

CALVIN BALL
County Executive



LISA D. MYERS
Chief of Police

HOWARD COUNTY DEPARTMENT OF POLICE

DATE: August 24, 2021

FROM: Lisa D. Myers *LDM*
Chief of Police

TO: Lonnie Robbins
Chief Administrative Officer

SUBJECT: Legislation Amending the Civil Citation Process
For Violations of the Animal Control Statute

The Court of Appeals recently decided the case of Angel Enterprises Limited Partnership, et al. v. Talbot County, Maryland, et al., No. 45, September Term, 2020. The Court of Appeals ruled that a civil citation must be tried in the District Court of Maryland, not before the Board of Appeals.

The County's animal control statute at Section 17.318(b) currently allows the appeal of civil citations to the Animal Matters Hearing Board, with further appeal to the Board of Appeals. Accordingly, the County Code needs to be revised to provide that civil citations shall be tried in the District Court. This bill makes changes to the Animal Control statute to authorize the Animal Control Administrator to issue civil citations under Title 24 and that those citations shall be tried in the District Court. Currently, Title 24 specifically excludes the animal control statute and this bill would remove that exclusion. These changes make the animal control statute consistent with other civil penalty provisions in the County Code.

There is no fiscal impact to this code change as it is procedural in nature.

Thank you for your time and consideration.

