

COUNTY ORDINANCE NO. 05-17

A BILL ENTITLED

AN ACT CONCERNING Revisions, Corrections and Modifications of the Queen Anne's County Animal Control Ordinance (Chapter 9 of the Code of Public Local Laws of Queen Anne's County).

FOR THE PURPOSE of correcting certain typographical errors; clarifying the definitions of "cat", "Dog fancier", "Owner" and "Respondent", providing for the advisory functions of the Animal Control Commission; clarifying and elaborating on the standards of care for animals; providing a minimum length of 15 feet for any chain or cable used to restrain an animal; ~~revising the provisions on vicious or dangerous animals including the circumstances under which an animal may not be declared vicious or dangerous;~~ providing for the denial of applications for adoption by the Director of the Department of Animal Control under certain circumstances; expanding the definition of interference; and generally revising and updating the Queen Anne's County Animal Control Ordinance;

BY AMENDING Sections 9-1, 9-3, 9-18, 9-23, 9-27 and 8-31 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.).

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Sections 9-1, 9-3, 9-18, 9-23, 9-27 and 9-31 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.).

SECTION II

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Sections 9-1, 9-3, 9-18, 9-23, 9-27 and 9-31 of the Code of Public Local Laws be amended to read as follows:

§9-1. Terms defined.

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ANIMAL CONTROL COMMISSION

The Commission established by the County Commissioners for the purpose of advising the County Commissioners and the Department of Animal Control as to matters of general policy relating to Animal Control in the county.

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CAT -

A. A domesticated feline, including feral felines.

B. ...

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OWNER -

A person or legal entity that has a possessory property right in an animal.

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RESPONDENT.

A. A person against whom a complaint is filed under this chapter.

B. Includes the owner or custodian of an animal that is the subject of a complaint.

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§9-3. Establishment.

There is an Animal Control Commission for Queen Anne's County. The Animal Control Commission shall advise the Department of Animal Control and the County Commissioners on all questions of general policy relating to Animal Control in the county. The Commission shall furthermore advise the Department of Animal Control as to matters of general policy and direction, and, when appropriate, bring matters of public interest to the attention of the Department and the County Administrator. The Department and the Commission shall endeavor to work cooperatively whenever possible and in the case of a dispute, the matter shall be addressed to the County Administrator or County Commissioners for settlement.

§9-18. Minimum Standards.

The Director of the Department of Animal Control will develop and update a comprehensive set of regulations to be used for the enforcement of the following minimum standards. These regulations will be used by the Department of Animal Control to ensure the proper and uniform enforcement of these standards.

A. In general. An owner or custodian of an animal may not fail to provide the animal with:

- (1) Sufficient, wholesome, and nutritious food;
- (2) Potable water in sufficient quantities;
- (3) Proper air, shelter, space, light and protection from weather;
- (4) Prompt veterinary care, when needed, to prevent suffering;
- (5) Humane care and treatment.

It is imperative that dogs not be maintained in isolation or deprived of daily social interaction. Hyperactivity, aggression towards humans or withdrawal and depression may be evidence of lack of adequate and proper space for exercise and socialization.

Dogs who do not have sufficient space to run and exercise should be walked a minimum of 20 minutes every 24 hours. (Adequate and proper space for exercise is defined as an enclosure with a minimum of 2,500 square feet or at least 50 foot by 50 foot).

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~~§9-23. Vicious or dangerous animal.~~

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~~A. "Vicious or dangerous animal" defined~~

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~~(2) An animal may not be deemed dangerous or vicious if a threat, injury or damage was sustained by a person:~~

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~~(g) because the animal was acting within its nature.~~

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§9-27. Impoundment, redemption and adoption.

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G. Denial of adoption. The Director of the Department of Animal Control may deny applications for adoption as provided in this chapter and Animal Control Center regulations adopted pursuant to this chapter.

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§9-31. Miscellaneous prohibited acts.

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B. Interference described. Interference under Subsection A(3) of this section shall include the use of physical force, verbal misdirection, filing a false report, or failing to give appropriate information which would prevent an Animal Control Officer from carrying out his or her official duties.

## SECTION II

BE IT FURTHER ENACTED, that this Bill shall take effect on the forty-sixth (46th) day following its passage.

INTRODUCED BY: Commissioner Ransom

DATE: August 2, 2005

PUBLIC HEARING HELD: September 6, 2005

VOTE: 5 Yea 0 Nay

DATE OF ADOPTION: October 18, 2005