

AN ORDINANCE TO REPEAL ORDINANCE NO. 23 OF THE COMMISSIONERS OF LEONARDTOWN AND MAKE EFFECTIVE WITHIN THE CORPORATE LIMITS OF LEONARDTOWN THE "DOG REGULATIONS FOR ST. MARY'S COUNTY, MARYLAND", AS AMENDED.

WHEREAS THE COMMISSIONERS OF LEONARDTOWN desire to preserve and promote the health, safety and well being of the inhabitants of the Town of Leonardtown through the effective and proper control of dogs within the Town, the following ordinance is passed and adopted by the Commissioners of Leonardtown.

SECTION 1. Be it enacted and ordained by the Commissioners of Leonardtown that Ordinance No. 23 passed by the Commissioners of Leonardtown on December 4, 1956 be and the same is, hereby repealed.

SECTION 2. Be it further enacted and ordained by the Commissioners of Leonardtown that the "Dog Regulations for St. Mary's County, Maryland", as amended and recorded on February 24, 1971, shall be effective within the corporate limits of Leonardtown, and that the Board of Commissioners of St. Mary's County and their agents, along with the Commissioners of Leonardtown and their agents, shall be empowered to enforce the aforementioned regulations within the corporate limits of Leonardtown.

SECTION 3. Be it further enacted and ordained by the Commissioners of Leonardtown that any person, firm or corporation violating any of the provisions of the "Dog Regulations for St. Mary's County, Maryland", as amended, shall be subject to the penalties provided for therein.

SECTION 4. Be it further enacted and ordained by the Commissioners of Leonardtown that this ordinance shall take effect from the date of its passage and enactment.

PASSED AND ENACTED BY THE COMMISSIONERS OF LEONARDTOWN, THIS

14 DAY OF Sept, 1981.

COMMISSIONERS OF LEONARDTOWN

Fayrene Mattingly
FAYRENE MATTINGLY, PRESIDENT

Raymond H. Hall
RAYMOND H. HALL

Suzanne Henderson
SUZANNE HENDERSON

Benedict D. Duke, Jr.
BENEDICT D. DUKE, JR.

Betty Russell
BETTY RUSSELL

RECEIPT 3044

DOG REGULATIONS

FOR

ST. MARY'S COUNTY, MARYLAND

Received 2-24-71 at 3:00
FOR RECORD AND RECORDED.
DOROTHY BAILEY KUCHER, CLERK

Under Section 191 (e) and Section 194 (e), (i) and (k) of Article 56 of the Annotated Code of Maryland, the Board of County Commissioners of St. Mary's County, Maryland, is authorized to pass rules, regulations or resolutions concerning matters pertaining to the licensing and regulation of dogs in St. Mary's County, Maryland.

In accordance with the above-mentioned sections, the following regulations are hereby adopted by the Board of County Commissioners of St. Mary's County, Maryland, to become effective October 1, 1967.

DEFINITIONS

For the purpose of these regulations, and unless otherwise required by the context:

(a) The words "PERSON" or "OWNER" includes individuals, copartnerships, associations and corporations; the singular includes the plural; and the masculine, the feminine and neuter.

(b) The words "OWNER" and "OWN" include any person having a right of property in a dog, and any person who keeps or harbors a dog or has it in his care or acts as custodian or permits it to remain on or about any premises occupied or controlled by him for more than two (2) weeks.

(c) The word "KENNEL" means an enclosure wherein dogs are housed and fed and from which they cannot escape.

(d) The words "PEACE OFFICER" mean any official either elective, appointive or ex-officio in the State of Maryland or St. Mary's County, Maryland.

(e) The word "WARDEN", where used in this Act, shall refer to Dog Warden or society, authorized and empowered to act in such capacity.

(f) The words "KEEPING" or "HARBORING" mean the act or sufferance either of feeding or sheltering a dog on the premises of the occupant or owner thereof.

(g) The words "DOG LIVING IN A WILD STATE" mean dogs that roam the woods and fields, prey on animals for food and have no domesticated home.

(h) The words "RUNNING AT LARGE" mean not under the immediate control of owner or an authorized agent of owner while off the premises of its owner.

SECTION 1. DOG WARDEN:

The Board of County Commissioners shall appoint a Dog Warden who shall have all the powers of a constable or other peace officer in the execution of the provisions of these regulations including the issuance of a summons or the service of a warrant of arrest, to make arrests, and to seek prosecution of charges in connection with unlawful acts or violations relating to or growing out of such enforcement, and to collect license fees from owner.

It shall be the duty of the duly appointed Warden diligently to seek out, pursue and deliver to the Tri-County Animal Shelter for humane destruction, all unlicensed dogs known to be living in a wild state in the County; to pick up or receive for adoption or destruction stray and unwanted cats that have remained for a period of four (4) or more days at an unoccupied premises or at a home not its own when such fact is certified to on a disposal slip by the householder; to destroy critically sick and injured animals found on the public highways; and at the request of owners, to respond to all calls relating to proper enforcement of these regulations. Compensation of the Warden and other personnel shall be fixed by the Board of County Commissioners of St. Mary's County, Maryland.

SECTION 2. LICENSING OF DOGS:

It shall be unlawful for any person to own or harbor a dog unless licensed as provided in these regulations. Licenses shall not be required for dogs under the age of six months. The license period shall run for the fiscal year; namely from July 1 to June 30 inclusive, and the license fee, which shall be the only license or tax on dogs in this County and which is payable at the office of the County Treasurer or to such other agents, at such other places as may be designated by the Board of County Commissioners, shall be regulated and determined and, if paid when due and payable, shall be as follows:

(a) Every person owning or harboring a dog within St. Mary's County, Maryland, shall apply either orally or in writing to the County Treasurer or such agents as are duly authorized and advertised by the Board of County Commissioners to sell dog licenses, for a license certificate and tag for each such dog owned or harbored by him, excepting dogs kept under a kennel license as provided for in these regulations, and such applications shall state the name, sex, breed, age, color and markings of each dog and be accompanied by a fee of Two Dollars (\$2.00) for each male or successfully spayed female (provided a veterinarian certificate is exhibited), and a fee of Four Dollars (\$4.00) for each unspayed female. Such tag shall be affixed to a substantial collar and shall at all times be kept on the dog for which the license is issued, except when confined in the kennel or when hunting in charge of an attendant.

The above license is due and payable as follows:

(1) On or before July 1 in each year, the owner or harborer of any dog six months old or older, shall pay the license tax as above prescribed.

(2) If a dog shall become six months of age, or an unlicensed dog of licensing age shall come into the possession of any person between July 1 and June 30 of any fiscal year, the full license tax for the current fiscal year shall be paid forthwith by said owner or harborer of such dog.

SECTION 3. KENNEL LICENSE:

A kennel license is meant to cover one pack or collection of dogs kept on a single premises, however owned, whether maintained for breeding, treatment, boarding, sale, training, hunting or other purposes, and including pet shops where dogs and other animals are on sale and the one license and the one tag securely fastened at a prominent place on the enclosure shall cover all dogs kept there within the limit of the license issued. Such license warrants, when under close supervision, hunting dogs, or dogs for breeding purposes or sale, to be taken from the kennel to the hunting field and hunted or taken for exercise or showing, and returned in similar manner, but does not warrant any dog kept at the kennel otherwise to leave its limits without an individual license and the wearing of an individual tag.

For protection and identification of kennel dogs in transit between the field as above provided, they must wear collars or harnesses with kennel identification marks by name or number attached thereto and furnished by the

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FOR RECORD AND RECORDED. JPL
DOROTHY SAILEY KUCHER, CLERK

kennel, which may be removed only when under supervision in the exercise or hunting field.

Kennel licenses are due and payable on or before July 1 of each fiscal year, or when beginning operations. A kennel license shall be issued to the owner of a kennel for a fee of Ten Dollars (\$10.00), no matter how many dogs are included therein, provided that all dogs so licensed shall be kept at the kennel for which such license is issued. The names of all persons owning, operating or interested in the kennel at the time of taking the license shall be written on the back of the certificate and the stub, and the name and address of the owner of each dog kept in such kennel and a record giving full data concerning sales or other disposition of dogs from such kennels shall be kept on file thereat and available for inspection by the Warden or other peace officers at all times.

A kennel shall not be operated in such manner as to defraud the County of the license fee applied to dogs which cannot legally be covered thereunder or in any manner to violate other provisions of these regulations; the primary purpose of a kennel license being to relieve owners of dogs kept at a kennel and never being allowed to run at large, from the necessity of taking out individual licenses for such dogs.

SECTION 4. LICENSE CERTIFICATES AND TAGS:

The County Commissioners, not later than June 1 of each year, shall furnish the County Treasurer with a supply of license certificates together with the corresponding metal tags in sufficient quantity to cover all requirements for the following year.

Certificates shall be serially numbered with duplicate stubs both of which shall provide spaces in which shall be recorded the following data:

- (a) Election District.
- (b) Full name of owner.
- (c) Home address of owner.
- (d) Sex, breed and age of the dog.

Certificates shall be kept by the owner for exhibit to the Warden or his agents on demand, and any alteration of the entries on the same is subject to penalty as hereinafter provided.

SECTION 5. DOGS RUNNING AT LARGE:

Any dog found running at large is hereby declared a nuisance and is subject to seizure, detention and destruction. The Dog Warden or his duly authorized deputies are authorized and directed, whenever possible, to seize and impound any dog found running at large. When the Dog Warden or his duly authorized deputies are not able to catch a dog running at large, they are authorized and directed to shoot or otherwise kill the dog.

Owners of dogs in St. Mary's County shall not permit the dog, whether licensed or unlicensed, to run at large off the premises of the owner, except when it is under the control of the owner or an authorized agent of the owner, by leash, cord or chain, provided that the following dogs may be permitted to run at large when accompanied by the owner or an authorized agent and when kept within sight or calling distance:

- (a) Dogs proved to be obedient, in accordance with any regulation or resolution of the County Commissioners.
- (b) Dogs being used for hunting, or trained for hunting.
- (c) Dogs being accompanied by the owner on horseback.

Received 2-24-71 3:00 P.M.
FOR RECORD AND RECORDED.
DOROTHY BAILEY KUCHER, CLERK

RECEIPT 30.

LIBER 001 PAGE 144

Subj: Dog Regulations

SECTION 7. AUTHORITY FOR KILLING ATTACKING DOG:

Any person may kill any licensed or unlicensed dog which suddenly assaults him while he is peaceably standing, moving or riding outside the enclosure of its owner or keeper, and any person may kill any dog found out of the enclosure of its owner or keeper and not under his immediate care actually in the act of wounding or killing persons, livestock or fowl. Any police officer, constable, or Warden has full authority to kill any dog that is known to be living in the County in a wild state.

There shall be no liability on such persons, police officers, constable or Warden in damages or otherwise, for such killing.

SECTION 8. PENALTIES:

(a) In lieu of the penalties otherwise prescribed in this subtitle, the County Commissioners are authorized to establish penalties for violation of rules and regulations passed pursuant to the powers granted under Article 56, Section 194 (e) of the Annotated Code of Maryland, not to exceed a fine of One Thousand Dollars (\$1,000.00), or imprisonment for one (1) year, or both, as to each offense.

This date: August 29, 1967

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND



F. Elliott Burch
F. Elliott Burch, President

J. Wilmer Bowles
J. Wilmer Bowles, Commissioner

E. L. Tillman (Mrs.) E. L. Tillman, Secretary
George R. Aud George R. Aud, Commissioner

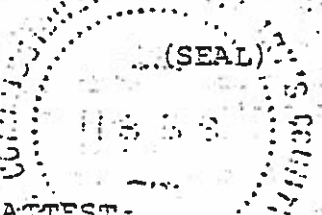
AMENDMENT

SECTION 8. PENALTIES:

(b) Pursuant to Section 8(a), any owner of a dog failing to comply with any sections, one through seven inclusive, of these regulations, except as herein otherwise provided, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than One Thousand Dollars (\$1,000.00), or imprisonment for one year, or both, as to each offense.

This date: Nov. 25, 1969

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY



F. Elliott Burch
F. Elliott Burch, President

J. Wilmer Bowles
J. Wilmer Bowles, Commissioner

Mrs. B. M. Dotson (Mrs.) B. M. Dotson, Secretary
George R. Aud George R. Aud, Commissioner

Received 2-24-71 at 3:00 P.M.
FOR RECORD AND RECORDED.
DOROTHY BAILEY KUCHER, CLERK

The County Commissioners by rule, regulation or resolution, may provide for investigation of reports of violations of Paragraph (a) and enforcement of the provisions of this subsection.

Any owner failing to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than Twenty-Five Dollars (\$25.00) for each offense.

The provisions of these rules and regulations shall be deemed to apply to the extent that they are reasonably applicable to the regulation and control of every domestic animal, including but not limited to dogs, and to every wild animal kept in captivity.

SECTION 6. SEIZURE AND DISPOSITION OF DOGS:

A peace officer or warden or other duly authorized officer whenever circumstances make it possible, shall seize any dog reasonably known to be unlicensed, either on or off the owners premises. It shall be unlawful for anyone to remove animals from dog traps other than the Dog Warden. It shall be unlawful to dispose of any cats or dogs placed in a box or other similar enclosure, in any County trash disposal area.

Every dog so seized shall be properly cared for and fed at the expense of the County until disposition is made thereof as hereinafter directed. Provided, however, that said officers shall not be required to take to a pound or shelter any dog suffering from serious injury or wounds or from contagious or infectious diseases, and he is hereby given full authority in his sole discretion immediately to dispose of such afflicted dogs in the most humane manner possible under the circumstances.

The owner of any dog seized as above provided may redeem it from the Warden seventy-two (72) hours from the time of its apprehension, first, by describing it and in some fair manner, to the satisfaction of the Warden, proving ownership, and then by securing a current license and tag and paying a pick-up charge of Three Dollars (\$3.00) and the board bill incurred at the Tri-County Animal Shelter, Hughesville, Maryland.

If not so redeemed within the seventy-two (72) hours, or while it is still being held and not actually sold by the County or otherwise disposed of, the County shall have the power to dispose of said dog either by sale to any person wishing to adopt it, or by destruction in the most humane manner possible. Provided, however, that no stray or unlicensed dog having an infectious or contagious disease or known to be vicious shall be surrendered for adoption, but shall upon the expiration of seventy-two (72) hours for redemption, be forthwith destroyed, with the exception that if any such dog is suspected of having rabies, it shall be held for such time as is required by the St. Mary's County Board of Health, for observation, before it is destroyed or otherwise disposed of.

It shall be the duty of the Warden, upon learning of a dog being suspected of rabies, immediately to investigate the case, confer with the owner, and if, in the Warden's judgment or the judgment of any licensed veterinarian called in consultation, there is reasonable ground to believe the dog may have rabies, he shall immediately impound the dog at the owner's home if satisfactory facilities are available, or at a public pound or shelter and keep it completely isolated from all persons and animals for such period of time as the St. Mary's County Board of Health may prescribe, and if at the end of the period of observation the dog is fully recovered of its malady or shows that it has no further symptoms of rabies, the Warden shall then release the dog to its owner who shall be liable for the board bill incurred at the Tri-County Animal Shelter, Hughesville, Maryland.

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RECEIPT

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LIBER 001 PAGE 144

No. 67-3

Subj: Dog Regulations

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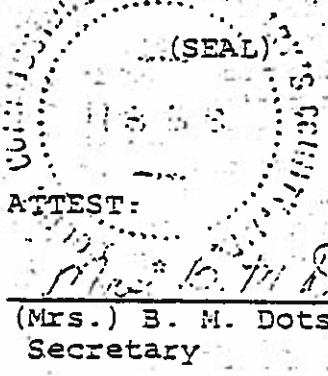
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This date: Nov. 25, 1969

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Received 2-24-71 at 3:00 P.M.
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