

Introduced	<u>10.07.2024</u>
Public Hearing	<u>10.21.2024</u>
Council Action	<u>11.04.2024</u>
Executive Action	<u>11.06.2024</u>
Effective Date	<u>1.06.2025</u>

County Council of Howard County, Maryland

2024 Legislative Session

Legislative Day No. 11

Bill No. 58 -2024

Introduced by the Chairperson at the request of the County Executive

Short title: Animal Control- Appeals to the Animal Matters Hearing Board or the District Court

Title: AN ACT amending the process for the issuance and appeal of citations for violations of animal control provisions of the County Code; providing that appeals may go to the Animal Matters Hearing Board or to the District Court; providing that the Board may take certain actions; and generally relating to the enforcement of animal control provisions of the Code.

Introduced and read first time Oct 7, 2024. Ordered posted and hearing scheduled.
 By order Michelle Harrod
 Michelle Harrod, 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 Oct 21, 2024.
 By order Michelle Harrod
 Michelle Harrod, Administrator

This Bill was read the third time on Nov 4, 2024 and Passed ✓, Passed with amendments ✓, Failed _____.
 By order Michelle Harrod
 Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 5 day of Nov, 2024 at 2⁰⁰ a.m./p.m.
 By order Michelle Harrod
 Michelle Harrod, Administrator

Approved/Vetoed by the County Executive Nov 6, 2024
Calvin Ball
 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 Section 17.318

7 Section 17.321.

8
9 **Title 17. Public Protection Services.**

10 **Subtitle 3. Animals.**

11
12 **Section 17.318. Civil penalties and other remedies for violations.**

13 (a) COURT PROCEEDINGS

14 (1) *Injunctive and Other Relief.* The Administrator is authorized to institute on behalf
15 of Howard County any legal action, including an action for appropriate injunctive
16 relief, in order to compel compliance with any of the provisions of this subtitle.

17 ~~(b)~~ (2) *Civil Penalties.* Alternatively, and in addition to and concurrent with all other
18 remedies, the Administrator may enforce the provisions of this Subtitle with civil
19 penalties pursuant to Title 24, "Civil Penalties" of the Howard County Code.

20 (B) ANIMAL MATTERS HEARING BOARD CIVIL CITATIONS.

21 (1) *CIVIL CITATIONS.* THE ANIMAL CONTROL ADMINISTRATOR MAY ISSUE ~~A~~ AN
22 ANIMAL MATTERS HEARING BOARD CIVIL CITATION TO A PERSON WHO VIOLATES
23 THIS SUBTITLE.

24 ~~(c)~~ (2) *RIGHT TO APPEAL.* ~~WITHIN 15 DAYS OF THE ISSUANCE OF A CITATION, A~~ A PERSON
25 WHO RECEIVES A CIVIL CITATION UNDER THIS SUBTITLE ~~SECTION 17.318(B)~~ MAY
26 APPEAL THE CITATION. ~~ANY CITATION ISSUED UNDER THIS SUBTITLE SHALL OUTLINE~~
27 ~~THE APPLICABLE APPEAL PROCESS WHICH MAY BE TO THE ANIMAL MATTERS HEARING~~
28 ~~BOARD IN ACCORDANCE WITH THIS SECTION AND SECTION 17.321 OF THIS SUBTITLE~~
29 ~~OR TO THE DISTRICT COURT IN ACCORDANCE WITH TITLE 24 OF THIS CODE~~ WITHIN 15
30 DAYS OF RECEIVING THE CITATION.

1 ~~(D)~~(3) BOARD ACTION. WHEN A AN ANIMAL MATTERS HEARING BOARD CIVIL CITATION IS
2 APPEALED TO THE BOARD, THE BOARD MAY:

3 ~~(1)~~ (I) AFFIRM THE CITATION;
4 ~~(2)~~ (II) REVERSE THE CITATION;
5 ~~(3)~~ (III) AFFIRM THE CITATION AND REDUCE THE AMOUNT OF THE FINE IMPOSED FOR
6 VIOLATIONS OF ANY SECTION EXCEPT SECTION 17.303 OF THIS SUBTITLE; OR
7 ~~(4)~~ (IV) FOR A VIOLATION OF SECTION 17.303 OF THIS SUBTITLE, AFFIRM THE
8 CITATION AND WAIVE THE FINE IF THE OWNER AGREES TO DESTRUCTION OF THE
9 ANIMAL.

10 ~~(E)~~ (4) COLLECTION; DATE PAYABLE. A CIVIL FINE IMPOSED BY THE ANIMAL CONTROL
11 ADMINISTRATOR UNDER SECTION 17.318(B) SHALL BE PAYABLE TO AND COLLECTED
12 BY THE DIRECTOR OF FINANCE OF HOWARD COUNTY WITHIN 30 DAYS OF IMPOSITION.
13 IF THE OWNER OF THE ANIMAL, RESIDENCE, OR FACILITY APPEALS THE ANIMAL
14 MATTERS HEARING BOARD CIVIL CITATION TO THE ANIMAL MATTERS HEARING
15 BOARD OR DISTRICT COURT, THE DUE DATE OF THE FINE SHALL BE EXTENDED TO 30
16 DAYS AFTER A DECISION OF THE BOARD OR COURT UPHOLDING OR MODIFYING THE
17 CITATION.

18 ~~(F)~~ (5) NOTIFICATION OF APPEALS. THE ANIMAL MATTERS HEARING BOARD SHALL NOTIFY
19 THE DIRECTOR OF FINANCE OF ALL APPEALS PENDING BEFORE THE BOARD AND SHALL
20 REQUEST THAT THE DIRECTOR POSTPONE THE COLLECTION OF THE FINE UNTIL THE
21 BOARD HAS MADE A DECISION. THE BOARD SHALL NOTIFY THE DIRECTOR OF FINANCE
22 OF THE OUTCOME OF ALL APPEALS.

23 ~~(G)~~(6) PENALTY NOT PAID. IF SUBJECT TO SUBSECTION(B)(4), IF A FINE IS NOT COLLECTED
24 BY THE DIRECTOR OF FINANCE WITHIN 30 DAYS OF ISSUANCE OF A CIVIL CITATION THE
25 IMPOSITION OF THE FINE OR WITHIN 30 DAYS OF THE BOARD'S UPHOLDING THE CIVIL
26 CITATION, THE ANIMAL CONTROL ADMINISTRATOR MAY REQUEST THE OFFICE OF
27 LAW MAY TO INSTITUTE CIVIL PROCEEDINGS TO COLLECT THE FINE. THE AMOUNT OF
28 THE FINE SHALL INCREASE BY HALF THE AMOUNT OF THE ORIGINAL FINE FOR EACH 30
29 DAYS OR PORTION THEREOF IT REMAINS UNPAID.

30 ~~(H)~~(C) Fines for Violations of Certain Sections. [[Pursuant to Section 24.107 I. OF
31 THE CODE, THE]]THE amount of the civil penalty for a violation of 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 and 17.305B	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 ~~((d))~~ (D) Each day that a violation continues is a separate offense.

2

3 **Section 17.321. Appeals.**

4 (a) *Appeal to Board.* A person may appeal to the Board any of the following actions of
5 the Administrator within seven days after the Administrator's action:

6 (1) A declaration that the person's animal, residence, or facility is a nuisance;

7 (2) A declaration that the person's animal is dangerous or potentially dangerous;

8 (3) A declaration that the person's animal is a threat to public safety;

9 (4) An order requiring the institution of control and confinement measures for the
10 person's animal, but only if the animal has been impounded in connection with
11 the order;

12 (5) Impoundment of the person's animal;

13 (6) Permanent impoundment of the person's animal;

14 (7) A declaration that the person is not eligible to adopt an animal; and

15 (8) A decision of the Animal Control Administrator to grant, deny, or impose
16 conditions on a private animal shelter license pursuant to section 17.322 of this
17 subtitle.

18 (B) A PERSON WHO RECEIVES A CIVIL CITATION THAT IS APPEALABLE TO THE ANIMAL
19 MATTERS HEARING BOARD UNDER THIS SUBTITLE MAY APPEAL THE CITATION TO THE
20 BOARD IN ACCORDANCE WITH SECTION 17.318 OF THIS SUBTITLE.

21

22 ~~(b)~~(C) *Board Action.* When an action of the Administrator is appealed to the Board
23 ~~UNDER THIS SECTION~~, the Board may affirm, reverse, or modify the decision, and
24 may order any enforcement action that the Administrator is authorized to take by
25 this subtitle.

26 ~~(e)~~(D) *Notice.* When a hearing is scheduled under this section, the Board shall give notice
27 of the hearing in accordance with subsection 17.320(c) of this subtitle.

28 ~~(d)~~(E) *Hearing.* The hearing shall be conducted in accordance with title 2 (the Howard
29 County Administrative Procedure Act) of this Code.

30 ~~(e)~~(F) *Appeal of Board Decision.* Any person, including the Animal Control
31 Administrator, who is aggrieved by a decision and order of the Board may, within

1 30 days thereof, appeal the decision to the Board of Appeals. The appeal shall be on
2 the record.

3 ~~(F)~~(G) *Enforcement of Board Decision.* If a person fails to comply with a decision of the
4 Board within the time specified by the decision, the Administrator may petition the
5 court for injunctive relief or otherwise institute legal action to enforce the Board's
6 decision.

7

8 ***Section 2. And be it further enacted by the County Council of Howard County, Maryland that Act***
9 *shall be effective 61 days after enactment.*

Amendment 1 to Council Bill No. 58-2024

**BY: The Chairperson at the request
of the County Executive**

**Legislative Day No. 12
Date: November 4, 2024**

Amendment No. 1

(This amendment clarifies that there may be proceedings before either the Court or the Animal Matters Hearing Board. This amendment also clarifies that the Animal Control Administrator may request the Office of Law to institute civil proceedings.)

1 On page 1, in line 13:

- 2 • After “(a)” insert “COURT PROCEEDINGS.”;
- 3 • Insert a hard return after “PROCEEDINGS.”; and
- 4 • Insert a “(1)” before “*Injunctive*”.

5

6 On page 1, in line 16, strike “(b)” and substitute “(2)”.

7

8 On page 1, in line 19:

- 9 • After “(B)”, insert “ANIMAL MATTERS HEARING BOARD CIVIL CITATIONS.”
- 10 • Insert a hard return after “CITATIONS.”;
- 11 • Insert “(1)” before “*Civil*”; and
- 12 • Strike “A” and substitute “AN ANIMAL MATTERS HEARING BOARD”.

13

14 On page 1, in line 21:

- 15 • Strike “(C)” and substitute “(2)”; and
- 16 • Strike “WITHIN 15 DAYS OF THE ISSUANCE OF A CITATION, A” and substitute “A”.

17

18 On page 1, in line 22, strike “THIS SUBTITLE” and substitute “SECTION 17.318(B)”.

19

20 On page 1, in line 22, strike starting with the period down through and including “BE” in line 24.

21

22 On page 1, in line 24, strike “IN ACCORDANCE”.

23

1 On page 1, strike lines 25 and 26 and substitute “WITHIN 15 DAYS OF RECEIVING THE CITATION.”.

2

3 On page 1, in line 27:

- 4 • Strike “(D)” and substitute “(3)”; and
- 5 • Strike “A” and substitute “AN ANIMAL MATTERS HEARING BOARD”.

6

7 On page 1, in line 29, strike “(1)” and substitute “(I)”.

8

9 On page 1, in line 30, strike “(2)” and substitute “(II)”.

10

11 On page 2, in line 1, strike “(3)” and substitute “(III)”.

12

13 On page 2, in line 3, strike “(4)” and substitute “(IV)”.

14

15 On page 2, in line 5, strike “(E)” and substitute “(4)”.

16

17 On page 2, in line 6, after “ADMINISTRATOR” insert “UNDER SECTION 17.318(B)”.

18

19 On page 2, in line 8, after the first “THE” insert “ANIMAL MATTERS HEARING BOARD” and strike
20 “TO THE ANIMAL”.

21

22 On page 2, in line 9, strike “MATTERS HEARING BOARD OR THE DISTRICT COURT”.

23

24 On page 2, in line 10, strike “OR COURT”.

25

26 On page 2, in line 12, strike “(F)” and substitute “(5)”.

27

28 On page 2, in line 17:

- 29 • Strike “(G)” and substitute “(6)”; and
- 30 • Strike “If” and substitute “SUBJECT TO SUBSECTION(B)(4), IF”.

31

- 1 On page 2, in line 18, strike “ISSUANCE OF A CIVIL CITATION” and substitute “THE IMPOSITION OF
2 THE FINE”.
- 3
- 4 On page 2, in line 19:
- 5 • Before “OFFICE”, insert “ANIMAL CONTROL ADMINISTRATOR MAY REQUEST THE”; and
 - 6 • After “LAW”, strike “MAY” and substitute “TO”.
- 7
- 8 On page 2, in line 23, strike “([[c]]H)” and substitute “(C)”.
- 9
- 10 On page 3, in line 2, strike “([[d]]I)” and substitute “(D)”.
- 11
- 12 On page 4, after line 10, insert:
- 13 “(B) A PERSON WHO RECEIVES A CIVIL CITATION THAT IS APPEALABLE TO THE ANIMAL MATTERS
14 HEARING BOARD UNDER THIS SUBTITLE MAY APPEAL THE CITATION TO THE BOARD IN
15 ACCORDANCE WITH SECTION 17.318 OF THIS SUBTITLE.”
- 16
- 17 On page 4, in line 11, strike “(b)” and substitute “(C)” and strike “UNDER”.
- 18
- 19 On page 4, in line 12, strike “THIS SECTION”.
- 20
- 21 On page 4, in line 14, strike “(c)” and substitute “(D)”.
- 22
- 23 On page 4, in line 16, strike “(d)” and substitute “(E)”.
- 24
- 25 On page 4, in line 18, strike “(e)” and substitute “(F)”.
- 26
- 27 On page 4, in line 21, strike “(f)” and substitute “(G)”.

I certify that this a true copy of
Am 1 to CB58-2024
passed on November 4, 2024
Michael [Signature]
Council Administrator



Howard County

Internal Memorandum

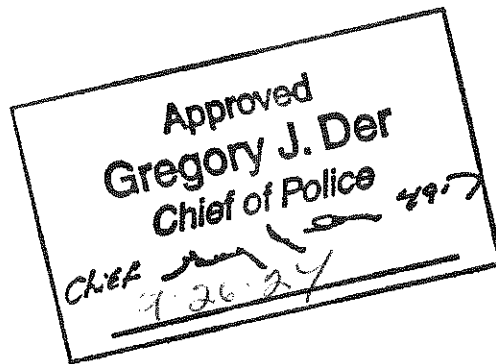
SUBJECT: Council Testimony and Fiscal Impact Statement
Animal Control Enforcement Bill

TO: Brandee Ganz
Chief Administrative Officer

THROUGH: Greg Der, Chief
Department of Police

FROM: Sheri Fox,
Animal Control Administrator

DATE: September 26, 2024



In 2021, the Supreme Court of Maryland (f/k/a the Court of Appeals) decided the case of *Angel Enterprises Limited Partnership, et al. v. Talbot County, Maryland, et al.*, 254 A.3d 446 (Md. 2021). In this case, the Court ruled that civil penalties must be tried in the District Court of Maryland, not before an administrative board, such as the Animal Matters Hearing Board, because such administrative boards lacked the jurisdiction to hear such matters. In response to the decision in *Angel Enterprises*, Council Bill No. 60-2021 amended the County's Animal Control statute by removing certain provisions that allowed for the appeal of civil citations which included monetary penalties to the Animal Matters Hearing Board, with further appeal to the Board of Appeals.

Subsequently, the State legislature amended Section 4-406(b) of the *Courts & Judicial Proceedings* Article to allow for concurrent jurisdiction if a County so decides. In light of this change, the Department of Police wants to amend the County Code to provide that civil citations may be tried either in the District Court or before the Animal Matters Hearing Board (with appeals heard by the Board of Appeals), at the discretion of the Animal Control Administrator. This bill makes changes to the Animal Control statute to authorize the Animal Control Administrator to issue civil citations under Title 24, to be tried in the District Court, or tried before the Animal Matter Hearing Board under Title 17.321.

The advantage of allowing matters to proceed to the Animal Matters Hearing Board and subsequent Board of Appeals is expediency. Matters can proceed faster and are not part of the District Court docket.

Fiscal Impact

This change in the County Code is expected to have a positive fiscal impact because matters can be heard quicker which may result in more adjudications.

Thank you for your time and consideration.

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

County Council of Howard County, Maryland

2024 Legislative Session

Legislative Day No. 11

Bill No. 58-2024

Introduced by the Chairperson at the request of the County Executive

Short title: Animal Control- Appeals to the Animal Matters Hearing Board or the District Court

Title: AN ACT amending the process for the issuance and appeal of citations for violations of animal control provisions of the County Code; providing that appeals may go to the Animal Matters Hearing Board or to the District Court; providing that the Board may take certain actions; and generally relating to the enforcement of animal control provisions of the Code.

Introduced and read first time _____, 2024. Ordered posted and hearing scheduled.

By order _____
Michelle Harrod, 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 _____, 2024.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2024 and Passed ____, Passed with amendments ____, Failed ____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2024 at ____ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive _____, 2024

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.

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2 Howard County Code is amended as follows:

3 By amending:

4 Title 17. Public Protection Services.

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8
9 **Title 17. Public Protection Services.**

10 **Subtitle 3. Animals.**

11
12 **Section 17.318. Civil penalties and other remedies for violations.**

13 (a) *Injunctive and Other Relief.* The Administrator is authorized to institute on behalf of
14 Howard County any legal action, including an action for appropriate injunctive
15 relief, in order to compel compliance with any of the provisions of this subtitle.

16 (b) *Civil Penalties.* Alternatively, and in addition to and concurrent with all other
17 remedies, the Administrator may enforce the provisions of this Subtitle with civil
18 penalties pursuant to Title 24, "Civil Penalties" of the Howard County Code.

19 (B) *CIVIL CITATIONS.* THE ANIMAL CONTROL ADMINISTRATOR MAY ISSUE A CIVIL
20 CITATION TO A PERSON WHO VIOLATES THIS SUBTITLE.

21 (C) *RIGHT TO APPEAL.* WITHIN 15 DAYS OF THE ISSUANCE OF A CITATION, A PERSON WHO
22 RECEIVES A CIVIL CITATION UNDER THIS SUBTITLE MAY APPEAL THE CITATION. ANY
23 CITATION ISSUED UNDER THIS SUBTITLE SHALL OUTLINE THE APPLICABLE APPEAL
24 PROCESS WHICH MAY BE TO THE ANIMAL MATTERS HEARING BOARD IN ACCORDANCE
25 WITH THIS SECTION AND SECTION 17.321 OF THIS SUBTITLE OR TO THE DISTRICT
26 COURT IN ACCORDANCE WITH TITLE 24 OF THIS CODE.

27 (D) *BOARD ACTION.* WHEN A CIVIL CITATION IS APPEALED TO THE BOARD, THE BOARD
28 MAY:

- 29 (1) AFFIRM THE CITATION;
30 (2) REVERSE THE CITATION;

- 1 (3) AFFIRM THE CITATION AND REDUCE THE AMOUNT OF THE FINE IMPOSED FOR
 2 VIOLATIONS OF ANY SECTION EXCEPT SECTION 17.303 OF THIS SUBTITLE; OR
- 3 (4) FOR A VIOLATION OF SECTION 17.303 OF THIS SUBTITLE, AFFIRM THE CITATION
 4 AND WAIVE THE FINE IF THE OWNER AGREES TO DESTRUCTION OF THE ANIMAL.
- 5 (E) *COLLECTION; DATE PAYABLE.* A CIVIL FINE IMPOSED BY THE ANIMAL CONTROL
 6 ADMINISTRATOR SHALL BE PAYABLE TO AND COLLECTED BY THE DIRECTOR OF
 7 FINANCE OF HOWARD COUNTY WITHIN 30 DAYS OF IMPOSITION. IF THE OWNER OF THE
 8 ANIMAL, RESIDENCE, OR FACILITY APPEALS THE CIVIL CITATION TO THE ANIMAL
 9 MATTERS HEARING BOARD OR DISTRICT COURT, THE DUE DATE OF THE FINE SHALL
 10 BE EXTENDED TO 30 DAYS AFTER A DECISION OF THE BOARD OR COURT UPHOLDING
 11 OR MODIFYING THE CITATION.
- 12 (F) *NOTIFICATION OF APPEALS.* THE ANIMAL MATTERS HEARING BOARD SHALL NOTIFY
 13 THE DIRECTOR OF FINANCE OF ALL APPEALS PENDING BEFORE THE BOARD AND SHALL
 14 REQUEST THAT THE DIRECTOR POSTPONE THE COLLECTION OF THE FINE UNTIL THE
 15 BOARD HAS MADE A DECISION. THE BOARD SHALL NOTIFY THE DIRECTOR OF FINANCE
 16 OF THE OUTCOME OF ALL APPEALS.
- 17 (G) *PENALTY NOT PAID.* IF A FINE IS NOT COLLECTED BY THE DIRECTOR OF FINANCE
 18 WITHIN 30 DAYS OF ISSUANCE OF A CIVIL CITATION OR WITHIN 30 DAYS OF THE
 19 BOARD'S UPHOLDING THE CIVIL CITATION, THE OFFICE OF LAW MAY INSTITUTE CIVIL
 20 PROCEEDINGS TO COLLECT THE FINE. THE AMOUNT OF THE FINE SHALL INCREASE BY
 21 HALF THE AMOUNT OF THE ORIGINAL FINE FOR EACH 30 DAYS OR PORTION THEREOF IT
 22 REMAINS UNPAID.
- 23 ([[c]]H) *Fines for Violations of Certain Sections.* [[Pursuant to Section 24.107 I. OF THE
 24 CODE, THE]]THE amount of the civil penalty for a violation of this subtitle is:

Code Section Violated	Amount of Fine	
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	Second Offense in 24-Month Period	50.00
	Third Offense in 24-Month Period	100.00
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	Subsequent Offenses	200.00
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	Subsequent violations	800.00

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(([d])) Each day that a violation continues is a separate offense.

Section 17.321. Appeals.

- (a) *Appeal to Board.* A person may appeal to the Board any of the following actions of the Administrator within seven days after the Administrator's action:
 - (1) A declaration that the person's animal, residence, or facility is a nuisance;
 - (2) A declaration that the person's animal is dangerous or potentially dangerous;

- 1 (3) A declaration that the person's animal is a threat to public safety;
- 2 (4) An order requiring the institution of control and confinement measures for the
- 3 person's animal, but only if the animal has been impounded in connection with
- 4 the order;
- 5 (5) Impoundment of the person's animal;
- 6 (6) Permanent impoundment of the person's animal;
- 7 (7) A declaration that the person is not eligible to adopt an animal; and
- 8 (8) A decision of the Animal Control Administrator to grant, deny, or impose
- 9 conditions on a private animal shelter license pursuant to section 17.322 of this
- 10 subtitle.

11 (b) *Board Action.* When an action of the Administrator is appealed to the Board UNDER
12 THIS SECTION, the Board may affirm, reverse, or modify the decision, and may order
13 any enforcement action that the Administrator is authorized to take by this subtitle.

14 (c) *Notice.* When a hearing is scheduled under this section, the Board shall give notice
15 of the hearing in accordance with subsection 17.320(c) of this subtitle.

16 (d) *Hearing.* The hearing shall be conducted in accordance with title 2 (the Howard
17 County Administrative Procedure Act) of this Code.

18 (e) *Appeal of Board Decision.* Any person, including the Animal Control Administrator,
19 who is aggrieved by a decision and order of the Board may, within 30 days thereof,
20 appeal the decision to the Board of Appeals. The appeal shall be on the record.

21 (f) *Enforcement of Board Decision.* If a person fails to comply with a decision of the
22 Board within the time specified by the decision, the Administrator may petition the
23 court for injunctive relief or otherwise institute legal action to enforce the Board's
24 decision.

25

26 **Section 2. And be it further enacted by the County Council of Howard County, Maryland that Act**
27 **shall be effective 61 days after enactment.**

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on November 6, 2024.

Michelle Harrod
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2024.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2024.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2024.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2024.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2024.

Michelle R. Harrod, Administrator to the County Council