

Chapter 64
ANIMALS

ARTICLE I

Domestic Animals**[Adopted 3-16-2010 by Bill No. 1-2010¹]****§ 64-1. Definitions.**

As used in this article, the following terms are defined below:

ANIMAL — Every nonhuman species of animal, both domestic and wild.

ANIMAL ABANDONMENT — The act of failing to humanely dispose of an animal or transfer ownership to some responsible person when ownership is no longer desired or leaving an animal without making arrangements for its care.

A. Exception. A feral cat caregiver who provides care to or has temporary custody of a feral cat in accordance with an approved program to trap, alter, vaccinate, ear tip, and return feral cats is not deemed to have deserted or abandoned the feral cat.

ANIMAL AT LARGE — Any animal not under the restraint of a person capable of controlling the animal and off the premises of the owner.

ANIMAL CONTROL OFFICER — Any person designated by the State of Maryland, the County Commissioners of Kent County, a municipal government or humane society as a law enforcement officer who is qualified to perform such duties under the laws of this state.

ANIMAL SHELTER — Any facility operated by a humane society or municipal agency or its authorized agents for the purpose of impounding or caring for dogs or cats under the authority of this article or state law for care, confinement, return to owner, adoption or euthanasia.

CAT — A member of the species felis catus.

DANGEROUS DOG — Any dog that without provocation has killed or inflicted severe injury on a person or any dog determined by the Humane Society of Kent County, Maryland, Inc., to be potentially dangerous and, subsequent to that determination, which engages in one or more of the behaviors which caused the threat of danger. The behaviors are biting a person on public or private real property, or killing or inflicting severe injury to a domestic animal beyond the owner's property, or attacking without provocation.

DOG — A member of the species canis familiaris.

DOMESTIC ANIMAL — Any animal that is accustomed to live in or about the habitation of man, including but not limited to pets, farms animals, livestock or any other animals kept for pleasure or profit.

FERAL CAT — Any cat existing in a wild or untamed state or any cat having returned to an untamed state from domestication.

1. **Editor's Note: This bill also repealed former Art. I, Domestic Animals, adopted 11-3-2009 by Bill No. 5-2009, and former Art. II, Foxes, adopted 4-3-1990 as part of Ch. 2 of the 1989 Code, as amended.**

FERAL CAT CAREGIVER — Any person who provides care, including food, shelter, or medical care, to one or more feral cats or has temporary custody of a feral cat.

FERAL CAT COLONY — A group of two or more free-roaming feral cats, whether managed or unmanaged.

GROOMING SHOP — A commercial establishment where animals are bathed and/or groomed.

GUARD DOG — Any dog that will detect and warn its handler that an intruder is present in or near an area that is being secured and/or will attack an intruder in a secured area or on command of the handler.

HARBOR or KEEP — To feed or shelter for three or more consecutive days.

HUMANE SOCIETY — The Humane Society of Kent County, Maryland, Inc., or an agency appointed by the County Commissioners of Kent County.

KENNEL — Any premises wherein any person keeps a dog or dogs in an enclosure designed or modified for the housing of dogs.

KENNEL, COMMERCIAL — Any premises wherein any person, persons, partnership or corporation buys, sells, breeds, boards, trains for a fee or engages in any other activity involving dogs for the purpose of generating income.

MANAGED FERAL CAT COLONY — A colony of feral cats that is registered with the Humane Society of Kent County, Inc.

OWNER — Any adult person, partnership or corporation owning, keeping, harboring or having custody of (either temporarily or permanently) one or more animals.

PET or COMPANION ANIMAL — Any animal kept for pleasure and/or companionship rather than utility.

PET SHOP — Any person, partnership or corporation, whether operated separately or in connection with another business enterprise that sells two or more species of animals with the intent that they be kept as pets.

PUBLIC NUISANCE — Any animal or conditions resulting therefrom that unreasonably annoy humans, endanger the life or health of other animals or persons or substantially interfere with the rights of citizens, other than their owners, to enjoyment of life or property. The term "public nuisance" shall mean and include, but is not limited to, any animal that repeatedly:

- A. Is found at large.
- B. Damages the property of anyone other than its owner.
- C. Molests or intimidates pedestrians or passersby.
- D. Chases vehicles.
- E. Attacks other domestic animals.

- F. Excessively makes disturbing noises, including but not limited to continued and repeated howling, barking, whining, mewling, or other utterances causing unreasonable annoyance, disturbance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored; provided, however, that the barking of hunting dogs while in pursuit of game and supervised by owners or trainers is not to be considered a "public nuisance."
- G. Creates offensive odors or is kept in such a manner that it causes fouling of the air by odor and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored.
- H. Is kept in such a manner that it causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored.
- I. Materially interferes with or disrupts an individual in the enjoyment or use of the individual's property.

RESTRAINT — An animal is under restraint when it is secured by a leash or lead and/or under the control of a responsible person and obedient to that person's commands or within the real property limits of its owner.

SECURE ENCLOSURE — A fenced area or building from which an animal cannot escape or be accidentally released and which cannot be entered by animals or unauthorized persons.

STRAY — A domesticated dog or cat for which ownership is not established.

TRAP-NEUTER-RETURN PROGRAM (TNR) — A program approved by the Humane Society, or organization approved by the Kent County Commissioners, to trap, alter, vaccinate for rabies and distemper, ear tip, and return feral cats to their original location.

VETERINARY HOSPITAL — Any establishment maintained and operated by a licensed veterinarian for diagnosis, surgery and treatment of animal diseases and injuries.

§ 64-2. Dog licensing requirements.

- A. Any person owning, keeping, harboring or having custody of any dog over four months of age within this county must obtain a license as herein provided. Any person, partnership or corporation who or which harbors an unlicensed dog is guilty of a code county infraction and shall be subject to the penalties provided in § 64-10 hereof.
- B. Written application for licenses, which shall include name, address and telephone number of applicant, description of each dog(s), the appropriate breed(s), age, sex and valid rabies certificates(s) issued by a licensed veterinarian or antirabies clinic and proof of spaying and neutering, if applicable, shall be made to the Humane Society or to the Office of Finance of Kent County (hereinafter the "licensing authority").

- C. Application for a license must be made within 30 days after obtaining a dog over four months of age or immediately upon the dog attaining the age of four months. This requirement will not apply to a nonresident keeping a dog within the county for not longer than 90 days. However, such dogs must comply with this article and Maryland law.
- D. The licensing period shall begin with the first day of July each fiscal year and shall run for one year. The penalty-free renewal period will extend from 60 days prior to and up to 30 days after the start of the fiscal year.
- E. Upon acceptance of the license application and fee, the licensing authority shall issue a durable tag, stamped with an identifying number and the year of issuance. Tags should be designed so that they may be conveniently fastened or riveted to the animal's collar or harness.
- F. Dogs must wear collars or harnesses displaying the current Kent County license tag at all times when off the premises of the owners, unless actually being shown at a dog show or event recognized as such by the licensing authority, and hunting dogs while in pursuit of game and under the control of owners or trainers need not wear collars if they would endanger the dog or adversely affect its hunting or sport purpose.
- G. The licensing authority shall maintain a record of the identifying numbers of all tags issued for a period of three years and shall make this record available to the public.
- H. Individual and kennel license fees shall be determined by the County Commissioners of Kent County.
- I. License fees shall not be required for certified guide dogs, hearing dogs, governmental police dogs or other certified dogs that are trained to assist the physically handicapped, but they shall meet all other licensing requirements.
- J. A duplicate license may be obtained upon payment of a replacement fee as set forth from time to time by the County Commissioners.
- K. No person may use any license for any dog other than the dog for which it was issued.
- L. Any person, partnership, association or corporation having a kennel within Kent County may obtain a multiple dog license if he/she/it has five or more dogs. The application for such a license shall state the name and address of the kennel operator/owner, location of the kennel and the maximum number of dogs to be housed in the kennel. Valid rabies certificates issued by a licensed veterinarian or antirabies clinic must be included for each dog housed in the kennel as well as a description of each dog, which includes breed(s), age and sex. All dogs kept as part of a kennel must meet the rabies vaccination requirements of Subsection B.

- M. Veterinary hospitals or clinics, research facilities where bona fide medical or related research (dental, veterinary, pharmaceutical, or biological) is being conducted, humane shelters and other animal establishments operated by state or local governments or which are licensed by federal law are exempt from the kennel licensing requirements of this article.

§ 64-3. Permits for kennels and training and sale of dogs.

- A. No person, partnership, association or corporation shall operate a commercial kennel within Kent County without a valid permit. The fee for this permit shall be determined by the County Commissioners of Kent County. The application for this permit may be obtained from the Humane Society. This permit does not exempt individual dogs within the kennel from the licensing requirement.
- B. No person shall train or offer for sale or lease any dog to be used as a guard or sentry dog without possessing a valid permit. The annual fee for this permit is to be determined by the County Commissioners of Kent County. The application for this permit may be obtained from the Humane Society. This permit may not be transferred to another individual. The applicant for this permit will be required to supply information pertaining to his/her qualifications and training that will show beyond a reasonable doubt that he/she is properly qualified to engage in this type of training. This shall not apply to the county government or any of its agencies.
- C. The Humane Society may, subject to approval of the Kent County Commissioners, adopt rules and regulations for the issuance of these permits, which shall include requirements for humane care of all dogs and for compliance with the provisions of this article and other applicable laws. The Humane Society may, subject to the approval of the County Commissioners of Kent County, amend such regulations from time to time as deemed desirable for the public health and welfare and for the protection of dogs.
- D. After an application for a permit is filed, the Humane Society or its designated agents may inspect the facility prior to issuing the permit. Upon a showing by an applicant for a permit that he is willing and able to comply with the regulations promulgated by the Humane Society, a permit shall be issued upon payment of the applicable fee. The permit may be revoked if the person refuses or fails to comply with this article, the regulations promulgated by the Humane Society or any law governing the protection and keeping of animals.
- E. Any person whose permit is revoked shall, within 10 days thereafter, humanely dispose of all dogs owned, kept or harbored. No part of the permit fee shall be refunded.
- F. It shall be a condition of the issuance of any permit that the Humane Society or its designated agents shall be permitted to inspect all dogs

and the premises where dogs are kept at any reasonable time and shall, if permission for such inspection is refused, revoke the permit of the refusing owner.

- G. If the applicant has withheld or falsified any information on the application, the licensing authority shall refuse to issue a permit.
- H. No person who has been convicted of cruelty to animals shall be issued a permit.
- I. Any person having been denied a permit may not reapply for a period of 30 days. Each reapplication shall be accompanied by a fee set forth from time to time by the County Commissioners. Any person whose permit is revoked may appeal within seven days of the decision to the County Commissioners of Kent County. A date and time will be set for a hearing, at which time those wishing to be heard concerning the revocation of the permit will be heard. A decision affirming or reversing the decision of the licensing authority shall be made by the County Commissioners within 30 days after such a hearing.
- J. Any person who has a change under the category under which a permit was issued shall be subject to reclassification, and appropriate adjustment of the permit fee shall be made.
- K. The licensing authority shall maintain a record of these permits issued pursuant to this section for a period of three years and shall make it available to the public.
- L. The permit period shall begin with the first day of July in each fiscal year and shall run for one year. Renewal applications for permits shall be made 60 days prior to the beginning of the fiscal year. Application for a permit to create a new commercial animal establishment under the provisions of this article may be made at any time.
- M. If there is any change in the ownership of a commercial kennel, the new owner must apply for a permit.
- N. Every facility regulated by this article shall be considered a separate enterprise and requires an individual permit.

§ 64-4. Fees.

- A. The County Commissioners of Kent County shall, by resolution adopted from time to time, establish and change fees provided for in this article.
- B. Impound, adoption, daily board fees and necessary animal fees will be established by the Humane Society.

§ 64-5. Restraint; public nuisance.

- A. All dogs shall be kept under restraint.
- B. Public nuisance.

- (1) Every owner shall exercise proper care and control of their animal(s) to prevent it (them) from becoming a public nuisance.
 - (2) Upon being declared a public nuisance, any unaltered animal found running at large three times will be required to be spayed or neutered within seven days of the third offense. A time deferment or waiver may be granted for pets too old or sick to be altered. A fine will be levied against the owner in an amount to cover the cost of surgery. Upon the owner submitting evidence of the surgery having been completed, the fine will be nolle prosequi.
- C. Every female animal in heat shall be confined or supervised in such a manner that such female animal cannot come into contact with a male animal except for planned breeding.
- D. Every dangerous animal shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.

§ 64-6. Impoundment.

- A. Unrestrained dogs shall be taken by law enforcement and/or animal control officers and impounded in an animal shelter and there confined in a humane manner. These officers may use whatever means necessary to capture such dogs.
- B. Impounded stray dogs and cats shall be kept for not fewer than five working days; provided, however, that dogs and cats which show physical and behavioral evidence of being feral or totally unsocialized, seriously diseased or suffering may be euthanized immediately if necessary.
- C. If, by a license tag or other reasonable means, the owner of an impounded dog or cat can be identified, the animal control officer shall make a prompt and reasonable effort to notify the owner.
- D. The owner of an impounded dog or cat shall pay an impoundment fee and a daily board fee for each day impounded and any cost incurred for the care of the animal during impoundment until the animal is reclaimed or relinquished.
- E. Proof of ownership.
- (1) All impounded animals must be permanently identified (i.e., microchip or tattoo) prior to release.
 - (2) Proof of ownership may be required before an animal may be redeemed. Proof of ownership may include a license receipt, affidavits of neighbors, photographs or other valid evidence.
- F. Any dog or cat not reclaimed by its owner within five working days shall become the property of the Humane Society and shall be placed for adoption in a suitable home or humanely euthanized.

- G. In addition to or in lieu of impounding a dog found at large, the animal control or law enforcement office may issue to the known owner of such dog a notice of ordinance violation or citation as set forth in § 64-10.3C.
- H. Any domestic animal found in a critical condition from neglect, wounds, injuries or diseases may, at the discretion of the animal control officer, the animal shelter manager or a Maryland licensed veterinarian, be destroyed if the owner cannot be found within 24 hours. If the animal is also suffering great pain, it may be euthanized immediately and the owner notified as soon as possible thereafter.
- I. Those persons responsible for destroying animals as herein provided shall not be held liable for the act.
- J. The Humane Society of Kent County is authorized to enter into agreements with veterinarians for the care of sick and injured animals which are either licensed or which give the appearance of having had good care. The owner shall be liable for the veterinary expenses related to such care.
- K. The shelter manager shall keep complete and accurate records of the care and disposition of all animals impounded at the shelter for a period of three years.
- L. Neither the Humane Society of Kent County nor its employees shall be liable for injury or illness which occurs or is contracted while an animal is confined in its shelter.

§ 64-7. Animal care.

- A. No owner shall fail to provide his/her animal with:
 - (1) Proper food.
 - (a) Food should be wholesome, palatable and free from contamination.
 - (b) Food should be provided in sufficient quantity and be of adequate nutritive value to maintain all animals in good health.
 - (2) Proper drink. "Proper drink" shall mean clean, drinkable water available in sufficient quantities for all animals.
 - (3) Proper air. Holding areas shall be constructed to allow a free flow of fresh air.
 - (4) Proper space.
 - (a) All animals shall be able to stand to their full height, stretch out, lie down and make normal postural adjustments comfortably.
 - (b) Animals shall be allowed to exercise and have freedom of movement as necessary to reduce stress and maintain good

physical condition. Space and provisions for exercise must be appropriate for the species and sufficient to meet the needs of the animal.

- (c) Space available to the animal must be usable, i.e., maintained in a safe and healthful manner and be free of standing water, accumulated waste and debris.
- (5) Proper light.
- (a) All animals shall have at least eight hours of light a day, except as directed by veterinary advice or professionally accepted practices for the safety and well-being of the animal.
 - (b) Lighting of primary enclosures shall be designed to protect animals from excessive illumination. The duration of illumination shall be appropriate for the species involved.
- (6) Proper shelter/protection from the weather.
- (a) Indoor shelter.
 - [1] Facilities shall be sufficiently regulated by heating and cooling, if necessary, to protect animals from extremes of temperature and to provide for their health and well-being.
 - [2] The ambient temperature shall not be allowed to rise above or fall below temperatures compatible with the health and well-being of the animal.
 - [3] Facilities shall be adequately ventilated by natural or mechanical means to provide for the health and well-being of the animal at all times. Such facilities shall be provided with fresh air by means of windows, doors, vents, fans or air conditioning and shall be ventilated to minimize drafts, odors and moisture condensation.
 - (b) Outdoor shelter.
 - [1] All animals kept outdoors shall have access to shelter that provides protection from the weather, i.e., wind, precipitation or other inclement weather conditions, except as directed by professionally accepted practices appropriate to the species.
 - [2] Shelter shall be well constructed and appropriate for the species. Consideration shall be given for the animal's age, physical condition and hair/coat when determining whether or not available shelter is proper.
 - [3] All animals shall have access to shade from the sun during hot weather.

- (7) Veterinary care when needed to prevent suffering.
- B. Unnecessary suffering.
- (1) No animal shall be subjected to unnecessary suffering or cruelty.
- (2) No person shall beat, cruelly ill treat, torment, overload, overwork or otherwise abuse an animal or cause, instigate or permit any dogfight, cockfight, bullfight or other combat between animals or between animals and humans.
- C. No owner of an animal shall abandon such an animal.
- D. In addition to the provisions set forth in § 20-106 of the Transportation Article of the Annotated Code of Maryland, any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner or to the local humane society in the event that the owner cannot be located.
- E. No person shall expose any known poisonous substance, whether mixed with food or not, so that the same shall be liable to be eaten by any animal, provided that it shall be lawful for a person to expose on his own property common rat poison mixed only with vegetable substance.
- F. Pet shops shall maintain sanitary conditions and comply with all requirements mandated by the State Department of Health and Mental Hygiene or the Maryland Livestock Sanitary Service.
- G. If, in the opinion of the animal control officer, the shelter manager or an agent of the Humane Society, an animal is being kept in such condition that its health and well-being are threatened and the owner is absent or unable or unwilling to correct the conditions, the animal control officer or a designated agent of the Humane Society may care for or remove the animal to the Humane Society or an approved holding facility. After providing care or impounding an animal whose health or safety is endangered because of a cruel or neglectful act, the animal control officer shall make a prompt and reasonable effort to notify the owner that the animal is being provided care or has been impounded and give the reason(s) for the care or impoundment. If the animal has been impounded, the owner may regain possession by correcting the conditions causing the problem and paying the daily board and impoundment fee for the time the animal remains in the shelter or approved holding facility. Additionally, the owner shall be responsible for all costs incurred for impoundment and/or care. If the owner cannot be contacted or is unable or unwilling to make satisfactory arrangements for the care of the animal, the animal will become the property of the Humane Society, in accordance the Annotated Code of Maryland, Criminal Law § 10-615 (Supp. 2009).
- H. An owner or a person claiming an interest in an animal custody under Subsection G may prevent disposition of the animal after 10 days by

posting within that time period a bond or security in an amount sufficient to provide for the animal's care and keeping for at least 30 days, inclusive of the date that the animal was provided care or taken into custody. Even if a bond or security is posted, the authority having custody of the animal may humanely dispose of the animal at the end of the time for which expenses of care and keeping are covered by the bond or security, unless there is a court order prohibiting the disposition. The order must provide for a bond or other security in the amount necessary to protect the authority having custody of the animal from any cost of the care, keeping or disposal of the animal. The authority taking custody of an animal under Subsection G shall give notice of this section by posting a copy of it at the place where the animal is taken into custody or by delivering it to a person residing on the property. Regardless of the ultimate disposition of any pending charge, the full cost of care given to animal(s) during any good-faith care or impoundment shall be reimbursed out of the bond posted.

- I. The County Commissioners may from time to time, by regulation, adopt animal care standards in amplification of the standards herein provided.

§ 64-8. Dog and cat waste.

The owner of or person responsible for every dog or cat shall be responsible for the removal of any excrement deposited by the owner's animal on public property, recreation areas or private property other than the owner's. The owner of or person responsible for every dog or cat shall not allow excrement deposited by animals to accumulate on his property so as to cause a health hazard or become a public nuisance.

§ 64-9. Adoption of dogs and cats.

- A. All adopted dogs and cats must have a permanent identification prior to delivery.
- B. No unclaimed dog or cat shall be released for adoption without being sterilized or without written agreement from the adopter guaranteeing that such animal will be neutered by the date specified in the adoption contract. A deposit to be determined by the Humane Society must be paid at the time of adoption. Failure to comply with the terms of the agreement guaranteeing the sterilization of the adopted animal shall constitute a violation of this article and shall constitute a code county infraction punishable as hereinafter set forth.

§ 64-9.1. Quarantine and rabies.

- A. All persons who have been bitten by a dog or cat are directed to report the same to the Kent County Health Department.
- B. Any dog or cat which is housed in the Humane Society shelter shall be subject to being quarantined, and the owner shall be responsible for the

expense of maintaining the animal. The owner of any dog or cat suspected of having rabies shall be responsible for any expenses which are associated with the quarantine, destruction or disposal of the animal.

- C. The owner of a dog or cat four months of age or older shall have the dog or cat vaccinated against rabies by a licensed veterinarian and shall maintain the veterinary certificate of the vaccinations given the dog or cat. In addition to any penalties for failure to comply with this provision, the owner of a dog or cat who does not have any acceptable record showing that the dog or cat has been currently vaccinated against rabies may be ordered by the animal control officer to have the dog or cat vaccinated against rabies, and the owner so ordered shall comply with the order within 72 hours. The licensing authority shall determine the acceptability of a record of vaccination against rabies.

§ 64-10. Feral cat colonies.

No person shall maintain a feral cat colony without first registering the colony with the Humane Society of Kent County. Those persons maintaining feral cat colonies on lands actively used in agriculture and zoned either Agricultural Zoning District (AZD) or Resource Conservation District (RCD), or on land constituting a farm as defined by the Land Use Ordinance, shall be exempt from the registration requirement. A registration certificate shall be issued to the colony caretaker responsible for the colony and shall contain the following information:

- A. The name, telephone number, and address of the person to whom the certificate is issued.
- B. The date of issuance.
- C. The number of cats in the colony.
- D. The address (location) of the colony.

§ 64-10.1. Responsibilities of feral cat caregiver; acceptable standards of care.

- A. Feral cat caregivers shall cooperate with any TNR program, making reasonable, good-faith efforts to have all cats in the colony altered, ear-tipped for identification, vaccinated against rabies, and returned to their home site following full recovery from surgery.
- B. Feral cat caregivers shall cooperate with any TNR program and make reasonable, good-faith efforts to have any new cat that comes to the colony altered, ear tipped, and vaccinated against rabies and distemper, as soon as possible.
- C. Feral cat caregivers shall provide food and water to the colony cats on a regular basis, year round, using best practices to minimize, as reasonably as possible, any nuisance and/or unsanitary conditions.

- D. Feral cat caregivers shall provide adequate shelter (in number and quality) for colony cats using best practices to minimize nuisance.
- E. Feral cat caregivers shall make reasonable, good-faith efforts to provide needed veterinary care to colony cats that are visibly ill or injured.
- F. Feral cat caregivers shall keep and maintain records for each colony cat, including each cat's rabies vaccination record/certificate.
- G. Feral cat caregivers shall make reasonable, good-faith efforts, using best practices, to exclude cats from yards, gardens or similar property upon request of the property owner.
- H. Feral cat caregivers shall generally make reasonable efforts to address and resolve complaints regarding colony cats.
- I. Feral cat caregivers shall ensure that a substitute caregiver is in place during the feral cat caregiver's temporary or permanent absence.

§ 64-10.2. Responsibilities of Humane Society and animal control officers.

- A. The Humane Society and authorized Kent County animal control officers will trap and seize those feral cats that pose an imminent health risk to the public or are severely injured or sick.
- B. The Humane Society and authorized Kent County animal control officers will release trapped ear-tipped cats as close to the trap site as possible.
- C. The Humane Society and authorized Kent County animal control officers will transport to an animal shelter only those feral cats that are sick or injured.
- D. The Humane Society shall notify TNR programs of the identity of feral cat caregivers for cats seized under Subsections B and C to enable the programs to assist the caregivers as necessary.
- E. Anyone aware of a feral cat bite must report it to the Kent County Health Department.
- F. A feral cat caregiver has up to 60 days to come into compliance with the standards of care. The Humane Society may reduce the time to come into compliance if the Humane Society concludes that the feral cats' conditions place their welfare or that of human beings in jeopardy.

§ 64-10.3. Enforcement; violations and penalties.

- A. The provisions of this article shall be enforced by those persons or agencies designated by the County Commissioners of Kent County. It shall be a violation of this article to interfere with an animal control officer in the performance of his/her duties. The animal control officer shall have the right to enter upon any premises at all reasonable times

for the purpose of discharging the duties imposed upon him/her by this article where there is reasonable belief that a violation of this article has been committed.

- B. Violations of this article shall be deemed a code county infraction. Any person, firm, corporation or other legal entity found to have committed a code county infraction by violating any provision of this article or any amendment thereto shall be fined not more than \$400. Each and every day during which such violation occurs or continues may be deemed a separate offense.
- C. The animal control officer may issue a citation.
- D. The imposition of the penalties herein prescribed shall not preclude the County Attorney from instituting action to correct, abate or otherwise remedy a violation of this article.