

Chapter 40

DOGS AND OTHER ANIMALS

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[HISTORY: Adopted by the Town Commissioners of the Town of Perryville during codification: see Ch. 1, General Provisions, Art. II. Amendments noted where applicable.]

GENERAL REFERENCES

Parks and playgrounds – See Chapter 61.

ARTICLE I
Dog Control Regulations

§ 40-1. Legislative Authority.

Pursuant to the provisions of the Town Charter of Perryville, the Commissioners hereby adopt the provisions included in this chapter.

§ 40-2. Definitions.

The following terms, as used in this article, shall have the meanings assigned to them in this section:

DOG – Includes both male and female.

DOG AT LARGE – Any dog not under restraint and off the premises of its owner.

DOG CONTROL SHELTER – Any facility designated by the Town of Perryville for the detention of dogs.

DOG CONTROL WARDEN – That person or his authorized representative designated as such by the Town of Perryville to perform the duties described in this Article.

DOG UNDER RESTRAINT – A dog secured by a leash or lead or under the control of a responsible person and obedient to that persons commands or confined within a vehicle or within the real property limits of its owner.

HEALTH OFFICER – The duly appointed Cecil County Health Officer or his authorized representative.

KENNEL – An establishment wherein any person, group of persons or corporation engages in the business of boarding, breeding, buying, grooming or selling dogs or wherein at any one time there are kept or harbored five (5) or more dogs over six (6) months old for a business or commercial purpose or at which more than one (1) litter of puppies per year is offered for sale.

OWNER – Any person, partnership, association or corporation owning, keeping, harboring or acting as custodian of a dog.

PET SHOP – An establishment which offers to sell two (2) or more species of live animals with the intent that they be kept as pets.

PUBLIC NUISANCE DOG – Any dog repeatedly found at large or any dog which has damaged the property of anyone other than its owner; or any dog which has bitten two (2) or more persons; or any dog which has been designated by the Dog Control Warden to be a “public nuisance dog” by virtue of being a menace to the public health, welfare or safety.

§ 40-3. Enforcement Authority.

The Town of Perryville shall hereby designate and appoint the director of the Humane Society of Cecil County, Inc. to be the Dog Control Warden for the Town and shall designate and appoint the Humane Society of Cecil County, Inc. to be the dog control shelter for the Town. The director of the Humane Society of Cecil County, Inc. and its designated employees and agents and the Town police officers are hereby authorized to perform those functions provided for in this Article.

§ 40-4. Dogs running at large; impoundment.

- A. It shall be unlawful for the owner of any dog to allow such animal to be at large in the Town of Perryville.
- B. A dog found at large, with or without a valid license tag, shall be impounded by the Dog Control Warden and taken to the dog control center and there confined in a humane manner for a period of not less than five (5) days, unless sooner claimed and redeemed by its owner. The Dog Control Warden shall use whatever humane means necessary to catch the dog and is hereby relieved from any liability for harm or injury to the dog. At the end of five (5) days, unclaimed animals shall be deemed abandoned and become the property of the Board of County Commissioners of Cecil County and shall be disposed of in the manner prescribed by the Dog Control Warden and approved by the Town of Perryville.

§ 40-5. Redemption of impounded animals.

- A. Upon impounding an animal, the Dog Control Warden shall cause a prompt and reasonable effort to be made to locate and notify the animal’s owner.
- B. The owner of an impounded animal shall be entitled to redeem such animal, except as hereafter provided.
- C. Redemption fees shall be as established by Cecil County Society for the Prevention of Cruelty to Animals.
- D. When dogs are found running at large and their ownership is known, such dogs, if they are legally licensed, need not be impounded by the Dog Control Warden,

but he may at his discretion notify the owner, who can reclaim the dog upon paying the redemption fee as established by the Cecil County Society for the Prevention of Cruelty to Animals, without the impounding fee, if the redemption is made that same day.

§ 40-6. Confinement of dangerous dogs.

- A. Every fierce, dangerous or vicious dog, including a dog that has a history of biting a human, shall be confined by the owner within a building or secured enclosure. Such animal shall not be taken out of such building or secure enclosure unless securely muzzled.
- B. Every female dog while in heat shall be kept confined in a building or secure enclosure by the owner in such a manner that she will not be in contact, except for intentional breeding purposes, with another dog and will not create a nuisance by attracting other dogs.
- C. A dog which disturbs the peace and quiet of any neighborhood in an inhabited area by excessive barking, whining or howling or molesting passersby, chasing vehicles, attacking other domestic animals or depositing excretory matter on property other than that of the owner shall be deemed a nuisance.
- D. Upon the written complaint of any person to the Dog Control Warden that a dog is a public nuisance, the Dog Control Warden shall issue a summons to the owner or keeper of such dog to appear before the District Court of Cecil County. Upon proof that the dog disturbs the peace and quiet of any neighborhood in an inhabited area, the District Court shall order the owner or keeper to deliver up the offending dog to the Dog Control Warden to be destroyed in the most humane manner possible, unless he removes the dog permanently from the neighborhood. If the owner or keeper fails to comply with the District Court's order, then it shall be the duty of the Dog Control Warden to seize the dog wherever it may be found and cause it to be destroyed. **[Amended 5-7-2002 by Ord. No. 2002-02]**

§ 40-7. Exemptions.

- A. 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 licensed by federal law are excluded from the kennel licensing requirements of this Article.
- B. (Reserved)

- C. Owners of dogs used as Seeing Eye Dogs or as government police dogs are exempt from any fee requirements.

§ 40-8. Right of entry.

The Dog Control Warden shall have the right to enter upon any premises at all reasonable times for the purpose of discharging the duties imposed upon him by this Article where there is reasonable belief that a violation of this Article has been committed.

§ 40-9. Records.

It shall be the duty of the Dog Control Warden to keep accurate and detailed records of the licensing, impoundment and disposition of all dogs coming into his custody; of all reported bite cases and investigations for a period of three (3) years; and of all moneys collected and expended in the operation of the functions of his office. All records required by this Article shall be subject to inspection by the Town of Perryville or its designated agents.

§ 40-10. Violations and penalties.

Any person violating any provisions of this Article shall be deemed guilty of an infraction and, upon conviction thereof, shall be fined a sum of fifty dollars (\$50) for the first offense, and one hundred dollars (\$100) for each subsequent offense.

**ARTICLE II
Animals at Large**

§ 40-11. General restriction.

It shall be unlawful for any person to allow his or her horse, mule, cow, hog, chicken or other animal, including reptiles or snakes, to run at large within the Town limits.

§ 40-12. Violations and penalties.

Any person or persons violating any of the provisions of this Article shall be deemed guilty of an infraction and shall, upon conviction thereof, be subject to a fine of fifty dollars (\$50) for the first offense, and one hundred dollars (\$100) for each subsequent offense.