

Office of the County Auditor
Auditor's Analysis - REVISED

Council Bill No. 1- 2021

Introduced: January 4, 2021

Auditor: Maya Cameron

Fiscal Impact:

The fiscal impact of this legislation is an increase in fee revenues of \$800 annually beginning the second year of enactment. This is based upon the Administration's intent to waive fees for the first year, as well as the collection of \$100 annually for license and application fees from eight private animal shelters in subsequent years.

According to the Administration, regulating private animal shelters could result in the County avoiding costs in excess of \$250,000 for impounds. This is based on the historical costs of impounds from nonregulated shelters. Costs would include expenses for processing animals into a facility, medical care, and daily care and does not include staffing and overtime expenses.

NOTE: The Auditor's office was not provided documentation of this historical cost and cannot validate the savings.

Council Bill 1- 2021 indicates that the license application process shall be completed annually (page 9, lines 7 and 8) and that the fees collected are the application fee and license fee (page 8, lines 3 through 11). This is inconsistent with the Administration's testimony, in which it indicated it would waive the first year of fees and that only the license fee would be collected in subsequent years.

We have asked for clarification from the Office of Law regarding whether the non-refundable application fee and/or license fee can be waived in the first year without making that notation in the bill or resolution.

The Administration assumes full compliance and therefore does not project revenue collection of civil penalties. (See **Exhibit 1** below for a list of shelters.)

Inspection fees will be included in the licensing fee at no additional charge. Inspections will be completed using current existing personnel and resources.

Purpose:

The purpose of this legislation is to amend the Howard County Code (Title 17 - Public Protection Services, Subtitle 3. – Animals) to include requirements for private animal shelters. It establishes standards of care which include guidelines for buildings; animal enclosures; disease prevention;

sanitation practices; and food, water, and medical provisions. Additionally, it establishes the civil penalties noted in **Exhibit 2** below.

Other Comments:

This is a companion legislation to CR11-2021 (which establishes a license fee of \$50 and an application fee of \$50).

Should an applicant who was initially denied decide to re-submit their application within 365 days, the applicant will not be required to re-submit the application fee.

Per the administration, the “Howard County Animal Control (HCAC) Standards of Care December 2016” is being updated to reflect the proposed changes. **A draft revision of this policy has been requested and will be made available to Council upon request.**

Exhibit 1 – Howard County Private Shelters

There are approximately 10 private shelters in Howard County. Per the Administration, this legislation would not apply to two private shelters based on legislative definitions:

<u>Rescue Shelters</u>	<u>Sanctuaries</u>	<u>Not Applicable to Legislation</u>
Small Miracles	Burleigh Manor	Frisky’s Wildlife Sanctuary
Animal Welfare Society	Bentle Friends	Days End Horse Farm Rescue
Lions Den		
K9 Humane		
Kitties & Pitties		
Darby's Cat Rescue		

Exhibit 2 – The Civil Penalties

The civil penalties for violating the requirements of this legislation are as follows:

Code	Penalty	Frequency	Fee
17.322	Operating Without a License	Per Day	\$250.00
17.322	Standards of Care	First Offense in 24-mo. period	\$200.00
	Standards of Care	Second violation in 24-mo. period	\$400.00
	Standards of Care	Third violation in 24-mo. period	\$600.00
	Standards of Care	Subsequent Violations	\$800.00