

Article - Local Government

§13–122.

(a) (1) The County Commissioners of Garrett County, by ordinance, may provide for a comprehensive system for the regulation of dogs and cats.

(2) The ordinance may provide for:

(i) the licensing and control of dogs and cats;

(ii) seizing and disposing of unlicensed or dangerous dogs and cats;

and

(iii) civil or criminal penalties for a violation of an ordinance enacted in accordance with this section.

(3) The county commissioners may provide that a violation of an ordinance relating to dogs and cats shall be prosecuted in the same manner as provided for municipal infractions under Title 6 of this article.

(b) (1) In Garrett County, on or before July 1 of each year, a person owning or keeping a dog shall apply to the county tax collector for a license for the dog if the dog is at least 6 months old.

(2) At the time of application, the applicant shall pay the fee for a dog or kennel license set by the County Commissioners of Garrett County.

(3) Except as provided in § 13–108 of this subtitle, the licenses and fees required under this section are the only licenses and fees required for owning or keeping a dog.

(4) The county commissioners shall prepare and supply the form for a license issued under this subsection.

(5) A dog license shall contain the date of issuance, a serial number, and a description of the dog licensed.

(6) A license expires on July 1 of the year after issuance.

(c) (1) In Garrett County, the county tax collector shall issue a tag with each dog license to a person owning or keeping a dog when the person pays the license fee for the dog.

(2) The County Commissioners of Garrett County shall prepare and supply tags to the county tax collector each year.

(3) The tags shall be:

- (i) composed of metal;
 - (ii) imprinted with a serial number corresponding to the number on the license issued to the owner under subsection (b) of this section;
 - (iii) imprinted with the calendar year for which the tag is issued;
 - (iv) 1 inch or less in length; and
 - (v) equipped with a substantial metal fastener.
- (4) The county commissioners shall change the general shape of the tags each year.
- (5) Tags supplied to owners of kennels shall contain the word “kennel”.
- (6) The person owning or keeping a dog shall attach the tag to a substantial collar and keep the collar and tag on the dog for which the license was issued at all times, except when the dog is:
- (i) confined in a kennel; or
 - (ii) hunting under the charge of an attendant.
- (7) The county tax collector shall replace a lost tag on:
- (i) application by the person to whom the original license was issued;
 - (ii) the production of the license; and
 - (iii) payment of a fee of 25 cents.
- (d) (1) The County Commissioners of Garrett County may designate a regular or contract employee to provide animal control services.
- (2) The county commissioners may adopt an animal control ordinance for:
- (i) licensing dogs, kennels, and pet shops;
 - (ii) controlling rabid animals; and
 - (iii) disposing of uncontrolled, vicious, or sick animals.
- (3) The county commissioners may adopt an animal control ordinance to designate a private agency or unit of county government to:
- (i) enforce the ordinance adopted under paragraph (2) of this subsection;

(ii) maintain records regarding the licensing, impounding, and disposing of animals coming into the custody of the private agency or unit of county government; and

(iii) enter into contracts or agreements to provide for the disposal of animals.

(4) The county commissioners may adopt an animal control ordinance to provide for the designation of animal control shelters in the county.

(5) (i) An animal control officer in Garrett County may issue and deliver a citation to a person believed to be committing a violation of an animal control ordinance.

(ii) 1. The animal control officer shall keep a copy of the citation.
2. The citation shall bear a certification attesting to the truth of the matters set forth in the citation.

(iii) The citation shall contain:

1. the name and address of the person charged;
2. the nature of the violation;
3. the location and time of the violation;
4. the amount of the fine;
5. the manner, location, and time in which the fine may be paid; and
6. a notice of the person's right to elect to stand trial for the violation.

(6) (i) The county commissioners may adopt an animal control ordinance to create a quasi-judicial animal control authority for the county to hold public hearings to decide citations, complaints, and other controversies arising under the animal control ordinance, other than those filed with the District Court.

(ii) Hearings held under this subsection are subject to the right of a party to file a petition for judicial review in the circuit court.

(iii) The county commissioners may adopt rules and regulations to govern hearings held under this subsection.

(7) (i) A person who receives a citation under this section may elect to stand trial for the violation by filing with the animal control officer a notice of intention to stand trial at least 5 days before the date set forth in the citation for the payment of

fines.

(ii) After receiving a notice of intention to stand trial, the animal control officer shall forward the notice to the District Court, with a copy of the citation.

(iii) After receiving the citation and notice, the District Court shall schedule the case for trial and notify the defendant of the trial date.

(iv) All fines, penalties, or forfeitures collected by the District Court for violations of an ordinance adopted under this section shall be remitted to Garrett County.

(v) In a proceeding before the District Court, a violation of an ordinance adopted under this section shall be prosecuted in the same manner as a municipal infraction under Title 6 of this article.

(vi) The county commissioners may authorize the County Attorney, the State's Attorney, or another attorney to prosecute a violation of an ordinance adopted under this section.

(vii) If the District Court finds that a person has committed a violation of an ordinance adopted under this section, the person is liable for the costs of the court proceedings.

(8) (i) The county commissioners may adopt an animal control ordinance to provide that each violation of an ordinance adopted under this section is a misdemeanor and on conviction a person is subject to imprisonment not exceeding 30 days or a fine not exceeding \$1,000 or both.

(ii) The county commissioners may:

1. establish a schedule of additional fines for each violation;
and

2. adopt procedures for the collection of fines.

(iii) 1. If a person who receives a citation under this section for a violation fails to pay the fine by the date of payment set forth on the citation and fails to file a notice of intention to stand trial, a notice of the violation shall be sent to the person's last known address.

2. If the citation is not satisfied within 15 days after the date the notice of violation is mailed, the person is subject to an additional fine not exceeding twice the amount of the original fine.

3. If the person who receives the citation does not pay the citation by the 36th day after the notice of violation is mailed, the animal control officer may request the District Court to adjudicate the violation.

4. After the animal control officer requests adjudication, the District Court shall schedule the case for trial and summon the defendant to appear.