code.

2
3 B. The animal shelter shall have the following duties. It shall:

- 4 (1) Provide humane treatment of all animals, at all times, under their
5 care.
- 6 (2) Maintain and adhere to comprehensive procedures prescribing
7 standards for the humane operation of the animal shelter,
8 including, but not limited to, the housing, feeding, care, veterinary
9 treatment, adoption and euthanasia of animals in the facility
10 pursuant to these regulations and State Code.
- 11 (3) To the extent provided by the approved fiscal year budget, provide
12 for necessary and appropriate veterinary care of injured or sick
13 animals in the custody of the County. Such veterinary care may
14 be rendered without the consent of the owner. Charles County
15 employees, Shelter Staff and its agents shall not be liable for acts
16 committed or omitted in rendering such care.
- 17 (4) Post an approved schedule of fees for the housing, care, treatment,
18 adoption and redemption of animals which come into the custody
19 of the animal shelter in a conspicuous place at the animal shelter.
- 20 (5) Keep for a period of three years after such activity records of
21 impoundments, veterinary treatment, disposition of animals and
22 other activities. Animal records shall be complete and accurate to
23 the best ability of the breed, sex, color, condition, how, when, and
24 where animal was obtained, and identification as tattoos or tags.
- 25 (6) Conduct public information programs on these regulations,
26 responsible pet ownership, adoption, spaying, neutering, health
27 care and other programs as directed by the Sheltering Authority.
- 28 (7) Make a prompt and reasonable effort to locate and notify possible
29 owners of a stray animal; trace identification and provide for

1 publication the name, location, hours of operation and telephone
2 numbers in a newspaper of general circulation in Charles County.
3

4 **§ 230-8. Cruelty.**

5 A. It shall be a violation of these regulations for any individual to:

- 6 (1) Abandon an animal;
- 7 (2) Torture, torment, cruelly beat/kill, injure, intentionally mutilate,
8 run down with a vehicle intentionally, overdrive, overload, or
9 otherwise abuse any animal;
- 10 (3) Administer poison to any animal or knowingly place or leave any
11 poisonous or other harmful substance with intent to injure or kill
12 any animal other than vermin;
- 13 (4) Use or permit any animal to be used for the purpose of fighting
14 with any other animal;
- 15 (5) Cause, arrange or authorize these acts;
- 16 (6) Have the charge or custody of an animal and inflict unnecessary
17 suffering or pain upon the animal, or unnecessarily fail to provide
18 the animal with nutritious food in sufficient quantity, necessary
19 veterinary care, proper drink, air, space, shelter or protection from
20 the elements.
- 21 (7) sell or distribute any dog or cat less than eight weeks of age unless
22 accompanied by its dam. This does not apply to animals given to
23 a government operated or supported animal shelter or animals
24 accompanied by a statement signed by a licensed veterinarian
25 stating that the dam is incapacitated for humane or medical
26 reasons and cannot care for her offspring.
- 27 (8) sell or give away any warm-blooded animal
28 As an inducement to enter a contest, game, or place of
29 amusement.

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B. In the case of activities in which physical pain may unavoidably be cause to animals, such as medical and scientific activities, food processing, customary and normal veterinary and agricultural husbandry practices, and hunting, “cruelty” means a failure to employ the most humane method reasonably available.

§ 230-9. Rabies prevention.

A. It shall be the duty of every resident of the County owning a dog, cat or ferret four months old or older to have such dog, cat or ferret inoculated with an anti-rabies vaccine approved by the Director of Public Health, which inoculation shall be repeated as often as the Director of Public Health may from time to time specify. The inoculation shall be administered by a licensed veterinarian. The rabies certificate issued by the veterinarian shall be carefully preserved by the owner or custodian of the dog, cat or ferret and exhibited promptly upon the request for inspection by the Animal Control Officer, Health Officer, or any other law enforcement officer, or their agents, to include shelter staff when redeeming an animal at the shelter. The status of an animal in quarantine should always be verified in person either by a health agent, Animal Control Officer or veterinarian exam.

B. Quarantine Requirements. As directed by the Health Department, an animal who has bitten, been bitten by or otherwise exposes or has been exposed by another animal, or who has bitten or otherwise exposes a human, or other animal, if not euthanized and tested for rabies, shall be quarantined for a minimum of 10 days following the exposure, that quarantine requires:

- (1) Confinement of the animal to a house, garage or other escape

1 proof enclosure or building approved by the Health Department or
2 its designated agent(s).

- 3 (2) The animal may not be removed from the structure unless on a
4 leash and under the immediate control of an adult.
- 5 (3) Prevention of contact with other animals or persons other than the
6 primary caretakers.
- 7 (4) The animal may not be removed from the quarantine premise
8 unless permission is obtained from the local Health Officer or his
9 designated agent(s).
- 10 (5) If the animal becomes ill or begins to show behavioral changes,
11 the owner must immediately notify the Health Department, who
12 shall determine what shall be done.
- 13 (6) If the animal dies, the owner shall immediately notify the Health
14 Department and make the animal available for rabies testing.
- 15 (7) If the animal escapes, the owner shall immediately notify the
16 Sheriff's Department, Department of Animal Control and the
17 Health Department.
- 18 (8) Until the animal is cleared by the Health Department from
19 quarantine, the owner shall not kill, give away, sell or otherwise
20 dispose of the animal without permission from the Health
21 Department.
- 22 (9) If a veterinarian's examination is not required on the last day of
23 the quarantine, the owner shall report by telephone to the Health
24 Department the health status of the animal.
- 25 (10) If the animal is unvaccinated against rabies at the time of
26 exposure, the animal shall not be vaccinated until released from
27 quarantine.
- 28 (11) If unvaccinated, the owner shall take the animal to a licensed
29 veterinarian for a physical rabies exam and vaccination within five

1 days of the end of quarantine.

- 2 (12) If an animal is not properly quarantined it shall be impounded by
3 an Animal Control Officer or his designee.

4
5 **§ 230-10. Licensing.**

- 6 A. The sale of licenses shall be through the Charles County Treasurer,
7 Charles County Animal Control, and/or designees of the Charles County
8 Commissioners.
- 9 (1) It shall be unlawful for any person, firm or corporation to own,
10 keep or harbor a dog four months old or older without a current
11 Charles County License. The license shall expire one year from
12 the date of issuance.
- 13 (2) Owners of certified Seeing Eye dogs, hearing dogs, governmental
14 police dogs, or other certified dogs that are trained to assist the
15 physically handicapped shall not be required to pay the annual fee
16 but shall be required to obtain and display the license.
- 17 (3) Animal shelters operated by chartered humane organizations or
18 the County for the purpose of housing stray, abandoned, sick or
19 injured animals shall be exempt from licensing prior to adoption
20 or return to owner.
- 21 (4) Applications for license(s) shall be made to the County Treasurer
22 or a duly authorized agent(s). Before any license shall be issued,
23 the owner shall produce a valid rabies certificate issued by a
24 licensed veterinarian proving that the dog is currently vaccinated
25 against rabies. Before any unsexed license shall be issued, the
26 owner shall produce a certificate of surgical sterilization issued by
27 a licensed veterinarian proving that the dog has been spayed or
28 neutered.
- 29 (5) License certificates shall include the date of issuance and

1 expiration date, the owner's name and address, home and work
2 telephone numbers, sex, species, breed, age, color and markings;
3 rabies expiration date, rabies tag number, issuing veterinarian and
4 veterinarian's telephone number.

- 5 (6) A license tag shall be issued with the license certificate. This tag
6 shall be worn by the dog at all times, except when confined in a
7 kennel or when participating in a competition where such displays
8 are prohibited.
- 9 (7) No person may use any license for any dog other than the animal
10 for which it was issued.
- 11 (8) The license certificate shall be made available upon request by
12 any health or public safety officer, or their agents.
- 13 (9) The annual fee for a dog license shall be:
- 14 (a) Unneutered male: \$15.
 - 15 (b) Unspayed Female: \$15.
 - 16 (c) Neutered Male: \$2.
 - 17 (d) Spayed Female: \$2.
- 18

19 B. Commercial animal establishment licensing. No person, partnership or
20 corporation shall operate a commercial animal establishment without first
21 obtaining a commercial animal establishment license in compliance with
22 this section. License applications shall be accompanied by written
23 verification from Charles County Government that the applicant complies
24 with any and all Zoning Ordinance and amendments thereto.

- 25 (1) No fee may be required of any government-operated zoological
26 park.
- 27 (2) All dogs and cats offered for sale or resale must be examined by a
28 licensed veterinarian within the last three months prior to sale or
29 resale.

1 (a) Any animal under veterinarian treatment may not be
2 offered for sale without release from the veterinarian.

3 (b) Any owner or employee of a commercial animal
4 establishment who knows of or should have known of any
5 animal defect or illness shall make a purchaser aware of
6 this information prior to sale.

7 (3) Records or forms must be maintained for a period of one (1) year
8 for any animal offered for sale or sold. Records shall contain the
9 following but are not limited to:

10 (a) Animal Description: breed, sex, color, and age.

11 (b) The origin of purchase, to include the supplier and the date
12 of receipt.

13 (c) Proof of sale

14 (d) Medical Record and any required treatment program.

15 (4) An annual commercial animal establishment license shall be
16 issued upon successful completion of an inspection and payment
17 of the applicable fee and shall be displayed in a conspicuous
18 place.

19 (5) Change in ownership or location.

20 (a) If there is a change in ownership of a commercial animal
21 establishment, the new owner shall have the current
22 license transferred to his/her name upon payment of a \$25
23 transfer fee and completion of a successful inspection.

24 (b) If there is a change in the location of a commercial animal
25 establishment, the owner shall file for a change of address
26 and pay a \$25 fee and complete a successful inspection
27 within 30 days of change of location.

28 (6) Any commercial animal establishment who has a change in the
29 category under which a license was issued shall notify the

1 licensing authority and be subject to reinspection, reclassification
2 and readjustment of the license fee.

3 (7) Every facility regulated by these Regulations shall be considered a
4 separate enterprise requiring an individual license.

5 (8) The license period shall run for one year from the date of
6 issuance. Renewal applications for licenses shall be made 30 days
7 prior to expiration of said license.

8
9 C. Commercial animal establishment license issuance and revocation.

10 (1) Written application for a commercial animal establishment license
11 shall be made to the County Treasurer. Application shall be
12 accompanied by the license fee and written verification from
13 Charles County Government that the establishment complies with
14 County Zoning Ordinances

15 (2) After an application is filed, the license authority shall inspect the
16 facility prior to issuing the license. A license may be withheld or
17 revoked if the person, partnership or corporation holding the
18 license refuses or fails to comply with these regulations or any law
19 governing the protection and keeping of animals.

20 (3) It shall be a condition of the issuance of any license that Charles
21 County Animal Control be permitted to inspect upon demand
22 during normal business hours all animals, all records required to
23 be retained under these regulations, and the premises where
24 animals are kept. If permission for such inspection is refused, the
25 license of the refusing owner shall be revoked.

26 (4) If the applicant has withheld or falsified any information on the
27 application, the licensing authority may refuse to issue or may
28 revoke the license.

29 (5) No person, partnership or corporation who has been found guilty

1 of cruelty to animals shall be issued a license to operate a
2 commercial animal establishment.

3 (6) Any person having been denied a license shall not be eligible to
4 reapply for a period of six months. Each reapplication shall be
5 accompanied by a fee of \$25 and written verification from Charles
6 County Government that the establishment complies with any and
7 all County Zoning Ordinances and amendments thereto.
8 Individuals who have been denied a license under Subsection C(5)
9 may not reapply.

10 (7) Appeals for withheld or revoked licenses may be made to the
11 Board within 14 days of the notice of such action.

12 (8) In the event of a timely appeal, the revocation of a license may not
13 be effective until after the next scheduled public hearing except, in
14 the event of an emergency situation an Animal Control Officer
15 may make application before the Chairman of the Board, who is
16 authorized to issue a cease and desist order. This case shall be
17 heard at the next hearing of the Board.

18
19 D. Commercial animal establishment license fees. License fees shall be as
20 follows:

- 21 (1) Any [kennel and cattery] BOARDING/BREEDING FACILITY:
- 22 (a) Boarding [Kennel/cattery] FACILITY authorized to house
23 fewer than 10 dogs or cats: \$75.
- 24 (b) Boarding [Kennel/cattery] FACILITY authorized to house
25 10 or more but fewer than 50 dogs or cats: \$150.
- 26 (c) Boarding [Kennel/cattery] FACILITY authorized to house
27 50 or more dogs or cats: \$200.
- 28 _____(d) Breeding [Kennel/cattery] FACILITY authorized to house
29 fewer than 10 adult animals: \$75.

1 (e) Breeding [Kennel/cattery] FACILITY authorized to house
2 10 or more but fewer than fifty adult animals: \$150.

3 (f) Breeding [Kennel/cattery] FACILITY authorized to house
4 50 or more adult animals: \$200.

5 (2) Pet shop: \$200.

6 (3) Auction: \$300.

7 (4) Zoological park: \$250.

8 (5) Circus: \$250.

9 (6) Grooming shop: \$150.

10 (7) Petting zoo: \$300.

11 (8) Guard dog training center: \$250.

12
13 **§ 230-11. Animal care.**

14 A. No owner or custodian of an animal shall fail to provide the animal with
15 humane care and treatment, sufficient, wholesome and nutritious food;
16 potable water in sufficient quantities; proper air, shelter, space and
17 protection from the weather; and veterinary care when needed. In the
18 case of farm animals, nothing in this section may be construed as
19 imposing shelter requirements or standards more stringent than normally
20 accepted husbandry practices.

21
22 B. Minimum standards for indoor and outdoor enclosures for animals must:

23 (1) Be structurally sound and maintained in good repair to protect the
24 animal from injury and to contain the animal;

25 (2) Provide sufficient space to allow each animal adequate freedom of
26 movement; space must be appropriate and sufficient for the age,
27 breed/type, quantity, condition and size of the animal(s).

28 (3) Be usable and safe (e.g., must be provided an area free from
29 standing water, accumulated waste, sharp objects, trash and debris

1 and maintained in a safe and humane manner to minimize health
2 hazards and obnoxious odors);

- 3 (4) Provide palatable water that is always available and that is kept in
4 a vessel secured to prevent tipping.

5
6 C. Indoor housing facilities shall provide adequate ventilation by natural or
7 mechanical means, and the ambient temperature shall be compatible with
8 the health of the animal.

9
10 D. Outdoor shelter shall be as follows:

- 11 (1) When sunlight is likely to cause heat exhaustion, sufficient shade
12 by natural or artificial means shall be provided to protect the
13 animal from direct sunlight.

- 14 (2) If [a dog] AN ANIMAL is confined outdoors unattended, it shall
15 be the duty of each and every owner to provide said [dog]
16 ANIMAL with proper shelter [as described below] FOR THAT
17 SPECIES OF ANIMAL. FOR LIVESTOCK, POULTRY AND
18 OTHER FARM ANIMALS PROPER SHELTER SHALL BE
19 CUSTOMARY AND NORMAL AGRICULTURAL
20 HUSBANDRY PRACTICES. FOR DOGS, PROPER SHELTER
21 IS DESCRIBED BELOW:

22 (a) Weatherproof. Shelter must be solid. There shall be no
23 cracks or openings other than entrance. The shelter shall
24 not have any metal or plastic primary interior surfaces.
25 (Commercially made shelters with insulation material
26 between the inner and outer layers of fiberglass/plastic
27 construction are generally acceptable.)

28 (b) Elevated. Floor must be off the ground at least two (2)
29 inches.

- (c) Door flap. The entrance must be covered with a flexible flap and/or entrance placed down wind when necessary to protect the animal from the elements of weather.
- (d) Bedding. Bedding must be dry. Straw, leaves, hay, cedar chips or other material must be provided as needed during cold and inclement weather.
- (e) Size. The shelter must be large enough to allow the animal to enter, stand, turn around and lie down comfortably and small enough to allow the animal to warm interior with its body.

E. If a chain, rope, line or other such item, is used to tie an animal, it shall be of sufficient length to safely and humanely allow the animal freedom of movement without becoming entangled with obstructions.

F. A person may not allow an animal to ride in the unenclosed area of a motor vehicle unless the animal is confined by a securely affixed, well-ventilated container, cage or other device designated to safely prevent the animal from falling or jumping from the motor vehicle.

§ 230-12. Animal at large.

- A. It shall be unlawful for any person, partnership or corporation to allow their animal to be at large.
- B. This Section shall not apply to a dog undergoing supervised obedience training or while actually engaged in the sport of hunting in an authorized area while supervised by a competent person.
- C. Without permission of the proper authority the owner or custodian of any

1 animal may not permit the animal to be on school grounds on a day when
2 school is in session, in a public recreation area, any public property or
3 thoroughfare or private property without the property owner's permission
4 unless:

- 5 (1) The animal is controlled by a leash or similar restraining device.
- 6 (2) The presence of the animal is in an organized activity such as a
7 dog show.

8
9 D. No animal accidentally at large with a person capable of controlling the
10 animal in immediate PHYSICAL pursuit shall be deemed at large.

11
12 E. A person who is aware of an animal being at large or who finds a stray
13 animal shall report the condition to the animal shelter or Animal Control
14 Officer.

15
16 F. An Animal Control Officer and/or authorized representative of Animal
17 Control who observes an animal at large may pursue that animal on
18 public and/or private property.

19
20 **§ 230-12.1. Female in season.**

21 Every female dog or cat in season shall be humanely confined in a building or secure enclosure
22 in such a manner that such female dog or cat cannot come in contact with an unneutered male of
23 the same species except for planned breeding. This does not exclude normal waste elimination
24 while under physical restraint and direct supervision and on the owner/custodian's property.

25
26
27 **§ 230-12.2. Allowing animal to urinate or defecate on private property prohibited.**

28 It shall be unlawful for any owner or custodian to allow their animal to urinate or defecate on
29 the property of another without the consent of the owner of said property.

1
2 **§ 230-12.3. Allowing animal to defecate on public property prohibited.**

3 It shall be unlawful for any owner or custodian to allow their animal to defecate on public
4 property unless the owner or custodian of the animal immediately thereafter removes and
5 disposes of it in a sanitary manner. This does not apply to livestock.
6

7 **§ 230-12.4. Public nuisance.**

8 A. No person shall keep or maintain any animal in such manner as to cause
9 or permit the animal to be a public nuisance. A public nuisance is when
10 an owner or custodian allows an animal to:

- 11 (1) Be at large;
- 12 (2) Damage the property of anyone other than its owner.
- 13 (3) Molest pedestrians, neighbors or passersby;
- 14 (4) Intimidate pedestrians, neighbors or passersby. Intimidation
15 should be defined as a reasonable prudent person under same
16 and/or similar circumstances and whether that person would have
17 been intimidated by the actions of the animal in question.
- 18 (5) Chase vehicles;
- 19 (6) Bark or make other harsh or excessive noise so as to disturb the
20 quiet, comfort, or repose of members of the community as
21 reflected by reasonable persons with normal sensitivities;
- 22 (7) Foul the air by odor and thereby create unreasonable annoyance or
23 discomfort to neighbors or others in close proximity to the
24 premises where the animal is kept or harbored;
- 25 (8) Defecate on public property and/or urinate/defecate on private
26 property; or
- 27 (9) Continue or repeat that behavior or activity for which the animal
28 has previously been determined by the Board, after notice to its
29 owner and a hearing, to be in violation of any of these regulations

1 and/or a public nuisance by virtue of being a menace to the public
2 health, welfare or safety.

3
4 **§ 230-12.5. Dangerous and/or vicious animals AND POTENTIALLY DANGEROUS**
5 **ANIMALS.**

6 A. For the purpose of these Regulations a dangerous and/or vicious animal
7 shall be defined as any animal:

- 8 (1) Which wounds, bites, or otherwise injures a human being without
9 provocation on public or private property. For the purposes of
10 this section, the term provoked shall mean any situation occurring
11 in Subsection B[(1)] , and not the term as described in the Health
12 Department bite report.
- 13 (2) Which has injured or killed a domestic animal, without
14 provocation, on public or private property.
- 15 (3) Which has a vicious nature, disposition and/or propensity which is
16 known or should be known by its owner.
- 17 (4) Owned or harbored primarily or in part for the purpose of animal
18 fighting, or any animal trained for animal fighting;
- 19 (5) Not owned by a governmental or law enforcement unit, used
20 primarily to guard public or private property.

21
22 B. No animal may be declared dangerous and/or vicious if:

- 23 (1) The threat, wound, bite, injury or damage was sustained by a
24 person who:
- 25 (a) At the time was committing a willful trespass or other tort
26 upon the premises occupied by the owner or keeper of the
27 animal; or
- 28 (b) Was tormenting, abusing, or assaulting the animal[s]; or
- 29 (c) Has in the past been observed or reported to have

- 1 (3) Whenever outside of its enclosure, but on the owner's property, a
2 dangerous and/or vicious OR POTENTIALLY DANGEROUS
3 animal must be attended by the owner and restrained by a secure
4 collar and leash of sufficient strength to prevent escape.
- 5 (4) The owner or custodian of any dangerous and/or vicious OR
6 POTENTIALLY DANGEROUS animal shall display in a
7 prominent place on their premises where the animal is kept, and at
8 each entrance and exit to the area where such animal is confined, a
9 sign easily readable by the public using the words
10 "DANGEROUS DOG" or such other language as the Board may
11 direct. The lettering on the signs shall be at least three-inch block
12 on signs 8 ½ inches by 14 inches, easily readable, in bright colors.
- 13 (5) Except when being transported in, and humanely and securely
14 confined within, a vehicle, no dangerous and/or vicious OR
15 POTENTIALLY DANGEROUS animal shall be permitted off the
16 property of its owner except when it is:
- 17 (a) Attended by his owner; and
18 (b) Is humanely restrained by a secure collar and leash (not to
19 exceed six feet in length); both collar and leash to be of
20 sufficient strength to prevent escape; and
21 (c) is humanely muzzled by any means sufficient to prevent
22 biting other persons or domestic animals.
- 23 (6) The animal be neutered at the expense of the owner.
- 24 (7) The animal be tattooed with a number to be issued by the Board,
25 or microchipped, at the expense of the owner.
- 26 (8) Ownership or custody of an animal deemed dangerous and/or
27 vicious OR POTENTIALLY DANGEROUS by the Board shall
28 not be transferred without prior written approval of the Board.
- 29 [(9) The animal be humanely euthanized.]

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E. UPON DETERMINATION OF DANGEROUS AND/OR VICIOUS BY THE BOARD, THE BOARD MAY REQUIRE THAT THE ANIMAL BE HUMANELY EUTHANIZED.

[D.] F. The owner or custodian of an animal deemed dangerous and/or vicious OR POTENTIALLY DANGEROUS by the Board shall immediately notify the Sheriff's Department and Animal Control if the animal should become at-large or otherwise not meet any and all requirements set by the Board.

[E.] G. Enforcement of the requirements set by the Board for the keeping of a dangerous and/or vicious OR POTENTIALLY DANGEROUS animal.

(1) In the event that the owner of a dangerous and/or vicious OR POTENTIALLY DANGEROUS animal is in violation of any regulation, the ACO or other public safety officer may order the violation immediately corrected and issue a citation to the owner or custodian.

(2) If the violation cannot be immediately corrected, the animal may be impounded, in which case the owner or custodian will be issued a citation and notified to appear before the Board for the violation. At the owners request and expense and upon approval by Animal Control, such impoundment may be at a veterinarian or licensed kennel of the owner's choosing.

(3) If the owner or keeper of a dangerous and/or vicious OR POTENTIALLY DANGEROUS animal impounded for violation of these regulations presents proof that the animal will now be kept in compliance with these regulations, the animal shall be released upon payment of any fees and penalties due.

1 (4) If the owner or custodian of a dangerous and/or vicious OR
2 POTENTIALLY DANGEROUS animal fails to either provide
3 proof that the animal shall now be kept restrained and/or confined
4 in compliance with these regulations or fails to reclaim it within
5 72 hours from Animal Control after impoundment, the animal
6 shall be humanely euthanized.

7
8 [F.] H. Repeat offenders of provisions relating to dangerous and/or vicious OR
9 POTENTIALLY DANGEROUS animals will be given an opportunity to
10 fully explain to the Board why a violation has been repeated. The Board
11 will consider such explanation in determining penalties and/or
12 disposition.

13
14 ~~§ 230-12.6. — WILD ANIMALS. NO PERSON, PARTNERSHIP OR CORPORATION OR~~
15 ~~OTHER LEGAL ENTITY MAY POSSESS OR HARBOR A POTENTIALLY~~
16 ~~DANGEROUS OR VICIOUS WILD ANIMAL OR WOLF HYBRID WITHIN~~
17 ~~THE GEOGRAPHIC BOUNDARIES OF CHARLES COUNTY. DOES NOT~~
18 ~~INCLUDE CIRCUSES STOPPING AND PERFORMING WHILE~~
19 ~~TRAVELING THROUGH THE COUNTY.~~

20
21 ~~§ 230-12.6.~~ § 230-12.7. **Impoundment; redemption; adoption.**

22 A. Any animal observed in violation of these regulations or the State Code
23 shall be immediately and humanely impounded and housed with the
24 animal shelter or its designated agent. In addition to, or in lieu of,
25 impounding an animal, the Animal Control Officer may issue to the
26 known owner or custodian of such animal a notice of violation.

27
28 B. Impounded domestic animals shall be kept for not less than three working
29 days unless said animal is contagiously ill or severely injured.

- 1 C. An owner reclaiming an impounded animal shall pay the fees established
2 by the Sheltering Authority. The fees for subsequent impounds occurring
3 within 12 months shall be doubled. Upon the third and any subsequent
4 impoundments within 12 months, the animal shall remain in the shelter
5 until the owner appears before the Board's next scheduled hearing. The
6 Board shall determine the necessary means to abate the violations and
7 may levy fines and fees.
8
- 9 D. In addition to paying the established fees, an owner reclaiming an
10 impounded animal shall show proof of a current rabies vaccination and
11 county license, or shall pay the deposit fees required to comply with
12 §§ 230-9 and 230-10 of these regulations and other expenses incurred by
13 the County in caring for the impounded animal.
14
- 15 E. Except as otherwise provided in these regulations, any animal impounded
16 and not redeemed by its owner within three working days following
17 notice of impoundment shall be deemed abandoned. The animal shall
18 then become the property of the County, which shall place for adoption or
19 euthanize the animal in accordance with the State Code and shelter
20 policy.
21
- 22 F. No unclaimed dog or cat shall be released for adoption without being
23 sterilized or without written agreement from the adopter guaranteeing that
24 such animal will be sterilized within 30 days for adults or a specified date
25 in the contract for puppies and kittens.
26
- 27 G. Any animal considered by the Sheltering Authority to be unhealthy,
28 dangerous or otherwise unsafe may not be placed for adoption.
29

1 H. The Animal Shelter may deny applications for adoption as provided by
2 established shelter policy and procedure.

3
4 I. No wild animal may be placed for adoption.

5
6 J. No animal shall be knowingly sold or given away for use in
7 experimentation or research.

8
9 K. The County, its employees or agents shall not be liable for any damages
10 to person or property caused by an animal adopted or reclaimed from the
11 shelter.

12
13 ~~§ 230-12.7.~~ ~~§ 230-12.8:~~ **Striking domestic animal with motor vehicle.**

14 As in Maryland Transportation Law, Article 20, §§ 105 and 106, any person who, as the
15 operator of a motor vehicle, strikes a domestic animal shall immediately notify the owner of the
16 domestic animal, or, if the owner cannot be immediately notified, then the State or local police,
17 of the accident.

18
19 ~~§ 230-12.8.~~ ~~§ 230-12.9:~~ **Fees.**

20 Any fees or fines established within these regulations may be evaluated and adjusted annually.

21
22 ~~§ 230-12.9.~~ ~~§ 230-12.10:~~ **Fines.**

23 A. The Board may impose fines at the close of all evidence, at any hearing,
24 as set forth below.

25
26 B. The fines for subsequent violations within a 12 month period shall be
27 doubled for those violations with set penalties.

28
29 **In Violation**

	of Section	Subject	Fine
1			
2			
3	§ 230-6B	Interference with an Animal Control Officer	\$50
4			
5	230-8	Cruelty (requires an appearance before the Board)	\$50 to \$500
6			
7	230-9	Rabies prevention (REQUIRES AN APPEARANCE BEFORE THE BOARD)	
8			
9		Failure to vaccinate	[\$50] 100
10		Failure to quarantine	\$100
11	230-10	Licensing	
12		Individual	\$35
13		Commercial animal establishment	\$150
14	230-11	Animal care (per offense; not to exceed \$100 per animal)	\$25
15			
16	230-11F	Animal riding in an open vehicle	\$35
17	230-12	Animal at large	\$35
18	230-12.1	Female in season	\$35
19	230-12.2	Allowing an animal to urinate/defecate on private property	\$35
20			
21	230-12.3	Allowing an animal to defecate on public property	\$35
22			
23	230-12.4	Public nuisance violation of the Board's order (requires an appearance before the Board)	\$50 to \$100
24			
25			
26			
27	In Violation		
28	of Section	Subject	Fine
29			

1	230-12.5	Dangerous and/or vicious OR	
2		POTENTIALLY DANGEROUS	\$50 to
3		(requires an appearance before the	\$500
4		Board)	
5	230-12.6	WILD ANIMALS (REQUIRES AN	\$50 TO
6		APPEARANCE BEFORE THE BOARD)	\$500

7

8 C. Violations covered under Section ~~{230-12.11}~~~~230-12.12~~ are referred to,

9 and prosecuted by the State’s Attorney in the District Court of Maryland

10 for Charles County.

11

12 ~~{§ 230-12.10.}~~~~§ 230-12.11.~~ **Entering into contracts with outside services.**

13 No statement, provision or regulation set forth herein shall be construed to prevent the County

14 Commissioners of Charles County, Maryland from entering into a contract with an outside

15 service.

16

17 ~~{§ 230-12.11.}~~~~§ 230-12.12.~~ **Failure to pay fines; failure to appear before Animal Matters**

18 **Hearing Board; or failure to comply with lawful orders of**

19 **Animal Matters Hearing Board.**

20 A. Anyone served with a citation for an alleged violation of any of the

21 provisions of these regulations shall be subject to payment of a fine as

22 specified on the citation form or must appear before the Animal Matters

23 Hearing Board to answer the complaint. Any person willfully failing to

24 appear before the Board when notified to do so, and/or after having failed

25 to pay the fine as specified on the citation form within the time specified

26 on the citation shall be guilty of a misdemeanor punishable by not more

27 than 60 days in jail, a fine of \$300, or both.

28

29 B. Any person willfully failing to comply with any lawful order of the Board

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shall be guilty of a misdemeanor punishable by not more than 60 days in jail, a fine of \$300, or both.

C. Charges under this section will be referred to the State’s Attorney’s Office for prosecution in the District Court of Maryland for Charles County.

SECTION 2. BE IT FURTHER ENACTED, that this Act shall take effect 45 calendar days after it becomes law.

Wayne Cooper, President

Robert J. Fuller

Candice Quinn-Kelly

Edith J. Patterson

Allan R. Smith

ATTEST
