

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE
Revised

House Bill 216

(Calvert County Delegation)

Environmental Matters

Education, Health, and Environmental Affairs

Calvert County - Animal Control - Fines and Licenses

This bill requires that any fine paid for violation of Calvert County ordinances regarding the regulation, humane treatment, and keeping of domestic animals be paid to the Calvert County Treasurer. The bill also authorizes two- and three-year dog licenses to be issued in Calvert County.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill codifies current practice in Calvert County regarding payment of fines. The county commissioners retain the authority to establish or alter dog license fees.

Small Business Effect: None.

Analysis

Current Law: The Calvert County Commissioners may, by ordinance, provide for the regulation, humane treatment, and keeping of domestic animals within the county. The county commissioners are authorized to assess a penalty of no more than 30 days imprisonment, a maximum fine of \$1,000, or both for a violation of such an ordinance.

Chapter 309 of 2008 authorized the county commissioners to create an animal matters hearing board to resolve disputes and controversies arising under animal control ordinances. The commissioners may authorize the board to:

- issue a subpoena to compel parties in a dispute to appear before the board;
- assess a civil penalty not exceeding \$1,000 for a violation; and
- collect a civil penalty.

The Public Local Laws of Calvert County specify that the county treasurer must collect all monies that are due the county or that, by any public local or public general law, are due and payable to the county commissioners.

Calvert County Code includes regulations regarding dogs and cats running at large; dangerous dogs; the injury or death of livestock caused by dogs; the licensing of dogs, cats, and kennels; diseases (*e.g.*, rabies); and other matters related to the humane care and treatment of animals and public safety. County code gives enforcement authority to animal control officers, law enforcement officers in the county, and the county health officer, and allows animal control officers to issue warnings or citations; citations may be accompanied by a fine. A person receiving a fine has 20 days to either pay the fine or indicate the intent to stand trial for the alleged violation; a person who does neither or who fails to appear in court is subject to a doubling of the fine, to a maximum of \$1,000.

In Calvert County the fees for dog licenses must be determined by the county commissioners. Before establishing or altering any license fee, the commissioners must advertise the proposed fee for two consecutive weeks in at least two newspapers of general circulation in Calvert County. All dog and cat licenses in the county expire one year after the date of issue. The current license fee in the county is \$7 if the dog or cat has been spayed or neutered, or \$20 if it has not.

Background: The county advises that an animal matters hearing board has not been created; that over \$5,000 in animal control ordinance fines were collected in the past year; and that the county treasurer's office receives the fine payments.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Calvert County, Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2009
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