

Charles County, Maryland  
**ANIMAL REGULATIONS**

Effective September 1, 1991



Charles County Department of Emergency Services

*Answering the call. saving lives!*

**Owning an  
animal is a  
privilege  
that carries  
responsibilities.**

Pets are an important part of our community. Please help us keep the County a safe, clean, and friendly place to live through responsible, humane pet ownership.

With proper care and affection, pet ownership can be a very rewarding experience.



**Board of County Commissioners  
for Charles County, Maryland**

## **2011 Legislative Session**

### **BILL**

Effective Date of February 24, 2012

AN ACT concerning  
**CHARLES COUNTY ANIMAL REGULATIONS**

**FOR the purpose of** adding new provisions and clarifying or modifying existing provisions of the Charles County Animal Regulations.

**BY repealing and reenacting, with amendments:**  
Chapter 230, Article I — Dogs and Other Animals

*Code of Charles County, Maryland  
(1994 Edition, 2007 Supplement)*

**CHARLES COUNTY  
ANIMAL REGULATIONS  
REVISIONS**

1. November 21, 1994
2. August 01, 1999
3. November 20, 2003
4. August 04, 2006
5. February 24, 2012

**Charles County Animal Control**  
10425 Audie Lane, La Plata, MD

301-609-3425

[www.CharlesCountyMD.gov/Services/  
Animal-Care-Control](http://www.CharlesCountyMD.gov/Services/Animal-Care-Control)



**Charles County Animal Care Center**  
6707 Animal Shelter Rd., Hughesville, MD

301-932-1713 • 1-800-903-1992

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# SECTION 1

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as follows:

## Chapter 230 • Dogs and Other Animals Article I – Animal Matters

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### § 230-1 • Statement of Purpose

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

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### § 230-2 • Definitions

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

**Adult Animal** – Any animal four months of age or older.

**Animal** – Every non-human species of animal, both domestic and wild, including but not limited to dogs, cats, livestock and fowl.

**Animal at Large** – Any animal off the premises of the owner or custodian, and not under the restraint of a person capable of controlling the animal.

**Animal Control Officer (ACO)** – Any Animal Control Officer employed by Charles County Commissioners to enforce these regulations and applicable State Code.

**Animal Fancier** – Any person partnership, corporation or other legal entity that harbors or keeps any combination of more than 10 adult animals and which does not breed and sell the offspring or use males for stud. This definition shall not include fish, livestock, poultry and other farm animals used in customary and normal agricultural practices.

**Animal Shelter** – Any facility operated by a public entity or its agent, for the purpose of impounding animals under the authority of these regulations or State Code for care, confinement, return to owner, adoption, or euthanasia.

**Animal/Veterinary Hospital** – Any establishment maintained or operated by a licensed veterinarian for the immunization, hospitalization, surgery or diagnosis, prevention, and treatment of diseases and injuries of animals.

**Board** – The Animal Matters Hearing Board established pursuant to these Regulations.

**Cage** – Any confining device of limited space, enclosed on the bottom, top and all sides by a wall, in which animals are placed for any purpose, including confinement or display.

**Charles County Animal Care Center (CCACC)** – The designated shelter authority within Charles County, Maryland.

**Charles County Division of Animal Control** – Charles County Animal Control shall include but not be limited to any individual designated by the county commissioners to enforce these regulations and the applicable state code.

**Circus** – A commercial variety show featuring animal acts for public entertainment.

**Commercial Animal Establishment** – Any person, partnership, corporation, or other legal entity engaged in the training, grooming, boarding, sale, transfer, auction, or other delivery of any animal/animal services. Shall include but not be limited to any pet shop, grooming shop, zoological park, circus, performing animal exhibition, boarding or breeding facility; and any person, partnership, corporation, or other legal entity engaged in the training, leasing, or sale of guard dogs. Shall not include animal hospitals, animal shelters or humane societies.

**Commercial Breeding Facility** – Any person, partnership, corporation or other legal entity that owns or possesses breeding stock of four (4) or more unneutered male or unspayed female animals or any combination thereof, for the purpose of charging a fee for stud services or offspring. This definition shall not include livestock, poultry, and other farm animals used in customary and normal agricultural husbandry practices.

**Cruelty** – As defined in § 230-8.

**Custodian** – Any person, partnership, corporation, or other legal entity that harbors, takes care or custody of, or takes responsibility for another person's animal(s); or allows the animal(s) to remain on their premises.

**Dangerous Animal** – As defined under § 230-12.5, and as listed in the Annotated Code of Maryland, Criminal Law Section 10-621(b): prohibited – a person may not import into the State or Charles County, offer for sale, trade, barter, possess, breed, or exchange a live:

1. fox, skunk, raccoon, or bear;
2. caiman, alligator, or crocodile;
3. member of the cat family other than the domestic cat;
4. hybrid of a member of the cat family and a domestic cat if the hybrid weighs over 30 pounds;
5. member of the dog family other than the domestic dog;
6. hybrid of a member of the dog family and a domestic dog;
7. nonhuman primate, including lemur, monkey, chimpanzee, gorilla, orangutan, marmoset, loris or tamarin; or
8. poisonous snake in the family groups hydrophidae, elapidae, viperidae, or crotolidae.

**Domestic Animal** – Any animal kept for pleasure rather than utility; an animal of a species that has been bred and raised to live with or in proximity to humans, and which is dependent on humans for food and shelter. Domestic animals include but are not limited to farm animals, and pets such as dogs, cats, rabbits, guinea pigs,

hamsters, and other small rodents, European ferrets, and hedgehogs, nonpoisonous reptiles, fish, and amphibians, parakeets, cockatiels, and other exotic birds.

**Feral animal** – A domestic animal living in a wild state.

**Grooming Shop** – A commercial animal establishment where animals are bathed, clipped, plucked, or otherwise groomed.

**Guard Dog** – Any dog that is trained specifically for and/or used to protect private property or for personal protection.

**Guard Dog Training Center** – Any establishment that trains, brokers, or sells dogs to be used to protect property or for personal protection.

**Humane Society** – A non-profit organization chartered by the State of Maryland to engage in the care, treatment, rehabilitation, rescue, and adoption of domestic animals and in the humane education of both adults and children.

**Impound** – Any animal in the custody of the Charles County Division of Animal Control or its agents.

**Intimidation** – When a reasonable prudent person under the same or similar circumstances would have been threatened by the actions of the animal in question.

**Livestock** – Cattle, equines, goats, sheep or swine unless otherwise provided.

**Owner** – Any person, partnership, corporation, or other legal entity that owns, keeps or harbors one (1) or more animals; or allows the animal(s) to remain on their premises. An animal shall be deemed to be harbored if it is fed or sheltered for three (3) consecutive days or more. In the event that the owner or custodian of any animal is a minor, the parent or guardian of such minor shall be responsible to ensure that all provisions of these regulations and applicable state code are complied with.

**Performing Animal Exhibition** – Any spectacle, display, act or event, other than circuses, in which performing animals are used.

**Pet Shop** – Any person, partnership, corporation, or other legal entity, whether operated independently or in connection with another business enterprise, that buys or brokers any species of animal for sale or resale as pets.

**Petting Zoo** – Any establishment, activity, or facility where a fee is charged for the purpose of permitting persons to come into physical contact with animals maintained within or upon such establishment, activity, or facility.

**Potentially Dangerous Animal** – As defined under § 230-12.5.

**Public Nuisance** – As defined under § 230-12.4.

**Rabies Exposure** – Shall include any instance wherein a human or an animal has been bitten by another animal for which a rabies diagnosis is suspected or clinically confirmed; or any human or animal which has been exposed to or in contact with another animal for which a rabies diagnosis is suspected or clinically confirmed.

The clinical determination as to whether an animal is infected with rabies shall be made by the Charles County Department of Health and the Maryland Department of Health and Mental Hygiene (DHMH).

**Rabies Vaccination** – An anti-rabies vaccination using a Vaccine type approved by the Maryland State Department of Health and Mental Hygiene or the Maryland Public Health Veterinarian.

**Sanitary** – A condition of good order and cleanliness which minimizes the probability of transmission of disease.

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

**State Code** – Any and all animal laws of the Annotated Code of Maryland.

**Ventilation** – Areas constructed or modified to allow the free flow of adequate air to control temperature, humidity and prevent air stagnation.

**Vicious Animal** – As defined under § 230-12.5.

**Wild Animal** – An animal which is not defined as a domestic animal and is incapable of being completely domesticated or tamed. An animal which in its natural state is wild, dangerous, or ferocious and though it may be trained and habituated by the owner or custodian will remain dangerous to the public at large. Any hybrid or cross-bred animal which is part exotic or wild.

**Wolf Hybrid** – Any animal that is advertised, registered, licensed, or otherwise described or represented as a wolf hybrid by its owner, possessor or custodian, or any animal exhibiting primary physical and behavioral wolf characteristics.

**Zoological Park** – Any facility operated by a person, partnership, corporation, or other legal entity, other than a commercial animal establishment, displaying or exhibiting one (1) or more species of non-domesticated animals.

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### § 230-3 • Duties of animal owners or custodians

- A. It shall be the duty of the owner or custodian of any animal, or anyone having any animal in his possession, to exercise reasonable care and to take all necessary steps and precautions to protect people, property, and animals from injury or damage which might result from their animals' behavior, regardless of whether such behavior is motivated by mischievousness, playfulness, or ferocity.
- B. In the event that the owner or custodian of any animal is a minor, the parent or guardian of such minor shall be responsible to ensure that all provisions of these regulations and applicable State Code are complied with.

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## § 230-4 • Animal Matters Hearing Board

### A. Membership; rules; support.

- 1) There is hereby created an Animal Matters Hearing Board which shall consist of not more than nine (9) members to be appointed by the County Commissioners. The Board shall consist of not less than four (4) Charles County Residents at large and one (1) representative each from the following agencies and professions:
  - a) Charles County Office of the Sheriff
  - b) Charles County Humane Society
  - c) A veterinarian licensed by Maryland that practices in Charles County.
- 2) The term of appointment is for four (4) years. Any person appointed to fill a vacancy created by resignation or otherwise shall be appointed only to fulfill the unexpired term of the member who has vacated the position. Of the members first appointed, two (2) must be appointed for one (1) year terms, two (2) must be appointed for two (2) year terms, two (2) must be appointed for three (3) year terms, and one (1) must be appointed for a four (4) year term. Additional appointments shall be at the discretion of the County Commissioners in accordance with applicable laws.
- 3) The members of the Board shall serve without compensation.
- 4) A Board Member who misses three (3) regularly scheduled meetings in a rolling twelve month period may be replaced at the discretion of the County Commissioners, upon request of the Chairman of the Board.
- 5) Board members shall abide by the Charles County Code of Ethics.
- 6) The Chairman and Vice Chairman shall be appointed by the County Commissioners of Charles County, Maryland.
- 7) A quorum shall consist of a majority of the appointed members.
- 8) To the extent provided by the approved fiscal year budget, the County Commissioners of Charles County, Maryland shall provide for the Board such office space, supplies, and equipment as may be required by the Board.
- 9) To the extent provided by the approved fiscal year budget the County Attorney's Office shall provide support personnel as may be required by the Board.
- 10) The Board shall use Roberts Rules of Order as a guide to conduct of any and all public hearings.

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

- 1) The Board shall meet twice monthly or at the discretion of the Chairman to fulfill the duties and responsibilities of the Board.

- 2) The Board shall submit an annual report to the County Commissioners concerning its responsibility hereunder.
- 3) The Board shall recommend to the County Commissioners changes in the law regarding the control of animals in Charles County.
- 4) The Board shall conduct public hearings to determine whether a violation of these regulations has occurred.
- 5) The Board may issue subpoenas to compel the attendance of any witness, as well as the production of documents.
- 6) In reaching its decision, the Board may consider prior violation(s) and patterns of behavior.
- 7) The Board may issue orders and impose monetary fines as provided in §230-12.9 of these regulations.

C. Hearing procedures: Findings and Orders. The Board shall conduct a public hearing:

- 1) Upon receipt of a written complaint that a person, partnership, corporation or other legal entity has violated the provisions of these Regulations. The complaint must specify the name and address of the animal's owner or custodian, as well as clearly and accurately describe the animal(s) involved and the date(s) and location(s) of the alleged incident(s). A complaint under these regulations shall be filed within one (1) year and one (1) day from the date of the alleged violation.
- 2) Upon receipt of notice that a party subject to an order of the Board has failed to comply with such order.
- 3) Upon notice that a party person who has been issued a citation for a violation of these regulations has failed to comply with the requirements of that citation in the time frame prescribed.
- 4) An Animal Control Officer files a written complaint.
- 5) Any animal that has been previously determined by the Board to be a public nuisance and/or vicious and/or dangerous that is impounded for a repeat violation of the same charge may be held, at the Board's request, at the sheltering facility until the case can be heard by the Board.
- 6) The Board shall give fourteen (14) days prior written notice of the hearing to the Defendant of a complaint through personal service, by certified mail, restricted delivery, return receipt requested.
- 7) Following the presentation of all evidence, the Board shall deliberate and shall issue its written decisions and order within fourteen (14) calendar days. The order shall contain findings of fact and conclusions of law. If the Board finds that a violation did not occur, it shall dismiss the complaint or citation. In addition to imposing penalties, the Board may require appropriate affirmative action, including but not limited to:

- a) The mandatory restriction or confinement of the animal under such conditions as the Board may require in its discretion.
- b) The mandatory disposition of the animal as the Board may direct in its discretion.
- c) The correction of conditions or methods of animal care, keeping, maintenance, housing, or veterinary treatment, as the Board may determine in its discretion; all costs associated with the Board's recommendation shall be the responsibility of the owner/custodian.
- d) Ordering the owner/custodian of an animal, after having found them in violation of these regulations or the State Code, to make restitution of expenses incurred by the County for board, veterinary care, etc., to the Charles County Division of Animal Control Services.
- e) If the Board finds that a violation of the Charles County Animal Regulations has occurred, the Board may impose fines as provided in § 230-12.9. The Board may suspend, reduce, or increase any fine imposed to an amount that the Board considers appropriate in accordance with §§ 230-4 and 230-12.9 of these regulations.
- f) All decisions of the Board authorized under these regulations shall be final and subject to review only by the Circuit Court for Charles County upon a timely appeal filed pursuant to the Maryland Rules of Procedure by any party aggrieved by a decision within the time prescribed for appeals from administrative agencies by such rules of procedure.

D. Orientation for the Board. At the beginning of each calendar year, the assigned County Attorney will conduct a briefing for the Board.

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### **§ 230-5 • Chief of Animal Control Services**

- A. The Chief shall be responsible for the enforcement of the provisions of these regulations, including but not limited to public safety, public nuisance, prevention, cruelty to animals, and minimum standards for animal care. The Chief shall implement and maintain the following:
- 1) A program of regular patrols and response to citizen complaints for the purpose of enforcing these regulations and the State Code regarding animals.
  - 2) A program inspection of all commercial and non commercial animal establishments required to have a special permit under the provision of these regulations.
  - 3) A program to maintain accurate records of licenses, impoundments, dispositions, and enforcement actions and animal bites.
  - 4) Provision of twenty-four (24) hour, seven (7) day a week animal emergency service to the extent provided by the current approved fiscal year budget.

- 5) The development and provision of Public information programs on these regulations, adoption, spay and neuter, health care, and other programs as needed.
- B. The Chief shall serve as an advisor to the Animal Matters Hearing Board.
- C. The Chief shall carry out and enforce the orders resulting from the hearings of the Animal Matters Hearing Board.
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### **§ 230-6 • Animal Control Officer**

- A. Any Animal Control Officer employed by the County Commissioners of Charles County, Maryland, shall exercise that authority necessary to enforce the provisions of these regulations and the State Code. Animal Control Officers are specifically authorized and empowered by these regulations, without limitation, to:
- 1) Impound any animal which has been observed by an Animal Control Officer or other law enforcement official to be kept in violation of these Regulations or the State Code;
  - 2) Make prompt and reasonable efforts to locate and notify the owner or custodian of an impounded animal, including coordinating with the shelter staff;
  - 3) May investigate and issue notices of violations to the owner or custodian of an animal when it has been observed by an Animal Control Officer or any law enforcement official to be in violation of these regulations or the State Code.
  - 4) Promptly respond and administer or obtain emergency assistance, first aid, and/or qualified medical assistance to injured or diseased stray animals which come into the custody of the County, without the consent of the owner or custodian of such animal. For this purpose, neither the officer administering such assistance, Charles County, nor any of its employees or agents shall be liable for acts committed or omitted while rendering such assistance unless such act or omission constitutes gross negligence or malice.
  - 5) To investigate animal bites and make recommendations to the Animal Matters Hearing Board and/or Health Department pursuant to these regulations.
  - 6) Receive and investigate complaints concerning dangerous and/or vicious animals. Whenever an animal complained against shall be reasonably deemed by an Animal Control Officer to be a dangerous and/or vicious or a potentially dangerous animal as defined in § 230-12.5 of these regulations, the Animal Control Officer may issue a citation for violation of animal regulations to the owner and/or custodian of the animal citing § 230-12.5 and any other applicable sections of the Animal Regulations. A citation for the violation of § 230-12.5 requires the owner and/or custodian to appear before the Animal Matters Hearing Board on the date specified on the citation for a hearing to determine if the animal is to be designated as dangerous and/or vicious pursuant to these regulations.

- a) If the Animal Control Officer deems an animal to be dangerous and/or vicious or potentially dangerous, and that the animal has or continues to pose a threat to public safety and welfare, the Animal Control Officer may impound the animal. The Animal Control Officer may enter on private property upon probable cause in order to determine if the animal threatens the public safety and welfare and to impound the animal pursuant to this section. The animal shall remain impounded pending a hearing before the Animal Matters Hearing Board. Whenever an animal has been impounded pursuant to this section, the owner and/or custodian, if known, shall be issued a citation for violation of animal regulations § 230-12.5. Such citation shall include the date and time of the scheduled hearing by the Animal Matters Hearing Board. The Animal Control Officer, owner, and/or custodian may petition the chairman of the animal matters hearing board to conduct a special hearing on the matter prior to the next regularly scheduled meeting of the animal matters hearing board in accordance with § 230-4 of these regulations.
  - b) During the period of impoundment the owner and/or custodian may be held responsible for all costs and maintenance expenses incurred. These expenses shall be itemized and presented to the Animal Matters Hearing Board as to the amount of restitution to be paid to the County by the owner or custodian of the animal.
- 7) Conduct public information programs regarding these regulations, adoption, spay neuter, health care, and other programs as directed.
  - 8) Conduct inspections of commercial animal establishments as provided in these regulations.
  - 9) Take custody of stray or surrendered animals.
  - 10) Initiate a complaint and provide other forms of enforcement of these regulations and/or the State Code. Prior to a complaint being filed by an Animal Control Officer with either the Board or Court of the State of Maryland, the Animal Control Officer shall have probable cause of an alleged violation of these regulations or the State Code.
  - 11) Serve subpoenas requiring appearance before the board.
- B. It shall be a violation of these regulations to interfere with, hinder, or molest an Animal Control Officer in the performance of their duties as prescribed in these Regulations and the State Code. Such prohibited interference includes, but is not limited to: physically striking or attempting to strike the Animal Control Officer; removing or attempting to remove any animal from the control of an Animal Control Officer; removing or intentionally hiding any animal under investigation by an Animal Control Officer; knowingly providing false information to an Animal Control Officer; removing or attempting to remove any animal from any vehicle used by an Animal Control Officer; and, taking or damaging any county property used by an Animal Control Officer. Certain violations of this section may also be subject to prosecution under the Annotated Code of Maryland.

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## § 230-7 • Powers and duties of the Charles County Animal Care Center (CCACC)

A. The CCACC animal shelter shall have the powers to:

- 1) Receive stray and surrendered animals;
- 2) Ascertain the identity of the owner or custodian of any impounded animal, and as a precondition of release require the payment of all charges for the care, impoundment, board, veterinary treatment, and unpaid license fees incurred pursuant to an impoundment;
- 3) Place unclaimed or surrendered animals for adoption or rescue in accordance with these regulations, the State Code, and the policies established by the CCACC;
- 4) Humanely euthanize unclaimed or surrendered animals in accordance with these regulations and the State Code.

B. The CCACC shall have the following duties:

- 1) Provide humane treatment of all animals, at all times, under its care.
- 2) Maintain and adhere to prescribed standards for the humane operation of the animal shelter, including, but not limited to, the housing, feeding, care, veterinary treatment, rescue, adoption, and euthanasia of animals in the facility pursuant to these regulations and State Code.
- 3) To the extent provided by the approved fiscal year budget, provide for necessary and appropriate veterinary care of injured or sick animals in the custody of the CCACC. Such veterinary care may be rendered without the consent of the owner. Unless caused by gross negligence or intentional misconduct, Charles County employees, CCACC Staff and its agents shall not be liable for acts committed or omitted in rendering such care.
- 4) Post in a conspicuous location at the Animal Shelter an approved schedule of fees for the housing, care, treatment, adoption, and redemption of animals which come into the custody of the CCACC.
- 5) Maintain all records of impoundments, veterinary treatment, and disposition of animals and other activities for a period of three (3) years. Animal records shall be complete and accurate as to the breed, sex, color, condition, how, when, and where the animal was obtained, and the final disposition of the animal.
- 6) Conduct public information programs on regarding these regulations, responsible pet ownership, adoption, spaying, neutering, healthcare, and other programs as directed by the Sheltering Authority.
- 7) Make prompt and reasonable efforts to locate and notify possible owner or custodian of the intake of a stray animal.

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## § 230-8 • Cruelty

- A. It shall be a violation of these regulations for any individual to:
- 1) Abandon any animal;
  - 2) Torture, torment, beat, kill, injure, mutilate, intentionally strike with any vehicle, overdrive, overload, or otherwise abuse any animal, except in defense of persons or other animals;
  - 3) Administer poison to any animal or knowingly place or leave any poisonous or other harmful substance with intent to injure or kill any animal other than vermin;
  - 4) Use or permit any animal to be used for the purpose of fighting with any other animal;
  - 5) Cause, arrange, or authorize these acts;
  - 6) Inflict unnecessary suffering or pain upon an animal, or unnecessarily fail to provide the an animal with nutritious food in sufficient quantity, necessary veterinary care, proper drink, ventilation, space, shade, shelter, and protection from the elements.
  - 7) Sell or distribute any dog or cat less than eight weeks of age unless accompanied by its dam. This does not apply to animals given to a government operated or supported animal shelter or animals accompanied by a statement signed by a licensed veterinarian stating that the dam is incapacitated for humane or medical reasons and cannot care for her offspring.
  - 8) Animals left in a standing or parked vehicle.
    - a) An owner or custodian may not leave an animal unattended in a standing or parked motor vehicle in a manner that endangers the health or safety of the animal.
    - b) Except as provided in subsection (c) of this section, a person may use reasonable force to remove from a motor vehicle any animal left in a vehicle in violation of the provisions of subsection (a) of this section if the person is:
      - i) An Animal Control Officer under the jurisdiction of the State or a local governing body;
      - ii) A law enforcement official;
      - iii) A public safety employee of the State or of a local governing body.
    - c) Exception – A person may not use force of any kind to remove from a motor vehicle:
      - i) A dog used by the State or a local governing body for police work while the dog is on duty; or
      - ii) A cat or dog in the custody of an Animal Control Officer.

- 9) Sell or give away any animal as an inducement to enter a contest, game, or place of amusement, unless such activity has been specifically permitted by the Maryland Department of Agriculture.
- B. In the case of activities in which physical pain may unavoidably be caused 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.
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### **§ 230-9 • Rabies prevention**

- A. It shall be the duty of every owner or custodian of a dog, cat, or ferret at least four (4) months of age within Charles County to have such animal inoculated with an anti-rabies vaccine approved by the Charles County Department of Health. This inoculation shall be re-administered as frequently as the Charles County Department of Health may from time to time specify to ensure that the animal maintains its resistance to rabies.
- 1) The inoculation shall be administered by a licensed veterinarian who shall issue the owner or custodian a rabies certificate.
  - 2) The rabies certificate issued by the veterinarian shall be preserved by the owner or custodian of the animal and be exhibited upon the request for inspection by an Animal Control Officer, health officer, law enforcement officer, or their authorized agents, to include shelter staff when the owner or custodian seeks to reclaim an animal at from the CCACC shelter.
  - 3) The health status of an animal in quarantine shall always be verified in person by either by a health officer, Animal Control Officer, or licensed veterinarian.
- B. Quarantine Requirements. Any domesticated mammal that has bitten a person, or any other dog, cat, or ferret shall be quarantined for a period of not less than ten (10) calendar days following the date of the bite. Any domesticated mammal which has been bitten by or otherwise physically exposed to an animal that is known or suspected to be infected with the rabies virus shall be quarantined for a period of not less than ten (10) calendar days following the date of the bite or exposure. A longer quarantine period may be mandated, or the animal may be ordered to be euthanized and tested for rabies in the sole discretion of the Charles County Department of Health. The quarantine requirements are:
- 1) Confinement of the animal to a house, garage or other escape proof enclosure or building approved by the Charles County Department of Health or its designee.
  - 2) The quarantined animal may not be removed from the quarantine premises unless on a leash, muzzled, and under the immediate control of an adult capable of controlling the animal.
  - 3) Prevention of contact with other animals or persons other than the primary caretakers.

- 4) The animal may not be removed from the quarantine premise without written authorization of the Charles County Department of Health or its designee.
- 5) If the quarantined animal becomes ill or begins to exhibit behavioral changes, the owner or custodian shall immediately notify the Charles County Department of Health, who shall determine the appropriate course of action.
- 6) If the quarantined animal dies, the owner or custodian shall immediately notify the Charles County Department of Health and make the animal available for rabies testing.
- 7) If the quarantined animal escapes, the owner or custodian shall immediately notify the Charles County Sheriff's Office, the Charles County Division of Animal Control, and the Charles County Department of Health.
- 8) Until the animal is cleared by the Charles County Department of Health from quarantine, the owner or custodian shall not euthanize, kill, give away, sell, or otherwise dispose of the animal without written authorization from the Charles County Department of Health.
- 9) If a veterinarian's examination is not required on the final day of the quarantine, the owner or custodian shall telephone the Charles County Department of Health to report the status of the animal.
- 10) If the animal is unvaccinated against rabies at the time it was bitten or exposed, the animal shall not be vaccinated until released from quarantine.
- 11) If unvaccinated, the owner or custodian shall take the animal to a licensed veterinarian for a physical rabies exam and vaccination within five (5) calendar days of the final day of quarantine.
- 12) If an animal is not properly quarantined it shall be impounded by an Animal Control Officer or his designee.

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### **§ 230-10 • Licensing**

- A. The sale of licenses shall be through the Charles County Division of Animal Control, or its designees.
- 1) It shall be unlawful for any person, firm, corporation, or other legal entity to own, keep, or harbor a dog or cat four months old or older without a current Charles County License.
  - 2) Owners or custodians of certified Seeing Eye dogs, hearing dogs, governmental police dogs, or other certified dogs that are trained to assist the physically handicapped shall not be required to pay the annual fee but shall be required to obtain and display the license.
  - 3) Animal shelters operated by chartered humane organizations or local government for the purpose of housing stray, abandoned, sick or injured animals shall be exempt from licensing prior to adoption or return to owner.



To file a complaint with the Animal Matters Hearing Board for Charles County, please check the appropriate Section and Subsection(s) listed below that apply, complete the factual basis of complaint form on page 1 (**Please include locations, dates and times and specific facts to support your allegations**), then mail the entire section to the address at the top of the form. Information on the public hearing process can be found in the **CHARLES COUNTY ANIMAL REGULATIONS** booklet ([www.CharlesCountyMD.gov/services/animal-care-control](http://www.CharlesCountyMD.gov/services/animal-care-control) (*click on Animal Regulations link*)). Do not forget to sign the form and include a telephone number and email address where you can be contacted if further information is needed.

## Chapter 230

SECTION 12.4 PUBLIC NUISANCE		
	12.4.A.(1)	Be at large
	12.4.A.(2)	Damage the property of anyone other than its owner
	12.4.A.(3)	Molest pedestrians, neighbors or passersby
	12.4.A.(4)	Intimidate pedestrians, neighbors, or passersby. Intimidation should be defined as when a reasonable prudent person under same or similar circumstances would have been threatened by the actions of the animal in question
	12.4.A.(5)	Chase vehicles
	12.4.A.(6)	Bark or make other harsh or excessive noise so as to disturb the quiet, comfort, or repose of members of the community as reflected by reasonable persons with normal sensitivities
	12.4.A.(7)	Foul the air by odor and thereby create unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored
	12.4.A (8)	Defecate on public property and/or urinate/defecate on private property
	12.4.A.(9)	Continue or repeat that behavior for which the animal has previously been determined by the board to be a public nuisance by virtue of being a menace to the public health, welfare, or safety

SECTION 12.5 DANGEROUS AND/OR VICIOUS ANIMALS		
	12.5.A.(1)	Any animal which wounds, bites or otherwise injures a human being without provocation on public or private property
	12.5.A.(2)	Any animal which has injured or killed a domestic animal without provocation
	12.5.A.(3)	Any animal which has a vicious nature, disposition and/or propensity which is known or should be known by its owner or custodian
	12.5.A.(5)	Any animal owned or harbored primarily or in part for the purpose of animal fighting, or any animal trained for animal fighting
	12.5.A.(6)	Any animal not owned by a governmental or law enforcement unit, used primarily to guard public or private property
	12.5.C	Potentially dangerous animal, any animal that by its actions, constitutes a physical threat to human beings, other domestic animals, or both

I understand that I **MUST** appear for hearing on this matter on the date and time set by the Animal Control Board. I further understand that I have the burden of substantiating each and every alleged violation.

I DO SOLEMNLY DECLARE AND AFFIRM, UNDER PENALTIES OF PERJURY, THAT THE MATTERS AND FACTS SET FORTH IN THE FOREGOING APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

<b>Day Telephone Number:</b>		<b>Complainant Signature:</b>	
<b>Evening Telephone Number:</b>		<b>Email Address:</b>	

- 4) Applications for license(s) shall be made to the Charles County Division of Animal Control or its designee within (30) thirty days of residency.
  - a) Before any license shall be issued, the owner shall produce a valid rabies certificate issued by a licensed veterinarian proving that the dog or cat is currently vaccinated against rabies.
  - b) Before any unsexed license shall be issued, the owner shall produce a certificate of surgical sterilization issued by a licensed veterinarian proving that the dog or cat has been spayed or neutered.
- 5) License certificates shall include the date of issuance, expiration date, the owner's name and address, home and work telephone numbers, as well as the animal's sex, species, breed, age, color and markings; rabies expiration date, rabies tag number, issuing veterinarian's name and telephone number.
- 6) A license tag shall be issued with the license certificate. This tag shall be worn by the dog or cat at all times, except when confined in a home, kennel or when participating in a competition where such displays are prohibited. Cats may be exempted from this requirement if they are microchipped and the microchip is included on the license certificate.
- 7) No person may use any license for any dog or cat other than the animal for which it was issued.
- 8) The license certificate shall be made available upon request by any health, animal control or law enforcement officer, or their agents.
- 9) The annual fee for a dog or cat license shall be as set forth in the Commissioners' fees and charges, approved on a yearly basis with the annual budget.

B. Animal Fancier Licensing. Any person, partnership, corporation, or other legal entity that harbors or keeps any combination of more than 10 adult animals and which does not breed and sell the offspring or use males for stud may not do so without first obtaining an animal fancier's license in compliance with this section.

- 1) Application for an animal fancier's license shall be made to the Charles County Division of Animal Control or its Designee. The application shall be accompanied by a photograph, current rabies vaccination certificate, and description of each animal to be covered by the license.
- 2) The license period shall run for one (1) year from the date of issuance. Renewal applications for licenses shall be made thirty (30) days prior to expiration of said license.
- 3) An annual animal fancier's license will be issued only upon the successful completion of an inspection of the premises where the animals are kept or housed.
  - a) An appointment for inspection will be made by Charles County Animal Control Services within (30) Days of receipt of the application.

- b) When the license covers dogs or cats, individual tags for the animals covered by this license will be issued along with the license certificate. These tags shall be worn by the individual dogs or cats at all times, except when confined in a home, kennel, or when participating in a competition where such displays are prohibited.
  - 4) A current rabies vaccination certificate on each animal covered by the license shall be made available at the time of the inspection and at any time requested by any animal control, health, or law enforcement officer.
  - 5) If the property where the animals are to be kept or housed is not owned by the applicant, he/she must submit written, notarized permission from the property owner authorizing the activity requested and the maximum number of animals to be kept on the property.
  - 6) The annual fee for a fancier's license shall be as set forth in the Commissioners' fees and charges, approved on a yearly basis with the annual budget. If all of the animals covered by the license are sterilized, a 75% reduction of the applicable fee will be applied.
  - 7) No person, partnership, corporation, or other legal entity that has been found guilty of cruelty to animals shall be eligible for an animal fancier's license.
- C. Commercial Animal Establishment Licensing. No person, partnership, corporation, or other legal entity shall operate a commercial animal establishment without first obtaining a license in compliance with this section. License applications shall be accompanied by written verification from Charles County Department of Planning and Growth Management that the applicant's intended use of the property complies with any and all applicable local and state zoning and land use statutes.
- 1) No fee may be required of any government operated zoological park.
  - 2) All dogs and cats offered for sale or resale must be examined by a licensed veterinarian within the last three months prior to sale or resale.
    - a) Any animal under veterinarian treatment may not be offered for sale without release from the veterinarian.
    - b) Any owner or employee of a commercial animal establishment who knows of or should have known of any animal defect or illness shall make a purchaser aware of this information prior to sale.
  - 3) Records or forms must be maintained for a period of one (1) year for any animal offered for sale or sold. Records shall contain the following but are not limited to:
    - a) Animal Description: breed, sex, color, and age.
    - b) The origin of purchase, to include the supplier and the date of receipt.
    - c) Proof of sale
    - d) Medical Record and any required treatment program.

- 4) Commercial animal establishment license shall be renewed annually upon successful completion of an inspection and payment of the applicable fee. The license shall be displayed at the commercial animal establishment in a conspicuous location suitable for public viewing.
- 5) Change in ownership or location.
  - a) If there is a change in ownership of a commercial animal establishment, the new owner shall have the current license transferred to his/her name upon payment of a \$25 transfer fee and completion of a successful inspection of the premises.
  - b) If there is a change in the location of a commercial animal establishment, the owner shall file for a change of address and pay a fee as set forth in the Commissioners' fees and charges, approved on a yearly basis with the annual budget, and complete a successful inspection of the premises within 30 days of change of location.
- 6) Any commercial animal establishment who has a change in the category under which a license was issued shall notify the licensing authority and be subject to reinspection, reclassification, and readjustment of the license fee.
- 7) Every commercial activity subject to these Regulations shall be considered a separate enterprise requiring an individual license fee.
- 8) The license period shall run for one year from the date of issuance. Renewal applications for licenses shall be made 30 days prior to expiration of said license.

D. Commercial animal establishment license issuance and suspension.

- 1) In the case of commercial breeding facilities, if the property where the activity is to take place is not owned by the applicant, lessee's must submit written notarized permission from the property owner authorizing the commercial activity requested and the maximum number of animals allowed to be kept on the property.
- 2) Upon receipt of the application and license fee, the Charles County Division of Animal Control shall inspect the facility prior to issuance of the license. A license may be denied if the person, partnership, or corporation, or other legal entity holding the license refuses or fails to comply with these regulations or any law governing the protection and keeping of animals.
- 3) It shall be a condition of any license issued pursuant to this subsection that the Charles County Division of Animal Control is expressly authorized to conduct unannounced post-issuance compliance inspections during normal county business hours. The inspectors will examine all animals at the premises, all records required to be maintained under these regulations, as well as the premises where animals are kept. If permission for such inspection is refused, the license previously issued shall be suspended.

- 4) If the applicant has withheld or falsified any information on the application, the Charles County Division of Animal Control may suspend the license.
  - 5) No person, partnership, or corporation or other legal entity that has been found guilty of cruelty to animals shall be issued a license to operate a commercial animal establishment.
  - 6) Any person, partnership, corporation or other legal entity having its license revoked by order of the Animal Matters Hearing Board, shall not be eligible to reapply for a period of six (6) months following the date of the revocation. Each re-application shall be accompanied by a fee as set forth in the Commissioners' fees and charges, approved on a yearly basis with the annual budget and shall include written verification from the Charles County Department of Planning and Growth Management government that the applicant's intended use of the property complies with any and all applicable local and state zoning and land use statutes, as well as any amendments thereto.
  - 7) Appeals for denied or suspended licenses may be made to the Animal Matters Hearing Board within fourteen (14) calendar days of receipt of written notice of such action. Failure of the licensee to appeal the denial or suspension within the time specified shall cause the license denial or suspension to stand.
  - 8) The filing of a timely appeal of a denial or suspension of a license to the Animal Matters Hearing Board shall not stay necessary enforcement activities to ensure the health and welfare of animals owned or in the custody of the appellant. In addition, in the event of an emergency situation an animal control office may petition the chairman of the Animal Matters Hearing Board to issue an immediate "cease and desist" order.
- A. Commercial animal establishment license fees. License fees shall be as set forth in the Commissioners' fees and charges, approved on a yearly basis with the annual budget.
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### **§ 230-11 • Animal care**

- A. No owner or custodian of an animal shall fail to provide the animal with: humane care and treatment; sufficient, nutritious food; potable water in sufficient quantities; ventilation, shelter, space, shade, and protection from the weather; and veterinary care when needed. In the case of farm animals, nothing in this section may be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices.
- B. Minimum standards for indoor and outdoor enclosures for animals must:
- 1) Be structurally sound and maintained in good repair to protect the animal from injury and to contain the animal;
    - a) Fencing shall be appropriate so as to keep the intended animals restrained within its boundaries.

- 2) Provide sufficient space to allow each animal adequate freedom of movement; space must be appropriate and sufficient for the age, breed/type, quantity, condition, and size of the animal(s).
  - 3) Be usable and safe (e.g., must be provided an area free from standing water, accumulated waste, sharp objects, trash and debris, and maintained in a safe and humane manner to minimize health hazards and obnoxious odors);
  - 4) Provide potable water that is always available and that is always kept in a vessel secured to prevent tipping.
- C. Interior and exterior housing facilities shall provide adequate ventilation by natural or mechanical means, and the ambient temperature shall be compatible with the health of the animal.
- D. Outdoor shelter shall be as follows:
- 1) During the summer months between June 1 and September 15 or whenever the ambient air temperature is above 80 degrees Fahrenheit, or when sunlight is likely to cause heat exhaustion, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight. Under no circumstances shall a dog house, regardless of its design, be considered shade during the summer months.
  - 2) If an animal is confined outdoors for a continuous period of a half hour or more, it shall be the duty of the owner or custodian to provide said animal with proper shelter from the elements consistent with that species of animal. For livestock, poultry, and other farm animals, proper shelter shall be consistent with customary and normal agricultural husbandry practices. For dogs and cats proper shelter is described below:
    - a) Weatherproof. Shelter must be solid. There shall be no cracks or openings other than entrance. The shelter shall not have any metal or plastic primary interior surfaces. Commercially made shelters with insulation material between the inner and outer layers of fiberglass/plastic construction are generally acceptable.
    - b) Elevated. Floor must be off the ground at least two (2) inches.
    - c) Door flap. Between December 1 and March 15 and whenever the ambient air temperature is 35 degrees Fahrenheit or lower, the entrance must be covered with a self closing door, an offset outer door or a flexible flap, and/or the entrance should face south or east, away from the prevailing winds to protect the animal from the elements.
    - d) Bedding. Bedding must be kept dry. Straw, leaves, hay, wood shavings, or other suitable material must be provided in sufficient quantity for insulation against cold and damp.
    - 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 the interior with its body.

- E. The owner or custodian of a dog may not tie, chain, cable, or in any way tether a dog outside for a total of more than four (4) hours a day. 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. A dog may not be tethered using a collar or harness that is made primarily of metal and is not at least as large as the circumference of the dog's neck plus one (1) inch.
- F. A kennel/pen for outside dogs shall be a minimum of six (6) feet in height and meet the minimum space/size requirements as listed in the following table. These requirements are not applicable to animal shelters, humane societies, commercial boarding kennels, veterinary clinics and hospitals, or pet stores.

No. of Dogs	Small (up to 25 lbs)	Medium (25-50 lbs)	Large (more than 50 lbs)
1	3' x 7' (21 sq. ft)	6' x 10' (60 sq. ft)	8' x 10' (80 sq. ft)
2	4' x 8' (32 sq. ft)	8' x 10' (80 sq. ft)	10' x 10' (100 sq. ft)
3	5' x 9' (45 sq. ft)	8' x 12' (96 sq. ft)	10' x 14' (140 sq. ft)
4	8' x 10' (80 sq. ft)	10' x 12' (120 sq. ft)	12' x 16' (192 sq. ft)

- G. 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.

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### § 230-12 • Animal at large

- A. It shall be unlawful for any person, partnership, or corporation, or other legal entity to allow an 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 animal may not permit the animal to be on school grounds on a day when school is in session, in a public recreation area, on any public property or thoroughfare, or on private property without the property owner's permission unless:
- 1) The animal is controlled by a leash or similar restraining device.
  - 2) The presence of the animal is in an organized activity such as a dog show.
- D. No animal accidentally at large with a person capable of controlling the animal in immediate physical pursuit shall be deemed at large.

- E. A person who is aware of an animal being at large or who finds a stray animal shall report the condition to the Charles County Animal Care Center, an Animal Control Officer, or other law enforcement official.
  - F. An Animal Control Officer or authorized representative of Animal Control who observes an animal at large may pursue that animal on public and/or private property.
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### **§ 230-12.1 • Female in season**

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

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### **§ 230-12.2 • Allowing animal to urinate or defecate on private property prohibited**

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

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### **§ 230-12.3 • Allowing animal to defecate on public property prohibited**

It shall be unlawful for any owner or custodian to allow their animal to defecate on public property unless the owner or custodian of the animal immediately thereafter removes and disposes of it in a sanitary manner.

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### **§ 230-12.4 • Public nuisance**

- A. No person, partnership, corporation, or other legal entity shall keep or maintain any animal in such manner as to cause or permit the animal to be a public nuisance. A public nuisance is when an owner or custodian allows an animal to:
  - 1) Be at large;
  - 2) Damage the property of anyone other than its owner.
  - 3) Molest pedestrians, neighbors, or passersby;
  - 4) Intimidate pedestrians, neighbors, or passersby;
  - 5) Chase vehicles;
  - 6) Bark or make other harsh or excessive noise so as to disturb the quiet, comfort, or repose of members of the community as reflected by reasonable persons with normal sensitivities;

- 7) Foul the air by odor and thereby create unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;
  - 8) Defecate on public property and/or urinate/defecate on private property; or
  - 9) Continue or repeat that behavior or activity for which the animal has previously been determined by the Board, after notice to its owner and a hearing, to be in violation of any of these regulations and/or a public nuisance by virtue of being a menace to the public health, welfare, or safety.
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### **§ 230-12.5 • Dangerous and/or vicious animals and potentially dangerous animals**

- A. For the purpose of these Regulations, a dangerous and/or vicious animal shall be defined as any animal:
- 1) Which wounds, bites, or otherwise injures a human being without provocation on public or private property. For the purposes of this section, the term provoked shall mean any situation occurring in Subsection B, and not the term as described in the Health Department bite report;
  - 2) Which has injured or killed a domestic animal, without provocation, on public or private property;
  - 3) Which has a vicious nature, disposition, and/or propensity which is known or should be known by its owner or custodian;
  - 4) Which has been previously determined to be dangerous and/or vicious by other competent authority;
  - 5) Owned or harbored primarily or in part for the purpose of animal fighting or any animal trained for animal fighting; or
  - 6) Not owned by a governmental or law enforcement unit, used primarily to guard public or private property.
  - 7) Any live animal as listed in the Annotated Code of Maryland, Criminal Law Article, §10-621(b).
- B. No animal may be declared dangerous and/or vicious if:
- 1) The threat, wound, bite, injury or damage was sustained by a person who:
    - a) At the time was committing a willful trespass or other tort upon the premises occupied by the owner or custodian keeper of the animal; or
    - b) Was tormenting, abusing, or assaulting the animal(s); or
    - c) Has in the past been observed or reported to have tormented, abused, or assaulted the animal; or
    - d) Was committing or attempting to commit a crime;

- 2) Or the animal was:
  - a) Protecting or defending its young or other animal.
  - b) Responding to pain or injury.
- C. Potentially Dangerous: The Board may make a determination that an animal is potentially dangerous. A potentially dangerous animal is any animal that, by its actions, constitutes a physical threat to human beings, other domestic animals, or both.
- D. The Board may consider past history and actions of the animal in their determinations.
- E. Upon determination of dangerous and/or vicious or potentially dangerous by the Board, the Board may require any or all of the following:
  - 1) No dangerous and/or vicious or potentially dangerous animal shall be chained, tethered, or otherwise tied to any inanimate object, such as a tree, post, or building outside of its own enclosure.
  - 2) For any owner or custodian of a dangerous and/or vicious or potentially dangerous animal who maintains their animal outside, a portion of their property shall be fenced with a perimeter or area fence. Within this perimeter fence, the animal shall be humanely confined inside a pen or kennel meeting the requirement specified in these regulations. The pen or kennel may not share common fencing with the area or perimeter fence. The kennel or pen must have secured sides; a secure top attached to all sides; the sides must either be buried two feet into the ground, sunken into a concrete pad, or otherwise secured to prevent escape by digging. The gate to the pen or kennel must be locked.
  - 3) Whenever outside of its enclosure, but on the owner's or custodian's property, a dangerous and/or vicious or potentially dangerous animal must be attended by the owner or custodian and restrained by a secure collar and leash of sufficient strength to prevent escape.
  - 4) The owner or custodian of any dangerous and/or vicious or potentially dangerous animal shall display in a prominent place on their premises where the animal is kept, and at each entrance and exit to the area where such animal is confined, a sign easily readable by the public using the words "dangerous dog." The lettering on the signs shall be at least 3 inch block on signs 8 ½ inches by 14 inches, legible, in bright colors.
  - 5) Except when being transported in, and humanely and securely confined within, a vehicle, no dangerous and/or vicious or potentially dangerous animal shall be permitted off the property of its owner or custodian except when it is:
    - a) Attended by its owner or custodian; and

- b) Is humanely restrained by a secure collar and leash (not to exceed six (6) feet in length); both collar and leash to be of sufficient strength to prevent escape; and
  - c) Is humanely muzzled by any means sufficient to prevent biting other persons or domestic animals.
- 6) The animal be neutered at the expense of the owner or custodian.
  - 7) The animal be microchipped at the expense of the owner or custodian and the microchip number provided to Charles County Division of Animal Control.
  - 8) Ownership or custody of an animal presumed or deemed dangerous and/or vicious or potentially dangerous shall not be transferred without prior written approval.
- F. Upon determination of dangerous and/or vicious by the Board, the Board may require that the animal be humanely euthanized.
- G. The owner or custodian of an animal presumed or deemed dangerous and/or vicious or potentially dangerous by the board shall immediately notify the Charles County Sheriff's Office Department and Charles County Division of Animal Control if the animal should become at-large or otherwise not meet any and all requirements set.
- H. Enforcement of the requirements set for the lawful keeping of a dangerous and/or vicious or potentially dangerous animal.
- 1) In the event that the owner or custodian of a dangerous and/or vicious or potentially dangerous animal is in violation of any regulation, an Animal Control Officer, or other law enforcement 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 owner or custodian's request and expense and upon approval by an Animal Control Officer, such impoundment may be at a veterinarian or licensed commercial animal establishment of the owner or custodian's choosing.
  - 3) If the owner or custodian 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.
  - 4) If the owner or custodian of a dangerous and/or vicious or potentially dangerous animal fails to either provide proof that the animal shall now be kept restrained and/or confined in compliance with these regulations or fails to reclaim it within seventy-two (72) hours from the time of impoundment by Animal Control, the animal shall be humanely euthanized.

- I. Repeat offenders of provisions relating to dangerous and/or vicious or potentially dangerous animals will be given an opportunity to fully explain to the Board why a violation has been repeated. The Board will consider such explanation in determining penalties and/or disposition.
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### **§ 230-12.6 • Impoundment; redemption; adoption**

- A. Any animal observed in violation of these regulations or the State Code may be immediately and humanely impounded and housed at the Charles County Animal Care Center or its designated agent. In addition to, or in lieu of, impounding an animal, the Animal Control Officer may issue to the known owner or custodian of such animal a notice of violation.
- B. Impounded stray domestic animals may not be adopted, rescued, placed, or destroyed until:
  - 1) Seventy-two (72) hours have elapsed after giving notice to the owner; or
  - 2) If the owner cannot be notified, seventy-two (72) hours have elapsed after the animal is impounded;
  - 3) Unless:
    - a) The animal is seriously diseased or severely injured; or
    - b) The animal is under three (3) months of age
- C. An owner or custodian reclaiming an impounded animal shall pay the fees established by the Charles County Animal Care Center. The fees for subsequent impounds occurring within 12 months shall be doubled. Upon the third and any subsequent impoundments within 12 months, the animal shall remain in the shelter until the owner or custodian appears before the Board's next scheduled hearing. The Board shall determine the necessary means to abate the violations and may levy fines and fees.
- D. As a precondition of release the owner or custodian reclaiming any impounded animal will be required to pay all established fees and other expenses for the care, impoundment, board and veterinary treatment incurred by Charles County or its agents pursuant to the impoundment.
- E. In addition to paying the established fees, an owner or custodian reclaiming an impounded animal shall show proof of a current rabies vaccination and county license, or shall pay the deposit fees required to comply with §§ 230-9 and 230-10 of these Regulations.
- F. All impounded dogs and cats being reclaimed from the Charles County Animal Care Center will be micro-chipped prior to release at an established fee to be paid by the owner or custodian reclaiming the animal.
- G. Except as otherwise provided in these regulations, any animal impounded and not reclaimed by its owner or custodian within three (3) working days follow-

ing impoundment shall be deemed abandoned. The animal shall then become the property of Charles County, and be made available for adoption, rescue, or euthanization, in accordance with these Regulations, State Code, and Charles County Animal Care Center policy.

- H. No unclaimed dog or cat shall be released for adoption without being sterilized, or without written agreement from the adopter guaranteeing that such animal will be sterilized within thirty (30) days for adults or a specified date in the contract for puppies and kittens.
- I. Any animal considered by the Charles County Animal Care Center to be unhealthy, dangerous, or otherwise unfit may not be placed for adoption.
- J. The Charles County Animal Care Center may deny applications for adoption as provided by established shelter policy and procedure.
- K. No wild animal may be placed for adoption.
- L. No animal shall be knowingly sold or given away for use in experimentation or research.
- M. Charles County, its employees or agents shall not be liable for any damages to person or property caused by an animal adopted, rescued, or reclaimed from the Shelter.

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### **§ 230-12.7 • Striking a domestic animal with a motor vehicle**

As in the Maryland Annotated Code, Transportation Article § 20-106, any person who, as the operator of a motor vehicle, strikes a domestic animal shall immediately notify the owner or custodian of the domestic animal; or, if the owner or custodian cannot be immediately notified, then the state or local police, or Animal Control of the accident.

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### **§ 230-12.8 • Fees**

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

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### **§ 230-12.9 • Fines**

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

B. The fines for subsequent violations within a rolling twelve (12) month period shall be doubled.

In Violation of Section	Category	Fine
230-6B	Interference with an Animal Control Officer	\$250
230-8	Cruelty (requires appearance before the Board)	\$50 to \$1,000
230-9	Rabies prevention (requires appearance before the Board):	
	Failure to vaccinate	\$100
	Failure to quarantine	\$100
230-10	Licensing:	
	Individual	\$50
	Fancier	\$150
	Commercial animal establishment	\$250
230-11	Animal care (per offense)	\$35
230-11G	Animal riding in an open vehicle	\$50
230-12	Animal at large	\$50
230-12.1	Female in season	\$50
230-12.2	Allowing an animal to urinate/defecate on private property	\$50
230-12.3	Allowing an animal to defecate on public property	\$50
230-12.4	Public Nuisance §A(1) through §A(8)	\$50
230-12.4	§A(9); Public nuisance violation of the Board's order (requires an appearance before the Board)	\$50 to \$200
230-12.5	Dangerous and/or vicious or potentially dangerous (requires an appearance before the Board)	\$50 to \$1000
230-12.5	Failing to comply with the Charles County Animal Regulations in the keeping of dangerous and/or vicious or potentially dangerous animals (requires an appearance before the board)	\$200 to \$1,000

C. Violations covered under Section 230-12.11 below are referred to, and prosecuted by the State's Attorney in the District Court of Maryland for Charles County.

### § 230-12.10 • Entering into contracts with outside services

No statement, provision or regulation set forth herein shall be construed to prevent the County Commissioners of Charles County, Maryland, from entering into a contract with an outside service for the enforcement of these Regulations.

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**§ 230-12.11 • Failure to pay fines; failure to appear before  
Animal Matters Hearing Board; or failure to comply with  
lawful orders of Animal Matters Hearing Board**

- A. Any person, partnership, corporation, or other legal entity served with a citation for an alleged violation of any of the provisions of these regulations shall be subject to payment of a fine as specified on the citation form or must appear before the Animal Matters Hearing Board to answer the complaint. Failure to appear before the Board when ordered to do so, and/or after having failed to pay the fine as specified on the citation form within the time specified on the citation, shall be guilty of a misdemeanor punishable by not more than sixty (60) days in jail, a fine of \$300, or both.
- B. Any person, partnership, corporation, or other legal entity willfully failing to comply with any lawful order of the Board shall be guilty of a misdemeanor punishable by not more than sixty (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.

# Frequently Asked Questions About Charles County Animal Regulations

## What are the duties of a responsible pet owner?

You should exercise reasonable care and take all necessary steps and precautions to protect other people, property, and animals from injuries or damage which might result from the animal's behavior, regardless of whether the behavior is motivated by playfulness, fear, sickness, or ferocity. In addition, if a minor is the custodian of an animal, the parent or guardian is still responsible for ensuring compliance with regulations and State codes. Don't forget that animals may not be sold or given to a minor without the written consent of the parent or legal guardian.

## What must I do to properly immunize my animal from rabies?

State and County laws require that all dogs, cats, and ferrets four months or older be immunized with an antirabies vaccine administered by a licensed veterinarian. The veterinarian will issue you a certificate of immunization. **DO NOT LOSE THIS CERTIFICATE!** You should keep it in a safe place and be able to show it to an Animal Control Officer, Health Officer, or any other law enforcement officer upon request.

Reduced-cost rabies clinics are held periodically throughout the County. Call the Humane Society of Charles County at 301-645-8181 for more information.

## What are the rules about licensing my animal?

Dogs and cats four months or older must be licensed. The license is only good for one year from issue, therefore, you need to renew the license annually.

You can purchase a license through the Charles County Treasurer's Office, Charles County Animal Control, the Charles County Humane Society, and other participating locations. The cost is \$25 for an unaltered male or female, or \$5 for a neutered male or spayed female.

If you own a certified Seeing Eye Dog, Hearing Dog, governmental police dog, or other certified dog that is trained to assist the physically handicapped, you are not required to pay the annual fee but you still need to license your dog every year.

Dogs that are being kept at shelters are exempt from licensing until they are adopted or returned to their owner.

## What are the County's regulations regarding animal care?

You must provide your animal with sufficient, wholesome and nutritious food; clean, cool water in sufficient quantities; proper air, shelter, space, and protection from the weather; veterinary care, when needed, to prevent suffering; and humane

care and treatment at all times. Pets can not be tethered outside for more than 4 (four) hours a day. Minimum kennel sizes are also identified in the regulations.

Remember, when transporting your animal in a vehicle, the animal must be safely confined. Your animal is not allowed to ride in an unenclosed area of your vehicle unless he/she is confined by a securely affixed, well-ventilated cage, or other device designated to safely prevent the animal from falling or jumping from your vehicle.

## **Can I let my animal roam around?**

NO! It is against the law for any person, partnership or corporation to allow their animal to be at large. At large means allowing any animal (dog, cat, or other) to be away from its owner's property not under the restraint of a person capable of controlling the animal. In general the animal must be controlled by a leash.

This law does 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.

## **Is there a "pooper scooper" law in Charles County?**

YES! It is against the law to allow your domestic animal to defecate on public property, or private property that does not belong to the pet's owner. Any waste must be removed and disposed of in a proper and sanitary manner.

## **What is the Animal Matters Hearing Board?**

The Animal Matters Hearing Board hears and decides, upon receipt of a written complaint, whether an animal, or facility regulated by Charles County Animal Regulations, constitutes a public nuisance or is dangerous and/or vicious. The Board consists of not more than nine members appointed by the County Commissioners. These members include a representative from the Charles County Office of the Sheriff, Charles County Humane Society, a veterinarian licensed to practice in Charles County, and four other Charles County Citizens.

## **When could my animal be considered a public nuisance?**

If the owner allows it to:

- roam around
- damage the property of anyone other than its owner molest or intimidate pedestrians or passersby
- chase vehicles
- bark or make other harsh or excessive noise so as to disturb the quiet, comfort, or repose of members of the community
- create an unreasonable annoyance or discomfort, by odor or any other means, to neighbors or others in close proximity to the premises where the animal is kept

- defecate on public property, and/or defecate or urinate on private property (other than that of the owner), or
- continue or repeat that behavior or activity for which the animal has previously been determined by the Board after notice to its owner and a hearing, to be in violation of any of these regulations and/or a public nuisance by virtue of being a menace to the public health, welfare or safety

If you feel an animal in your neighborhood is a public nuisance, and wish the County to take action, you must file a written complaint with the Animal Matters Hearing Board, which will hear and decide the matter. A white complaint form is included in the center of this publication. Complete both sides of the form and send to: Animal Matters Hearing Board for Charles County, Maryland, at Charles County Government, P.O. Box 2150, La Plata, Maryland 20646.

For more information, please call the County Attorney's office at 301-645-0517 or 301-870-2260.

### **How could my animal be impounded?**

If your animal is in violation of any of the Charles County Animal Regulations or the Annotated Code of Maryland, it can be immediately and humanely impounded and housed at the animal shelter or its designated agent. In addition to or in lieu of impounding your animal, an Animal Control Officer may issue you a notice of violation.

If your animal is impounded, it will be kept for no less than three working days unless the animal is contagiously ill or severely injured.

When you reclaim your animal, you will have to pay fees established by the Sheltering Authority. You also will have to show proof of ownership, including a current rabies vaccination and County license.

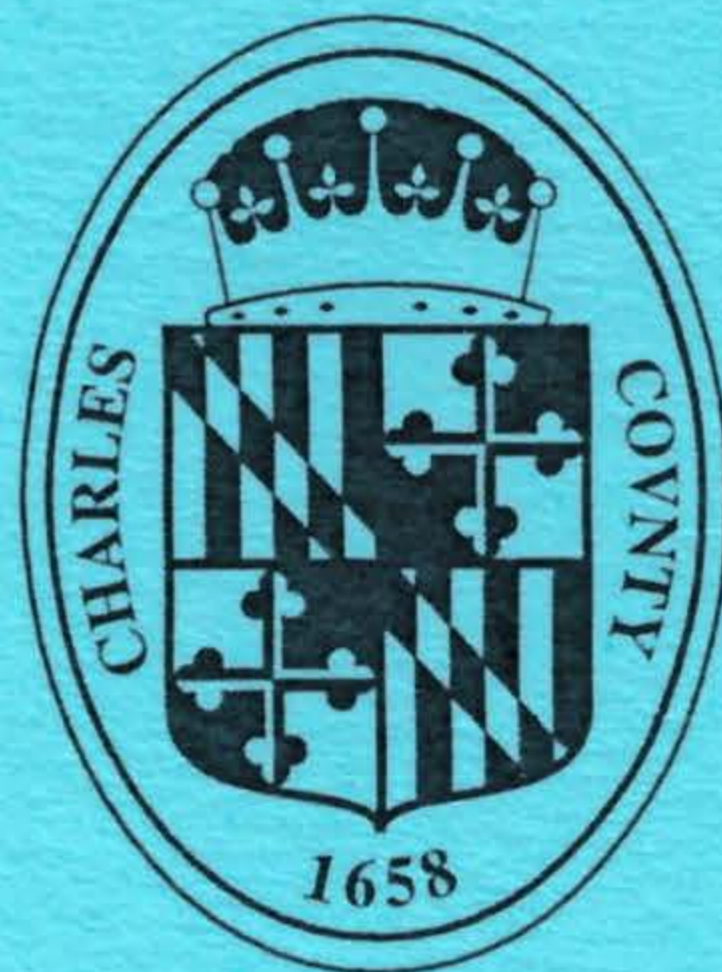
If your animal is impounded three times within a twelve-month period, it shall remain in the Shelter until you appear before the Animal Matters Hearing Board's next scheduled hearing. The Board will determine the necessary means to resolve the violations and levy any applicable fines and fees.

### **What kind of fines are there? How much will they cost me?**

See § 230-12.9 • Fines on page 33.

# Conduct of Public Hearing Before an Animal Matters Hearing Board

1. All persons who testify or make statements shall be required to take an oath as administered by the Clerk of the Animal Matters Hearing Board.
2. All persons who testify or make statements shall be required to come to an area designated by the Chairman and state their name and address in order that the proceedings may be properly recorded. Testimony may be limited in time by the Board.
3. Written statements may not be accepted by the Board. Each witness should be present in order to be questioned.
4. You may bring witnesses to testify on your behalf.
5. You may bring exhibits such as properly marked and dated photographs, a list of the times and dates the animal disturbed you, and video tapes. If a video tape is to be presented, you must notify the Clerk to the Animal Matters Hearing Board at least seven days prior to the scheduled hearing so that equipment can be available.
6. If testimony of an Animal Control Officer or other County employee is requested, you must provide notice in writing to the Clerk of the Animal Matters Hearing Board at least seven days prior to the hearing.
7. Owners of dogs and cats must bring the subject animal's rabies vaccination certificate and County license to the hearing. Owners of ferrets must bring the subject animal's rabies vaccination certificate.
8. Failure of a complainant to appear at the hearing will result in dismissal of the case.
9. Failure of an Owner to appear at the hearing, after being served with notice of the hearing and a copy of the complaint, may result in a decision being made, and restrictions and fines imposed on the Owner, based solely upon the Complainant's testimony and any other evidence presented at the hearing.
10. In the event you do not agree with the Board's decision, you have thirty (30) days to file an appeal, which must be in writing. We cannot assist you in the appeal process. If you have any questions about your rights, you should contact an attorney other than the County Attorney or the Assistant County Attorney.



Charles County Government  
**Department of Emergency Services**  
10425 Audie Lane, La Plata, MD 20646  
301-609-3425 • MD Relay: 7-1-1 (TDD: 1-800-735-2258)  
Equal Opportunity Employer • [www.CharlesCountyMD.gov](http://www.CharlesCountyMD.gov)

## How to Contact Us

If you have any further questions, please call the Charles County Animal Control Services at 301-609-3425.



You may also contact the Charles County Animal Care Center at 301-932-1713 or 1-800-903-1992. The center is located at 6707 Animal Shelter Road, Hughesville, Maryland, on Route 231 approximately 3.5 miles from the intersection of Route 5.