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Modification/Additions Talbot County Ordinance definitions.

○ **Vicious:** Current verbiage simply allows a dog to be determined vicious by causing someone to fear harm. While we appreciate the reasoning behind this, to potentially label a dog vicious and have the restrictions of a vicious animal from a subjective emotion vs fact based incident is problematic. We are requesting verbiage change to reflect this.

▪ Proposed change:

▪ The Animal Control Authority may declare an animal a vicious animal if the animal:

- (1) Attacks or injures a domestic animal or person; or
- (2) Exhibits aggressive or dangerous behavior while it ~~and~~ is not adequately confined or restrained.

▪ Basis for declaration. The declaration shall be based on:

- (1) Personal observation;
- (2) Observations of animal control officers;
- (3) Citizen affidavits concerning the citizen's personal experience with the animal;
- (4) Animal control records; or
- (5) Other documented information.

- **Tethering:** Form of restraint which means a chain, rope, tether, leash, cable, or other device that attaches a dog to a stationary object or trolley system.
- **Animal Rescue Facility:** An organization or persons who regularly houses 10 or more animals for the purpose of rehabilitation and/or rehoming.
- **Boarding Facility:** A facility housing and caring for animals for a finite period of time for the owner/guardian in exchange for payment.
- **Training Facility:** A facility housing and caring for animals (usually dogs) for a finite period of time in order to train the animals for the owners in exchange for payment.
- **Breeding Facility:** Any person who owns or houses 6 or more unaltered females and produces at least 1 litter of puppies or kittens each calendar year for sale. (MD state law threshold for breeding kennel licensure is 6 unaltered female animals)
- **Pet Sale Facility:** A business which sells animals for profit including but not limited to dogs and cats.

Vicious/Dangerous Animal Confinement Requirement Additions:

- Electric fences are not an acceptable means of confining an animal deemed vicious or dangerous. This was determined in case appeal but is not in writing in TC ordinance.

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- (In addition to the muzzling requirement) Animal must be kept on a 6 ft leash or shorter when off its real property. Flex-leashes retractable are not permissible forms of leashing a vicious or dangerous dog.

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Fine Schedule:

Failure to License: Currently one can only be fined \$50 no matter how many tickets are served or how many times someone fails to license. While it is not often, we do encounter those who refuse to comply and simply keep paying the \$50 fine instead of purchasing the \$5 or \$25 license. Or, residents that are chronic offenders of other aspects of the ordinance who fail to license their pet repeatedly. We would ask that the limit restriction be lifted. .15-3-K

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[Comments and changes dated 5.31.18](#)