

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 1

Bill No. 1 -2021

Introduced by the Chairperson at the request of the County Executive

AN ACT requiring a license for private animal shelters; defining certain terms; authorizing the adoption of certain regulations; providing for certain exemptions; requiring that a license application contain certain information; requiring an application fee; requiring that certain fees be adopted by Resolution of the County Council; providing for inspections; providing that a denied application can be resubmitted under certain conditions; providing for a license term; providing the conditions under which the license can be suspended or revoked; providing for appeals and license renewals; requiring certain records; providing standards of care for private animal shelters; providing for certain penalties; adding to the duties of the Animal Matters Hearing Board; and generally relating to private animal shelters in Howard County.

Introduced and read first time _____, 2021. Ordered posted and hearing scheduled.

By order _____
Diane Schwartz Jones, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2021.

By order _____
Diane Schwartz Jones, Administrator

This Bill was read the third time on _____, 2021 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Diane Schwartz Jones, Administrator

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2021 at ___ a.m./p.m.

By order _____
Diane Schwartz Jones, Administrator

Approved/Vetoed by the County Executive _____, 2021

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the
2 Howard County Code is amended as follows:

3 *By amending:*

4 *Title 17. - Public Protection Services.*

5 *Subtitle 3. – Animals.*

6 *17.318(g)*

7 *17.320*

8 *17.321(a)*

9

10 *By adding:*

11 *Title 17. - Public Protection Services.*

12 *Subtitle 3. – Animals.*

13 *Section 17.322. Private Animal Shelter License; Standards*
14 *of Care for Private Animal Shelters.*

15

16 **Title 17. Public Protection Services.**

17 **Subtitle 3. Animals.**

18

19 **Section 17.318. - Civil penalties for violations.**

20 (g) *Fines for Violations of Certain Sections.* The amount of the civil penalty for a violation of
21 this subtitle is:

Code Section Violated	Amount of Fine	
17.301 and 17.306	First Offense	\$25.00
	Second Offense in 24-Month Period	50.00
	Third Offense in 24-Month Period	100.00
	Subsequent Offenses	250.00
17.302	First Offense	50.00
	Second Offense in 24-Month Period	100.00
	Third Offense in 24-Month Period	200.00
	Subsequent Offenses	200.00

17.303	\$250.00 to \$500.00; Board may waive fine if owner agrees to destruction of animal	
17.304 and 17.305	First Offense	100.00
	Second Offense in 24-Month Period	150.00
	Third Offense in 24-Month Period	300.00
	Subsequent Offenses	500.00
17.305A, 17.305B, and 17.306	First Offense	100.00
	Second Offense in a 24-Month period	150.00
	Third Offense in a 24-Month period	300.00
	Subsequent Offenses	500.00
17.307	First Offense	100.00
	Second Offense in 24-Month Period	150.00
	Third Offense in 24-Month Period	300.00
	Subsequent Offenses	500.00
17.311(d)(2)		100.00
17.315	First Offense	100.00
	Second Offense in 24-Month Period	150.00
	Third Offense in 24-Month Period	300.00
	Subsequent Offenses	500.00
17.316	First Offense	25.00
	Second Offense in 24-Month Period	50.00
	Third Offense in 24-Month Period	100.00
	Subsequent Offenses	200.00
17.317		300.00
17.322 (OPERATING WITHOUT A LICENSE)	PER DAY	\$250.00
17.322 (STANDARDS OF CARE)	FIRST OFFENSE IN 24-MONTH PERIOD	\$200.00
	SECOND VIOLATION IN 24-MONTH PERIOD	\$400.00
	THIRD VIOLATION IN 24-MONTH PERIOD	\$600.00
	SUBSEQUENT VIOLATIONS	\$800.00

1

2 **Section 17.320. Animal Matters Hearing Board.**

3 (a) *Membership:*

- 1 (1) *General provisions.* General provisions applicable to the Board are set forth in
2 subtitle 3, "Boards and Commissions" of title 6, "County Executive and the
3 Executive Branch," of the Howard County Code.
- 4 (2) *Number of members.* There is an Animal Matters Hearing Board consisting of
5 seven members.
- 6 (3) *Qualifications:*
- 7 (i) All members of the Board shall be residents of Howard County.
- 8 (ii) One of the members shall be a veterinarian licensed to practice in
9 Howard County.
- 10 (iii) Three of the remaining members shall have some experience in animal
11 matters.
- 12 (iv) Not more than two members shall be residents of the same council
13 district.
- 14 (4) *Executive Secretary.* The Animal Control Administrator or the Administrator's
15 designee shall serve as Executive Secretary to the Board and shall attend all
16 meetings of the Board.
- 17 (5) *Meetings.* The Board shall meet at least once each month and, if necessary to
18 fulfill its duties and responsibilities, more frequently at the call of the
19 Chairperson.
- 20 (b) *Duties and Responsibilities.* The Board shall:
- 21 (1) Subject to section 22.1000 of the County Code, submit an annual report to the
22 Chief of Police, the County Executive, and the County Council concerning its
23 responsibilities, including recommendations pertaining to legislation, regulations,
24 and fiscal planning;
- 25 (2) Recommend standards for the operation and maintenance of County animal
26 control facilities;
- 27 (3) Recommend standards and procedures for the control, collection, custody, and
28 disposal of animals;
- 29 (4) Review the annual budget for the operation of the animal control facility and
30 make recommendations to the Chief of Police;
- 31 (5) Advise the Chief of Police, the County Executive, and the County Council on
32 animal control regulations and legislation;
- 33 (6) Hold hearings under this subtitle;

- 1 (7) Review and affirm, reverse, or modify actions and decisions of the Animal
- 2 Control Administrator pursuant to this subtitle;
- 3 (8) Issue written decisions and orders; [[and]]
- 4 (9) HEAR APPEALS RELATED TO A PRIVATE ANIMAL SHELTER LICENSE PURSUANT
- 5 TO SECTION 17.322(J) OF THIS SUBTITLE; AND
- 6 ([[9]]10) Carry out any other duties mandated by law.

7 (c) *Notice of Board Hearings:*

- 8 (1) When the Board schedules a hearing, it shall give at least 14 days' written notice
- 9 of the date, time, location, and subject of the hearing to:
 - 10 (i) A. The owner of the animal; and
 - 11 [[(ii)] B. Any person who filed a sworn statement regarding the
 - 12 animal[.] OR
 - 13 (II) A PRIVATE ANIMAL SHELTER LICENSE LICENSEE OR AN APPLICANT FOR
 - 14 A PRIVATE ANIMAL SHELTER LICENSE.
- 15 (2) The notice shall include a copy of any citation issued and sworn statement filed
- 16 in connection with the subject of the hearing.
- 17 (3) The Board shall notify a person of a Board hearing by mailing a notice to the
- 18 person's usual or last-known address, except that it shall notify a person charged
- 19 with a violation of this subtitle by:
 - 20 (i) Delivering the notice directly to the person;
 - 21 (ii) Mailing the notice first-class mail, return receipt requested; or
 - 22 (iii) Posting the notification at the person's usual or last-known address.

23

24 **Section 17.321. Appeals.**

25 (a) *Appeal to Board.* A person may appeal to the Board any of the following actions of the

26 Administrator within seven days after the Administrator's action:

- 27 (1) A declaration that the person's animal, residence, or facility is a nuisance;
- 28 (2) A declaration that the person's animal is dangerous or potentially dangerous;
- 29 (3) A declaration that the person's animal is a threat to public safety;
- 30 (4) An order requiring the institution of control and confinement measures for the
- 31 person's animal, but only if the animal has been impounded in connection with
- 32 the order;
- 33 (5) Impoundment of the person's animal;
- 34 (6) Permanent impoundment of the person's animal; [[and]]

- 1 (7) A declaration that the person is not eligible to adopt an animal[[]]; AND
2 (8) A DECISION OF THE ANIMAL CONTROL ADMINISTRATOR TO GRANT, DENY, OR
3 IMPOSE CONDITIONS ON A PRIVATE ANIMAL SHELTER LICENSE PURSUANT TO
4 SECTION 17.322 OF THIS SUBTITLE.
5

6 **SECTION 17.322. PRIVATE ANIMAL SHELTER LICENSE; STANDARDS OF CARE FOR**
7 **PRIVATE ANIMAL SHELTERS.**

8 (A) *ESTABLISHED; PURPOSE; AUTHORITY TO ADOPT REGULATIONS.*

- 9 (1) THERE IS A PRIVATE ANIMAL SHELTER LICENSE IN HOWARD COUNTY.
10 (2) THE PURPOSE OF THE LICENSE IS TO ENSURE MINIMUM STANDARDS OF CARE
11 FOR ANIMALS KEPT IN PRIVATE SHELTERS.
12 (3) AS PROVIDED IN SECTION 17.312(E), THE ANIMAL CONTROL
13 ADMINISTRATOR MAY ADOPT REGULATIONS TO SET STANDARDS TO
14 IMPLEMENT THIS SECTION.

15 (B) *DEFINITIONS.* IN ADDITION TO THE DEFINITIONS SET FORTH IN SECTION 17.300 OF THIS
16 SUBTITLE, FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE
17 MEANINGS SET FORTH.

- 18 (1) *DROP BOX* MEANS AN UNATTENDED RECEPTACLE WHERE LIVE ANIMALS CAN
19 BE PLACED BY THE PUBLIC FOR LATER SHELTER INTAKE.
20 (2) *LICENSE* SHALL MEAN THE PRIVATE ANIMAL SHELTER LICENSE
21 AUTHORIZED BY THIS SECTION.
22 (3) *PRIMARY ANIMAL ENCLOSURE* MEANS ANY STRUCTURE USED CONSISTENTLY
23 TO CONTAIN AN ANIMAL SUCH AS A ROOM, CAGE, KENNEL, OR PEN.
24 (4) *PRIVATE ANIMAL SHELTER* MEANS A NON-GOVERNMENTAL SHELTER FOR
25 DOMESTICATED ANIMALS FOR THE PURPOSE OF RE-HOMING,
26 REHABILITATION, OR PERMANENT SANCTUARY. A PRIVATE ANIMAL
27 SHELTER SHALL NOT INCLUDE THE HOUSING OF 4 OR LESS ADULT ANIMALS
28 (4 MONTHS OR OLDER) OR 15 OR LESS ANIMALS UNDER THE AGE OF 4
29 MONTHS.
30 (5) *RESPONSIBLE PARTY* MEANS ANY PERSON IN CONTROL OF OR MANAGING A
31 PRIVATE ANIMAL SHELTER AND INCLUDES THE BOARD OF DIRECTORS,

1 OFFICERS, EXECUTIVE DIRECTOR, OWNER, AND MANAGERS OF A PRIVATE
2 ANIMAL SHELTER.

3 (6) *STANDARD OF CARE* MEANS THOSE CONDITIONS SET FORTH IN SUBSECTION
4 (N) OF THIS SECTION THAT INDICATE WHETHER ANIMALS ARE IN A GOOD
5 STATE OF WELFARE

6 (7) *TRANSPORT CARRIER* MEANS A PORTABLE ENCLOSURE DESIGNED TO
7 TEMPORARILY CONTAIN AN ANIMAL THAT IS BEING TRANSPORTED FROM
8 ONE LOCATION TO ANOTHER.

9 (8) *VETERINARIAN* MEANS A VETERINARIAN WHO IS CURRENTLY LICENSED AND
10 IN GOOD STANDING WITH THE MARYLAND STATE BOARD OF VETERINARY
11 EXAMINERS.

12 (C) *LICENSE REQUIREMENT*. THE OPERATOR OF A PRIVATE ANIMAL SHELTER SHALL OBTAIN
13 AN ANNUAL PRIVATE ANIMAL SHELTER LICENSE TO OPERATE.

14 (D) *LICENSE APPLICATION*. AN APPLICANT FOR A LICENSE SHALL:

15 (1) PAY THE APPLICATION FEE;

16 (2) PROVIDE THE FOLLOWING INFORMATION ON A FORM CREATED BY THE
17 ANIMAL CONTROL ADMINISTRATOR:

18 (I) THE PHYSICAL LOCATION AND DESCRIPTION OF THE BUILDING(S) IN
19 WHICH ANIMALS WILL BE HOUSED;

20 (II) THE NAME AND RESIDENCE ADDRESS OF ALL RESPONSIBLE PARTIES
21 AND ANY CHANGE IN THE IDENTITY OR RESIDENCE OF ANY
22 RESPONSIBLE PARTY SHALL BE REPORTED TO THE ANIMAL CONTROL
23 ADMINISTRATOR WITHIN 30 DAYS OF THE CHANGE;

24 (III) A STATEMENT THAT NO RESPONSIBLE PARTY HAS EVER BEEN
25 CONVICTED OF A FELONY OR MISDEMEANOR INVOLVING ANIMAL
26 CRUELTY OR NEGLECT EITHER WITHIN OR OUTSIDE OF THE COUNTY;

27 (IV) A STATEMENT THAT THE ORGANIZATION WILL COMPLY WITH
28 FEDERAL, STATE, AND COUNTY LAWS AND THE STANDARDS OF
29 CARE TO RECEIVE AND MAINTAIN THEIR LICENSE TO OPERATE;

- 1 (V) A STATEMENT THAT THE BUILDING(S) IN WHICH THE ANIMALS WILL
- 2 BE HOUSED HAS ADEQUATE WATER AND SEWER SERVICE TO COMPLY
- 3 WITH THE STANDARDS OF CARE;
- 4 (VI) A STATEMENT THAT THE RESPONSIBLE PARTY WILL COMPLY WITH
- 5 ALL HEALTH DEPARTMENT NOISE REGULATIONS; AND
- 6 (VII) THE NAME AND ADDRESS OF THE REGISTERED AGENT.

7 (E) *INSPECTIONS.* THE ANIMAL CONTROL ADMINISTRATOR SHALL COMPLETE AN
8 INSPECTION OF A PRIVATE ANIMAL SHELTER:

- 9 (1) WITHIN THIRTY (30) DAYS OF RECEIPT OF THE INITIAL APPLICATION;
- 10 (2) YEARLY THEREAFTER WITH EACH RENEWAL OF A LICENSE;
- 11 (3) MORE FREQUENTLY AT THE DISCRETION OF ADMINISTRATOR.

12 (F) *APPLICATIONS; RESUBMISSIONS OF DENIED APPLICATIONS.*

- 13 (1) THE ANIMAL CONTROL ADMINISTRATOR SHALL REVIEW THE APPLICATION
- 14 AND GRANT THE APPLICATION AND ISSUE THE LICENSE UNLESS:
 - 15 (I) THE LICENSE IS INCOMPLETE;
 - 16 (II) THE ADMINISTRATOR DETERMINES THE APPLICANT CANNOT MEET
 - 17 THE STANDARDS OF CARE;
 - 18 (III) THE APPLICANT HAS WITHHELD OR FALSIFIED INFORMATION ON THE
 - 19 APPLICATION; OR
 - 20 (IV) ANY RESPONSIBLE PARTY HAS BEEN CONVICTED OF A FELONY OR
 - 21 MISDEMEANOR INVOLVING ANIMAL CRUELTY OR NEGLECT WITHIN
 - 22 OR OUTSIDE OF THE COUNTY.
- 23 (2) RESUBMISSION OF DENIED APPLICATION: IF THE ADMINISTRATOR
- 24 DETERMINES THERE IS A DEFICIENCY IN AN APPLICATION, THE APPLICANT
- 25 MAY CORRECT THE DEFICIENCY AS FOLLOWS:
 - 26 (I) THE APPLICANT MAY CORRECT A DEFICIENCY RELATED TO
 - 27 PARAGRAPH (1)(I) OR (1)(II) OF THIS SUBSECTION AND RE-APPLY
 - 28 ONE TIME WITHIN A 365 DAY PERIOD.
 - 29 (II) THE APPLICANT MAY NOT CORRECT A DEFICIENCY RELATED TO
 - 30 PARAGRAPH (1)(III) OR (I)(IV) OF THIS SUBSECTION. IN THIS
 - 31 INSTANCE, THE APPLICANT MAY NOT RE-APPLY FOR A LICENSE AND

1 THE ADMINISTRATOR WILL PERMANENTLY BAR THE APPLICANT
2 FROM APPLYING FOR A SUBSEQUENT LICENSE.

3 (G) *LICENSE TERM.* A LICENSE SHALL BE VALID FOR ONE YEAR FROM THE DATE OF ISSUE.

4 (H) *FEEES.*

5 (1) *APPLICATION FEE.* THE COUNTY SHALL CHARGE AN APPLICATION FEE THAT
6 IS ADOPTED BY RESOLUTION OF THE COUNTY COUNCIL THAT IS:

7 (1) NONREFUNDABLE; AND

8 (2) DUE UPON APPLICATION FOR A LICENSE;

9 (2) *LICENSE FEE.* THE COUNTY SHALL CHARGE A LICENSE FEE THAT IS ADOPTED
10 BY RESOLUTION OF THE COUNTY COUNCIL FOR A LICENSE ISSUED UNDER
11 THIS SUBTITLE.

12 (I) *LICENSE – SUSPENSION, REVOCATION AND CONDITIONS.* THE ANIMAL CONTROL
13 ADMINISTRATOR MAY:

14 (1) SUSPEND A LICENSE FOR A PERIOD OF TIME FOR ANY CAUSE WHICH IN THE
15 JUDGEMENT OF ADMINISTRATOR IS NECESSARY TO PROMOTE THE SAFETY
16 AND HEALTH OF ANIMALS;

17 (2) REVOKE A LICENSE BASED UPON, BUT NOT LIMITED TO, ANY OF THE
18 FOLLOWING FINDINGS:

19 (I) AN INSPECTION BY ANIMAL CONTROL ADMINISTRATOR IS REFUSED;

20 (II) A RESPONSIBLE PARTY IS CONVICTED OF A FELONY OR

21 MISDEMEANOR INVOLVING ANIMAL CRUELTY OR NEGLECT;

22 (III) A FALSE STATEMENT WAS MADE ON THE LICENSE APPLICATION; OR

23 (IV) THE SHELTER IS FOUND TO BE IN VIOLATION OF THE STANDARDS OF
24 CARE.

25 (3) IMPOSE CONDITIONS ON A LICENSE BASED UPON AN INSPECTION PERFORMED
26 UNDER THIS SUBTITLE.

27 (J) *APPEALS.*

28 (1) *WHO MAY APPEAL.* A PERSON MAY APPEAL TO THE BOARD, A DECISION
29 MADE BY THE ANIMAL CONTROL ADMINISTRATOR TO APPROVE, REVOKE OR
30 APPLY ANY CONDITIONS TO A LICENSE.

1 ENABLE ANIMALS TO REMAIN DRY, CLEAN, AND MAINTAIN PROPER BODY
2 TEMPERATURE AND MEET THE FOLLOWING CONDITIONS:

- 3 (I) THE ENCLOSURE SHALL PROVIDE SUFFICIENT SPACE TO ALLOW AN
4 ANIMAL, REGARDLESS OF SIZE, TO HOLD THEIR TAIL ERECT AND
5 HEAD HIGH WHEN IN A NORMAL STANDING POSITION;
- 6 (II) THE ANIMAL SHALL BE ABLE TO TURN FREELY AND EASILY STAND,
7 SIT, STRETCH, AND MOVE THEIR HEAD WITHOUT CONTACTING THE
8 TOP OF THE ENCLOSURE;
- 9 (III) THE ANIMAL SHALL BE ABLE TO LIE IN A RESTING POSITION WITH
10 LIMBS EXTENDED;
- 11 (IV) THE ANIMAL SHALL BE ABLE TO MOVE ABOUT AND ASSUME A
12 COMFORTABLE POSTURE FOR FEEDING, DRINKING, URINATING, OR
13 DEFECATING;
- 14 (V) FOOD AND WATER BOWLS OR OTHER ITEMS IN THE PRIMARY
15 ENCLOSURE SHALL NOT IMPEDE THE ANIMAL'S ABILITY TO STRETCH
16 OUT;
- 17 (VI) THE ANIMAL SHALL BE ABLE TO SIT, SLEEP, AND EAT AWAY FROM
18 AREAS OF ITS ENCLOSURE WHERE IT MAY URINATE OR DEFECATE;
- 19 (VII) THE ENCLOSURE SHALL BE KEPT FREE FROM BUILDUP OF URINE AND
20 FECES;
- 21 (VIII) TRANSPORT CARRIERS MAY NOT BE USED AS PRIMARY ENCLOSURES;
- 22 (IX) ANIMALS ARE TO BE PLACED IN A MANNER AND PROXIMITY TO LIMIT
23 BARRIER STRESS;
- 24 (X) LATCHES OR OTHER CLOSING DEVICES MUST BE SECURE ENOUGH TO
25 KEEP THE ANIMAL IN THE ENCLOSURE, KEEP OTHER ANIMALS OUT OF
26 THE ENCLOSURE, AND PREVENT INJURY; AND
- 27 (XI) DROP BOXES ARE NOT PERMITTED.

28 (3) **COMMUNAL ENCLOSURES:**

- 29 (I) DOGS OVER THE AGE OF 5 MONTHS MAY NOT BE KEPT COMMUNALLY
30 UNLESS THE DOGS PREVIOUSLY LIVED TOGETHER AND ARE SPAYED
31 OR NEUTERED;

- 1 (II) CATS OVER THE AGE OF 4 MONTHS WHO ARE HOUSED COMMUNALLY
2 SHALL BE SPAYED OR NEUTERED; AND
- 3 (III) ANIMALS WHO ARE HOUSED COMMUNALLY AND WHO ARE
4 OBSERVED FIGHTING OR TO HAVE INJURIES CONSISTENT WITH
5 FIGHTING SHALL BE IMMEDIATELY REMOVED AND PROVIDED A
6 SINGLE ENCLOSURE.
- 7 (4) **DISEASE PREVENTION AND SANITATION PRACTICES:** THE SHELTER
8 SHALL ENSURE THAT THE BUILDING, PRIMARY ANIMAL ENCLOSURES, AND
9 ALL OTHER AREAS WHERE ANIMALS ARE KEPT ARE CLEANED AT LEAST
10 DAILY TO REDUCE DISEASE TRANSMISSION AMONG ANIMALS, PROTECT
11 HUMAN PUBLIC HEALTH, INCREASE ANIMAL COMFORT, AND MEET THE
12 FOLLOWING STANDARDS:
- 13 (I) ALL PRIMARY ANIMAL ENCLOSURES, FOOD BOWLS, AND WATER
14 BOWLS SHALL BE CLEANED DAILY;
- 15 (II) ALL PRIMARY ENCLOSURES, FOOD BOWLS, WATER BOWLS, AND
16 BEDDING SHALL BE DISINFECTED BEFORE GIVEN TO A NEW ANIMAL;
- 17 (III) FLOORS, JUNCTIONS, WALLS, DOORS, AND DRAINS SHALL BE
18 IMMEDIATELY CLEANED AND DISINFECTED AFTER COMING INTO
19 CONTACT WITH FECES, URINE, VOMIT, OR AN ANIMAL KNOWN OR
20 SUSPECTED OF HAVING AN INFECTIOUS DISEASE;
- 21 (IV) ONLY CLEANING PRODUCTS THAT ARE SAFE FOR ANIMALS AND WITH
22 PROVEN EFFICACY FOR DISINFECTION OF ANIMAL DISEASE SHALL BE
23 USED TO CLEAN ANY AREAS WHERE ANIMALS WILL BE PRESENT;
- 24 (V) WATER AND FOOD BOWLS SHALL NOT BE LEFT IN THE ENCLOSURE
25 WHILE CLEANING;
- 26 (VI) ANIMALS ARE REMOVED FROM THE CAGE DURING CLEANING;
- 27 (VII) THE BUILDING WILL BE KEPT FREE OF FLEAS, FLIES, MOSQUITOES,
28 RATS, MICE AND OTHER DISEASE VECTORS OR NUISANCE SPECIES;
- 29 (VIII) TRASH SHALL BE CONTAINED IN CONTAINERS WITH LIDS; AND

- 1 (IX) SHELTER STAFF SHALL BE TRAINED IN SANITATION PROTOCOLS AND
2 A WRITTEN RECORD OF THAT TRAINING KEPT ONSITE AND
3 AVAILABLE FOR INSPECTION.
- 4 (5) **FOOD AND WATER:**
- 5 (I) FOOD MUST BE SPECIES AND AGE APPROPRIATE AND IN SUFFICIENT
6 QUANTITY TO MAINTAIN PROPER BODY WEIGHT AND CONDITION
7 BASED ON THE BREED OF ANIMAL;
- 8 (II) FOOD SHALL BE FREE FROM WORMS, MOTHS, MOLD, OR OTHER
9 CONTAMINATION AND MUST NOT BE MORE THAN 6 MONTHS PAST
10 THE "SELL BY" DATE;
- 11 (III) OPEN FOOD SHALL BE STORED IN A FOOD-SAFE CONTAINER WITH
12 LID; AND
- 13 (IV) WATER MUST BE CLEAN AND POTABLE AND KEPT IN A SPILL-
14 RESISTANT CONTAINER TO BE AVAILABLE TO THE ANIMAL AT ALL
15 TIMES.
- 16 (6) **MEDICAL STANDARDS:** THE SHELTER SHALL ENSURE THAT ALL ANIMALS
17 ARE MONITORED, ASSESSED, EXAMINED, AND TREATED FOR MEDICAL
18 CONDITIONS UPON ENTRANCE AND DURING THEIR STAY AS FOLLOWS:
- 19 (I) A VETERINARIAN SHALL SUPERVISE THE MEDICAL CARE AND
20 TREATMENT OF ANIMALS;
- 21 (II) ALL ANIMALS WITH PARASITES SHALL BE TREATED IMMEDIATELY
22 UNLESS OTHERWISE DIRECTED BY A LICENSED VETERINARIAN;
- 23 (III) ANIMALS SHALL BE OBSERVED DAILY FOR SIGNS OF ILLNESS OR
24 INJURY AND NECESSARY VETERINARY TREATMENT SHALL BE
25 OBTAINED;
- 26 (IV) AN ANIMAL APPEARING TO BE EXPERIENCING PAIN, SUFFERING
27 DISTRESS, RAPIDLY DETERIORATING HEALTH, LIFE-THREATENING
28 PROBLEMS, OR SUSPECTED ZOO NOTIC DISEASE SHALL BE ASSESSED
29 BY A VETERINARIAN IMMEDIATELY;
- 30 (V) AN ANIMAL WITH SUSPECTED OR CONFIRMED COMMUNICABLE
31 DISEASE TO OTHER ANIMALS OR HUMANS SHALL BE ISOLATED TO

- 1 LIMIT EXPOSURE TO OTHER ANIMALS AND PEOPLE AND SHALL BE
2 ASSESSED BY A VETERINARIAN AS SOON AS POSSIBLE;
- 3 (VI) AN ANIMAL THAT IS OBSERVED TO BE EXPERIENCING MENTAL
4 SUFFERING, DISTRESS, OR BEHAVIORAL DETERIORATION SHALL BE
5 ASSESSED AND TREATED BY A VETERINARIAN AS SOON AS POSSIBLE;
- 6 (VII) ALL ANIMALS SHALL BE PROVIDED ON A DAILY BASIS SOME FORM OF
7 LIFE ENRICHMENT SUCH AS ACCESS TO TOYS, TREATS, PLAY,
8 EXERCISE, AND PETTING;
- 9 (VIII) MEDICATIONS SHALL BE STORED IN A SECURE CONTAINER NOT IN A
10 PRIMARY ANIMAL ENCLOSURE;
- 11 (IX) DOGS, CATS, AND FERRETS OVER 4 MONTHS OF AGE SHALL HAVE A
12 CURRENT RABIES VACCINE AT THE TIME OF ADOPTION UNLESS
13 OTHERWISE DIRECTED BY A VETERINARIAN; AND
- 14 (7) **SPAYING OR NEUTERING.** THE PRIVATE ANIMAL SHELTER SHALL REQUIRE
15 THAT ANY PERSON WHO ADOPTS AN ANIMAL FROM THE SHELTER SHALL:
16 (I) AGREE TO SPAY OR NEUTER THE ANIMAL WITHIN SIX MONTHS OF
17 ADOPTION; AND
18 (II) SUBMIT RECORDS OF THE PROCEDURE TO THE SHELTER TO BE
19 RETAINED ACCORDING TO PARAGRAPH (9) OF THIS SUBSECTION.
- 20 (8) **STRAY ANIMALS:** PRIVATE SHELTERS MAY NOT ACCEPT STRAY ANIMALS
21 UNLESS THE FOLLOWING CONDITIONS ARE MET:
22 (I) A FOUND REPORT IS FILED WITH THE ANIMAL CONTROL
23 ADMINISTRATOR ON A FORM CREATED BY THE ANIMAL CONTROL
24 ADMINISTRATOR;
25 (II) THE ANIMAL MUST BE SCANNED FOR A MICROCHIP WITHIN 24 HOURS
26 OF ADMISSION; AND
27 (III) THE ANIMAL MUST BE HELD FOR 30 DAYS FROM FILING A FOUND
28 REPORT WITH THE ANIMAL CONTROL ADMINISTRATOR BEFORE THE
29 ANIMAL CAN BE RELEASED FOR ADOPTION OR OTHER DISPOSITION,
30 UNLESS OTHERWISE AUTHORIZED IN WRITING BY THE ANIMAL
31 CONTROL ADMINISTRATOR.

- 1 (9) **RECORD KEEPING:** THE FOLLOWING RECORDS SHALL BE KEPT FOR EACH
2 ANIMAL ENTERING THE SHELTER FOR A MINIMUM OF THREE YEARS:
3 (I) UNIQUE IDENTIFICATION NUMBER, SPECIES, BREED, GENDER, COLOR,
4 AGE, WEIGHT;
5 (II) WHETHER THE ANIMAL IS INTACT OR STERILIZED;
6 (III) DATE OF ENTRY;
7 (IV) WHERE THE ANIMAL ORIGINATED FROM;
8 (V) A HEALTH CERTIFICATE FOR ANIMALS ENTERING FROM OUT-OF-
9 STATE;
10 (VI) DATE AND EXPLANATION OF ALL TREATMENTS AND MEDICAL
11 EXAMINATIONS AND PROCEDURES;
12 (VII) FINAL DISPOSITION INCLUDING DATE AND TYPE; AND
13 (VIII) SPAY OR NEUTER RECORDS.

14 (O) *ENFORCEMENT:* ALTERNATIVELY, OR IN ADDITION TO AND CONCURRENT WITH ALL
15 OTHER REMEDIES, THE ANIMAL CONTROL ADMINISTRATOR MAY ISSUE A CITATION UNDER
16 SECTION 17.318 OF THIS SUBTITLE FOR OPERATING A PRIVATE ANIMAL SHELTER IN
17 VIOLATION OF THIS SUBTITLE, INCLUDING OPERATING A PRIVATE ANIMAL SHELTER
18 WITHOUT A LICENSE OR FOR FAILURE TO COMPLY WITH THE STANDARDS OF CARE, AND A
19 RECORD OF VIOLATIONS SHALL BE KEPT BY THE ANIMAL CONTROL ADMINISTRATOR.

20
21 *Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that*
22 *this Act shall become effective 61 days after its enactment.*