

Town of Goldsboro

Ordinance # 00-01

AN ORDINANCE CONCERNING THE CARE AND CONTROL OF ANIMALS

Section 32A, Article 6, Animal Control, of the Public Local Laws of Caroline County, Maryland, or corresponding future provision thereof, shall apply within the corporate limits of the Town of Goldsboro. Passage of this Ordinance also repeals Ordinance #5.

Definitions

For the purpose of this chapter, the following words and phrases shall have the meaning indicated:

ANIMAL – Every species of animal except man.

AT LARGE – An animal shall be deemed at large whenever the animal is not on the owner's property or under the immediate physical control of a responsible person capable of physically restraining the animal, either by leash, cord, chain, or similar means.

KEEPING or HARBORING – The act of sufferance either of feeding or sheltering an animal on the premises of the occupant or the owner thereof.

OWNER – Any person, firm or corporation having a property right in an animal or any person who keeps or harbors an animal or has or has had it in his or her care or acts as custodian or permits it to remain on or about any premises controlled or occupied by him or her for more than two weeks.

PUBLIC NUISANCE – Any animal found repeatedly making loud or objectionable sounds, damaging property, molesting passersby, chasing vehicles or acting in any manner which is deemed to be doing damage to property or to the public health and well-being shall be deemed to be a public nuisance. If a dead animal is not properly disposed of and is deemed to be a public nuisance by reason of its appearance or odor or for public health reasons, its owner may be charged with maintaining a public nuisance by the County Animal Control Officer, the County Public Health Officer or the town police/law enforcement officer.

ANIMAL CONTROL OFFICER – Any person designated as such by the Mayor and Commissioners.

Humane treatment required.

- A. Owners of animals shall provide each animal with sufficient food and water and provide shelter from sunlight, rain, snow, and cold. Veterinary care shall be provided as needed in order to prevent suffering and to give humane care and treatment.
- B. No person shall poison or attempt to poison any animal other than rodents.
- C. Any person who strikes an animal with an automobile or who injures an animal in any way, accidentally or otherwise, shall notify the Town Clerk/Treasurer.
- D. No person shall mistreat or abandon any animal.
- E. Owners shall exercise care and control of all animals so as to prevent the same from becoming a public nuisance.
- F. Any Maryland-licensed veterinarian is hereby authorized to immediately and humanely euthanize a suffering animal without liability whenever the owner cannot be promptly identified or contacted.
- G. The owner of the animal shall be responsible for the removal of any excretion deposited by the animal on public walks or roads, recreation areas or private property.
- H. While in heat, every female dog shall be kept confined in a building or secured enclosure by the owner in such a manner that she will not be in contact (except for intentional breeding purposes) with another dog or create a public nuisance by attracting other dogs.

Keeping certain animals prohibited.

The breeding, feeding, pasturing and/or penning of horses, hogs, pigs, rabbits, hares, or guinea pigs and the maintenance of stables, piggeries, pig pens or pig run within the limits of the town is hereby prohibited.

Animals running at large or unattended.

It shall be unlawful for any person to permit an animal to be turned loose or to be allowed to run at large within the town limits or to leave a draft animal, whether hitched to a vehicle or not, to stand upon any street or alley without being securely tied or fastened or in the immediate custody of the owner, driver, or some competent person.

License required; rabies vaccination.

No person shall own or have custody of any dog over four months of age unless the dog is licensed by Caroline County in accordance with Caroline County public local laws and has been vaccinated against rabies in a procedure approved by the Maryland Department of Health and Mental Hygiene. This provision shall not apply to dogs in the town owned by a nonresident, provided the dogs are duly licensed in their home city,

county, or state and provided that the owner sends a valid rabies vaccination certificate for the dog while the dog is in town.

Impoundment.

- A. It shall be unlawful for the owner to permit his or her dog to run at large or to permit his or her animal to constitute a public nuisance.
- B. Whenever any person finds a dog running at large with or without a license tag or believes an animal constitutes a public nuisance, he or she may notify any Animal Control Officer, who may cause the animal to be taken and impounded. Upon the capture of any dog, the Animal Control Officer shall make a genuine effort to notify the owner of its capture, if his or her identity can be ascertained through license records, if any, or otherwise. The dog may be confined and disposed of either by being destroyed or being offered for adoption if not identified and claimed within five days after its capture. No owner may claim his or her dog unless and until all charge's incident to the confinement of the dog shall be paid. A dog found at large and unlicensed which during the episode has bitten a human shall not be released from impoundment, except as authorized by a court order, but shall become the property of the town and shall be humanely destroyed after 72 hours and its brain tested for rabies.

Female dogs in heat.

Female dogs in heat found running at large shall be taken and impounded. Any female dog so captured may be redeemed by the owner thereof upon payment of the impoundment service fee. If the same dog belonging to the owner shall be impounded or a second time within 12 months, the dog cannot be reclaimed by the owner thereof unless the owner shall pay for the spaying of the dog within one week after notice.

Dogs believed to have rabies.

- A. If a dog is believed to have rabies or has been bitten by a dog suspected of having rabies, the dog or dogs shall be confined by leash or chain on the owner's premises and shall be placed under the observation of a veterinarian at the expense of the owner for a period of two weeks. The owner shall notify the Animal Control Officer of the fact that his or her dog has been exposed to rabies, and, at his or her discretion, the Animal Control Officer is empowered to have the dog removed from the owner's premises to a veterinary hospital and there placed under observation for a period of two weeks at the expense of the owner.

- B. It shall be unlawful for any person knowing or suspecting a dog to have rabies to allow the dog to be taken off his or her premises or beyond the limits of the town without the written permission of the Animal Control Officer. Every owner or other person, upon ascertaining that a dog is rabid, shall immediately notify the Animal Control Officer, who shall either remove the dog to the pound or, if required under the circumstances, summarily destroy it.

Impounding fee.

Whenever a dog is impounded pursuant to this chapter or any other provision of the law, the owner thereof shall pay an impounding fee of \$50 for a dog with a valid license and \$100 for a dog subject to license and without a current valid license and costs of any required veterinary services and furnish satisfactory evidence that the dog is licensed before release.

Liability for fees and charges.

Where the owner of an impounded dog can be ascertained, the owner shall be liable for the impounding fee and other proper charges even in cases where the dog is disposed of pursuant to this chapter.

Interference with authorized personnel.

No person shall attempt to interfere with the Animal Control Officer, Animal Warden or any other authorized person in the performance of his or her duties, nor shall any person attempt to or release without authority any animal impounded pursuant to the animal control laws of the town.

Kennels.

- A. Any structure or place used for the housing, maintain or breeding of two or more dogs (or other animals) for which a fee is charged, or five or more dogs whether or not a fee is charged, shall be deemed a commercial kennel.
- B. It shall be unlawful to maintain any kennel, commercial or otherwise, within the corporate limits of the town that becomes a nuisance. If upon investigation by the Town of County Animal Control Officer a kennel is found to be a nuisance, it shall be the owner's duty to close the kennel and remove the dogs or bitches from the corporate limits of the town within 24 hours. Upon failure of the owner to comply, the Animal Control Officer shall have the dogs or bitches impounded. However, nothing in this subsection is intended to interfere with the proper operations of animal hospitals.

Dangerous animals.

Any animal of fierce, dangerous, or vicious nature must be confined on the premises of the owner or person in possession of the animal at all times and in such a manner that it cannot reach persons who have occasion to lawfully enter upon the premises at reasonable times. The animal shall not be taken out of confinement on the premises unless securely muzzled and under suitable physical control. Violation of this section shall constitute a misdemeanor.

Violations and penalties.

Except as otherwise provided in this ordinance, any person violating any provisions of this chapter shall be guilty of municipal infraction.