

# A SYNOPSIS OF THE ANIMAL CONTROL LAWS FOR CARROLL COUNTY MARYLAND

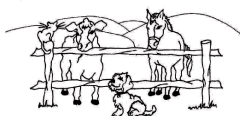
Chapter 90, Animals  
(As Amended)

## HUMANE SOCIETY OF CARROLL COUNTY, INC. SHELTER AND ANIMAL CONTROL

2517 Littlestown Pike  
Westminster, MD 21158

### HOURS

8-4 MON-FRI  
9-12 SAT



410-848-4810  
OR  
410-875-5379

### ADOPTIONS

9-3:30 MON-FRI  
9-11:30 SAT

WEB SITE:  
[www.carr.org/humane](http://www.carr.org/humane)

### 90-02 Licensing

- A. An owner of a dog shall obtain a license for the dog as herein provided, unless the dog is less than 4 months old.

### 90-04 Proper outdoor dog shelter, care and protection standards

- A. Between December 1 and March 15 and whenever the real or effective temperature is 35° F or lower, the following shall be provided:
- (1) Dog shelter shall have a weather proof roof, the entryway shall be protected by a self closing door, an offset outer door or a flexible flap made of windproof material. The floor shall be solid and raised off the ground at least 2". No interior surfaces shall be metal. The dog shelter shall be facing South or East, away from prevailing winds.
  - (2) Bedding, such as wood shavings, straw or other non-absorbent material shall be provided in sufficient quantity for insulation against cold and damp. Bedding shall be kept dry.
  - (3) If there is no artificial heat source, structures shall be made small enough to allow the dog to warm the interior of the structure and maintain his/her body heat but large enough to permit ease of entry and normal postural adjustments.
  - (4) Fresh water without ice shall be made available to the dog a minimum of twice daily. The receptacle shall be made unable to be tipped over.
- B. During the summer months between June 1 and Sept. 15 or whenever the real temperature is above 80° Fahrenheit, shade either natural or manmade shall be made available to a confined dog between the hours of 11:00 am and 3:30 pm.
- (1) Fresh water shall always be made available. The water receptacle shall be made unable to be tipped over.
  - (2) Under no circumstances shall a dog shelter be considered shade in summer months.
- C. Proper shelter including protection from the weather and elements shall be provided. The shelter for a dog shall have a weatherproof roof, enclosed sides, a doorway, and a solid floor raised at least 2" from the ground and no interior metal surfaces.
- D. A dog kennel for outside dogs shall meet the minimum size requirements as listed in Table 90-01. The requirements in Table 90-01 are not applicable to commercial kennels, veterinary hospitals, or pet stores.

**TABLE 90-01**

<b>No. of dogs</b>	<b>Small (up to 25 lbs)</b>	<b>Med (25-50 lbs)</b>	<b>Large (over 50 lbs)</b>
1	3x7 (21 sq ft)	6x10 (60 sq ft)	8x10 (80 sq ft)
2	4x8 (32 sq ft)	8x10 (80 sq ft)	10x10 (100 sq ft)
3	5x9 (45 sq ft)	8x12 (96 sq ft)	10x14 (140 sq ft)
4	8x10 (80 sq ft)	10x12 (120 sq ft)	12x16 (192 sq ft)

**90-05 Restraint**

- A. The owner of a dog shall keep the dog under restraint or effective control at all times.
- B. The owner of an animal shall prevent the animal, except a cat, from leaving the owner’s property unattended or unrestrained.
- C. The owner of a dog shall not tie, chain, cable or in any way tether a dog outside for more than 12 hours a day.
- D. A tether to confine a dog shall be a minimum of 4 1/2 times the length of the dog (nose to tail base) and under no circumstances less than 10 feet long.
- E. The tether shall have swivels at both ends to prevent kinking and knotting. The area covered shall be maintained so that the tether cannot become entangled and positioned so that the dog cannot wrap the tether around posts, trees, debris or hang by jumping a fence or guardrail.
- F. The owner of animal (s) that are fenced shall erect fencing normally considered suitable for the species and type of animal to be contained. Fencing shall be appropriate so as to keep the intended animals restrained within its boundaries. Fencing shall be monitored, well maintained and kept in good repair. In the case of a dog, if the owner utilizes an “invisible fence” to restrain a dog it may only be used if it consistently and effectively restrains the dog and is appropriate to be used for the dog in question. No aggressive dog may be restrained behind an “invisible fence”.
- G. All areas where animals are confined shall be maintained so as to provide a safe and healthy environment for the animals within the confinement

**90-07 Female dogs in estrus (heat)**

The owner of a female dog in heat shall keep the dog secure inside a well ventilated building on the owner’s property except that:

- A. When the dog is on a leash and is accompanied by the owner, the dog may be allowed outside for the purpose of natural relief, but may not be taken off the owner’s property; or
- B. When necessary for medical treatment, boarding, or breeding and while under the direct and effective control of the owner, the dog may be conveyed to and left at a suitable place to be treated, boarded, bred or shown in an organized dog show or event. For purposes of this section, “suitable place” shall mean a licensed kennel, an establishment operated by a licensed veterinarian, or in the case of the dog’s breeding, a location at which the person assuming care and custody of the dog prevents the dog from coming in contact with other dogs except for planned breeding.

**90-08 Vicious or dangerous animals**

- A. Every vicious animal, as determine by the Animal Care and Control Authority, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner, or restrained as otherwise directed by the Animal Care and Control Authority. Upon determination by the Animal Care and Control Authority that an animal is vicious and the exhaustion of any appeals, the owner shall have the animal

microchipped for permanent identification by a licensed veterinarian within 10 days and the corresponding microchip data shall be given to the Animal Care and Control Authority. If an owner of an animal determined to be vicious or potentially dangerous sells or gives the animal to another person, the owner shall provide written notice to the Animal Care and Control Authority that made the determination and state the name and address of the new owner of the animal and notify the person taking possession of the animal in writing of the animal's vicious or potentially dangerous behavior and the circumstances surrounding its vicious or potentially dangerous determination.

- B. The Animal Care and Control Authority's Animal Control Officers may enter onto the property where a vicious dog is to be confined and check for special restraint compliance at any reasonable time.
- C. An Animal Control Officer or law enforcement officer may pursue and destroy an at large, animal placing the public in imminent danger or animals in the act of attacking livestock or other domestic animals if necessary.

### **90-09 Animal behavior/actions**

- A. The owner shall keep their animal from approaching a passerby in a menacing or aggressive fashion.
- B. The owner shall keep their animal from vocalizing unreasonably so as to disturb neighbors in the community during the day or night or prevent neighbors from the use and enjoyment of their property. This section does not include a working farm.
- C. The owner shall keep their animal from destroying private property.
- D. The owner shall keep their animal from continuous actions and behaviors that could reasonably lead to their animal at some future date to be deemed a public nuisance animal.

### **90-11 Impoundment and violation notice**

- A. Unrestrained dogs, public nuisance animals, vicious animals, or domestic animals found at large shall be taken by an Animal Control Officer, by any means necessary, and if restrained shall be impounded and confined in a humane manner.
- B. Impounded domestic animals, other than cats, shall be kept for 5 days. Seriously diseased, contagious, badly injured, or suffering animals, undomesticated cats, kittens less than 6 weeks old and litters of kittens under 3 months old may be humanely euthanized immediately at the discretion of the Animal Care and Control Authority. Animals displaying identification may at the discretion of the Animal Care and Control Authority be taken to a local veterinarian for treatment.
- E. Any animal not reclaimed by its owner within 5 days of impoundment shall become the property of the Animal Care and Control Authority, and shall, at their discretion, be placed for adoption in a suitable home or humanely euthanized; provided, however, the Animal Care and Control Authority may sell farm animals and apply the proceeds of the sale to any purpose consistent with this chapter.

### **90-12 Animal waste and dead or decaying animals**

- A. The owner of every animal shall be responsible for the removal of any excreta deposited by the animal(s) on public property, including walks, recreation areas, or on private property. The owner of every animal shall not allow excreta deposited by animals to accumulate on his or her property so as to cause a health hazard or become a nuisance.
- B. When any domestic animal dies, its owner shall be responsible for the animal to be removed, pursuant to the direction of the Animal Care and control Authority, to a crematorium, animal rendering company, composted, or buried within 72 hours of the death of the animal.

### **90-13 Sterilization**

No unclaimed dog or cat shall be released for adoption without being sterilized, or without a written agreement from the adopter, guaranteeing that such animal will be sterilized unless exempted by the Animal Care and Control Authority. Failure to comply with the terms of the agreement guaranteeing the sterilization of the adopted animal shall constitute a violation of this chapter and shall constitute a misdemeanor, punishable as hereinafter set forth.

## **90-14 Quarantine and rabies**

- A. All animal bites must be reported immediately to the Health Department or local law enforcement authority. The duty to make this report rests both with the owner of the animal and the person bitten, if a person was bitten, or the owner of any animal bitten by another animal, if an animal was bitten.
- D. The owner of a dog, cat, or ferret 4 months of age or older shall have the dog, cat, or ferret currently vaccinated against rabies and shall maintain a record of the vaccinations given the dog, cat, or ferret which shall constitute the only acceptable evidence of compliance with this subsection. In addition to any penalties for failure to comply with this provision, the owner of a dog, cat, or ferret who does not have an acceptable record showing that the dog, cat, or ferret has been vaccinated against rabies may be ordered by the Animal Control Officer to have the dog, cat, or ferret vaccinated against rabies, and the owner so ordered shall comply with the order within 72 hours. The Animal Care and Control Authority shall determine in its sole discretion the acceptability of a record of vaccination against rabies.

## **90-15 Declaring an animal to be a public nuisance or vicious**

- A. The Animal Care and Control Authority may determine that an animal is a public nuisance or a vicious animal. If an animal is determined to be a public nuisance or vicious, the owner shall have the right to appeal, to the Board of County Commissioners of Carroll County or a Board of Appeals appointed by the Board of County Commissioners or town councils (when applicable in the incorporated limits of a town or city) within 10 days. The request for appeal shall be made in writing and received on or before the tenth day. A date and time will be set for an appeal hearing.
- B. The governing body, following the hearing described in Subsection A hereof, but no later than 30 days after such hearing, will issue a decision which will include a determination of the status of the animal as a public nuisance or vicious and give reasons therefore.
- C. The owner of a public nuisance animal shall be required to have the animal humanely euthanized or turned over to the Animal Care and Control Authority to be disposed of at its discretion within 10 days of the receipt of notice of a determination that the animal is a public nuisance.
- D. If the owner refuses or neglects to have a public nuisance animal destroyed, or turned over to the Animal Care and Control Authority as herein provided, the Animal Care and Control Authority may take the animal into its custody, by any lawful means necessary, wherever found. The owner of the animal shall be liable for any expenses or damages incurred in carrying out the provisions of this section.

## **90-16 Enforcement**

- A. The civil and criminal provisions of this chapter shall be enforced by those persons or agencies designated by the Board of County Commissioners of Carroll County. It shall be a violation of this chapter to interfere with an Animal Control Officer in the performance of his or her duties.

## **90-17 Penalties**

Any person who fails to perform an act required by this chapter, or by any rule or regulation adopted pursuant hereto; or who takes any action prohibited by any provision of this chapter, or by any rule or regulation adopted pursuant hereto; or who in any way violates any provision of this chapter, or any rule or regulation adopted pursuant hereto, shall be deemed guilty of a misdemeanor and shall be punished by confinement in the county jail for not more than 30 days or by a fine up to \$500.00, or both. If any violation be continuing, each day's violation shall be deemed a separate violation.