

ORDINANCE #85

ANIMAL CONTROL REGULATIONS

An Ordinance to Amend Chapter 12, Article II of the Leonardtown Code whereby the Animal Control Regulations adopted by the County Commissioners of St. Mary's County, Maryland, are instituted within the town of Leonardtown. This Ordinance replaces Ordinance #45 and any other Ordinances dealing with animal control.

Chapter 40

Article II

ANIMAL CONTROL REGULATIONS

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§ 40-3. Definitions.

As used in these regulations, the following terms are defined below:

ANIMAL - Every domestic animal, including not but limited to dogs and cats.

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

ANIMAL CONTROL - St. Mary's County Animal Control includes but shall not be limited to any

otherwise groomed.

GUARD DOG - Any dog that is trained specifically and/or used to protect private property, a secured area or persons.

HUMANE ORGANIZATIONS - A nonprofit organization dedicated to the rescue, rehabilitation and adoption of injured, lost or surrendered pets, assisting in low cost spay/neuter and the humane education of both adults and children.

OWNER - Any person, partnership or corporation owning, keeping or harboring one (1) or more animals. An animal shall be deemed to be harbored if it is fed or sheltered for three (3) consecutive days or more.

PET SHOP - Any person, partnership or corporation, whether operated separately or in connection with another business enterprise that buys any species of animal for resale of pets.

PUBLIC NUISANCE - Any act or omission prohibited under § 40-13 below.

RESTRAINT - Any animal humanely secured by a leash or lead and/or under the control of a responsible person and obedient to that person's commands.

SANITARY - A condition of good order and cleanliness which minimizes the probability of transmission of disease and/or the creation of a public nuisance or health hazard.

STATE CODE - Any and all animal laws of the Annotated Code for the State of Maryland.

VACCINATION - An anti-rabies vaccination using a vaccine type approved by the Maryland State Department of Health and Mental Hygiene or the Maryland Public Health Veterinarian.

VICIOUS/DANGEROUS ANIMAL - As defined under §40-14 below.

WILD ANIMAL - Domesticated animals that roam at large, prey on other animals for food and do not reside with an owner.

§ 40-4. Duty of all animal owners to be responsible.

A. It shall be the duty of every owner of any animal or anyone having any animal in his possession or custody to exercise reasonable care and to take all necessary steps and precautions to protect other people, property and animals from injuries or damage which might result from their animal's behavior, regardless of whether such behavior is motivated by mischievousness, playfulness or ferocity.

B. In the event that the owner or keeper of any animal is a minor, the parent or guardian of such minor shall be responsible to ensure that all provisions of these regulations and the State Code are

complied with.

C. No animal may be sold or given to a minor without the written consent of the minor's parent or legal guardian.

§ 40-5. Director of Animal Control.

The Emergency Management Director shall be responsible for the enforcement of these regulations, including but not limited to public safety, public nuisance, prevention of cruelty to animals and minimum standards for animal care.

§ 40-6. Animal Warden.

A. Any Animal Warden employed by the Board of County Commissioners of St. Mary's County, Maryland, shall exercise that authority necessary to enforce the provisions of these regulations and the State Code. Along their other duties, Wardens are specifically authorized and empowered by these regulations to:

- (1) Humanely impound animals whose owner or custodian is found to be in violation of these regulations or the State Code, and humanely transport those animals to the Tri-County Shelter.
- (2) Make a prompt and reasonable effort to locate and notify the owner or custodian of an impounded animal, including coordinating with the shelter staff, posting an impoundment notice on the suspected owner's door and reviewing lost reports to locate possible owners.
- (3) Issue notices of violations to the owner or custodian of an animal when it is found to be in violation of these regulations or the State Code.
- (4) Promptly seek qualified medical assistance for injured or diseased stray animals which come into the custody of Animal Control. For this purpose, neither the Warden administering such assistance, St. Mary's County or any of its employees or agents shall be liable for acts committed or omitted while rendering such assistance unless such act or omission constitutes gross negligence or actual malice.
- (5) Conduct public information programs on these regulations and adoption, spay/neuter, health care and other programs as directed.
- (6) Conduct inspections of commercial animal establishments as provided in these regulations.
- (7) Receive unwanted animals for adoption or euthanasia.

(8) Initiate a complaint or other form of enforcement of these regulations and/or the State Code. Prior to a complaint being filed by a Warden with the District Court of Maryland, the Warden shall have probable cause that a violation of these regulations or the State Code has occurred.

B. It shall be a violation of these regulations to interfere with a Warden performing the duties as prescribed in these regulations and the State Code.

C. It shall be unlawful for anyone to remove animals from traps (set by Animal Control or designee) other than the Animal Wardens or designee.

D. It shall be unlawful to dispose of any animals placed in a box or other similar enclosure in any county trash disposal facility (or any public or private area).

§ 40-7. Cruelty.

A. It shall be a violation of these regulations for any person to:

(1) Abandon an animal, i.e., trash disposal, rental properties, side of the road, private/public areas.

(2) Torture, torment, cruelty beat/kill, injure intentionally, mutilate, run down with a vehicle intentionally, overdrive, overload or otherwise abuse any animal.

(3) Administer poison to any animal or knowingly place or leave any poisonous or other harmful substance with intent to injure or kill any animal other than vermin.

(4) Use or permit any animal to be used for the purpose of fighting with any other animal.

(5) Cause, arrange or authorize these acts.

(6) Have the charge or custody of an animal and inflict unnecessary suffering or pain upon the animal or unnecessarily fail to provide the animal with nutritious food in sufficient quantity, necessary veterinary care, proper drink, air, space, shelter or protection from the elements.

B. In the case of activities in which physical pain may unavoidably be caused to animals, such as medical and scientific activities, food processing, customary and normal veterinary and agricultural husbandry practices and hunting, "cruelty" means a failure to employ the most humane method reasonably available.

§ 40-8. Rabies prevention.

A. It shall be the duty of every resident of the county owning a dog or cat three (3) months old or

older to have such dog or cat inoculated with an anti-rabies vaccine approved by the Director of Public Health. Inoculation shall be repeated as often as the Director of Public Health may from time to time specify. The inoculation shall be administered by a licensed veterinarian. The rabies certificate issued by the veterinarian shall be carefully preserved by the owner or custodian of the dog or cat and exhibited promptly upon the request for inspection by the Warden, Health Officer or any other law enforcement officer or their agents, to include shelter staff when redeeming an animal at the shelter. The vaccination status of an animal should always be verified in person either by a health agent, Warden or veterinarian exam.

B. Quarantine requirements. As directed by the Health Department, an animal who has bitten a person or otherwise exposes a human to rabies shall be quarantined for ten (10) days in the following manner:

- (1) There shall be confinement of the animal to a house, garage or other escape-proof enclosure or building approved by the Health Department or its designated agent.
- (2) The animal shall not be removed from the structure unless on a leash and under the immediate control of an adult.
- (3) Contact with other animals or persons other than the primary caretakers shall be prohibited.
- (4) The animal shall not be removed from the quarantine premises unless permission is obtained from the local Health Officer or his designated agent.
- (5) If the animal becomes ill or begins to show behavioral changes, the owner shall immediately notify the Health Department, which shall determine an appropriate course of action.
- (6) If the animal dies, the owner shall immediately notify the Health Department and make the animal available for rabies testing.
- (7) If the animal escapes, the owner shall immediately notify the Sheriffs Department, the Warden and the Health Department.
- (8) Until the animal is cleared by the Health Department from quarantine, the owner shall not kill, give away, sell or otherwise dispose of the animal without written permission from the Health Department.
- (9) If a veterinarian's examination is not required by the Health Department on the last day of the quarantine, the owner shall report by telephone to the Health Department the health status of the animal.
- (10) If the animal is unvaccinated against rabies at the time of exposure, the animal shall not be vaccinated until released from quarantine by the Health Department.

(11) If unvaccinated, the owner shall take the animal to a licensed veterinarian for a physical rabies exam and vaccination within five (5) days of the end of quarantine.

(12) If an animal is not properly quarantined, it shall be impounded by a Warden or his designee.

(13) It is the responsibility of the St. Mary's County Health Department for the enforcement of all quarantine requirements.

§ 40-9. Licensing.

A. The sale of licenses shall be through the St. Mary's County Treasurer, Animal Control or other designee of the St. Mary's County Treasurer.

(1) It shall be unlawful for any person, firm or corporation to own, keep or harbor a dog six (6) months old or older without a current St. Mary's County license. The license period shall be concurrent with the fiscal year, namely from July 1 to June 30, with all fees payable to the County Treasurer.

(2) Owners of certified Seeing Eye dogs, hearing dogs, governmental police dogs or other certified dogs that are trained to assist the physically handicapped shall not be required to pay the annual fee but shall be required to obtain and display the license.

(3) Animal shelters operated by chartered humane organizations or the county for the purpose of housing stray, abandoned, sick or injured animals shall be exempt from licensing prior to adoption or return to owner.

(4) Applications for license shall be made to the County Treasurer or a duly authorized agent. Before any license shall be issued, the owner shall produce a valid rabies certificate issued by a licensed veterinarian certifying that the dog is currently vaccinated against rabies. Before any unsexed license, shall be issued, the owner shall produce a certificate of surgical sterilization issued by a licensed veterinarian certifying that the dog has been spayed or neutered.

(5) If a dog shall become six (6) months of age or an unlicensed dog of licensing age shall come into the possession of any person between July 1 and June 30 of any fiscal year, the full license fee for that current fiscal year shall be paid forthwith by said owner or harbinger of such dog.

(6) License certificates shall include the date of issuance and expiration date, the owner's name, address and home telephone number, the animal's sex, breed, age, color and markings, rabies vaccination date, rabies tag number and animal's name.

(7) A license tag shall be issued with the license certificate. This tag shall be worn by the

dog at all times, except when confined in a kennel or when participating in a competition where such displays are prohibited.

(8) No person may use any license for any dog other than the animal for which it was issued.

(9) The license certificate shall be made available upon request by any health or public safety officer or Animal Control Warden or their agents.

(10) The annual fee for a dog license shall be:

(a) Unneutered male: six dollars (\$6)

(b) Unspayed female: six dollars (\$6)

(c) Neutered male: three dollars (\$3)

(d) Spayed female: three dollars (\$3)

(11) Beginning August 1, 1993, there will added to each license a penalty of twenty-five dollars (\$25) for noncompliance.

B. Commercial animal establishment licensing. No person, partnership or corporation shall operate a commercial animal establishment without first obtaining a commercial animal establishment license in compliance with this section. License applications shall be accompanied by written verification from St. Mary's County government that the applicant complies with the St. Mary's County Zoning Ordinance, as amended from time to time.

(1) No fee shall be required of any government-operated zoological park.

(2) All dogs and cats offered for sale by a commercial animal establishment must be examined by a licensed veterinarian within the last three (3) months prior to sale.

(a) Any animal under veterinarian treatment may not be offered for sale without written release from the veterinarian.

(b) Any owner or employee of a commercial animal establishment who knows of or should have known of any animal defect or illness shall make a purchaser aware of this information, in writing, prior to sale.

(3) Records or forms must be maintained for a period of one (1) year for any animal purchased for resale. Records shall contain the following but are not limited to:

(a) Animal description: breed, sex, color and age.

- (b) The origin of purchase, to include the supplier and the date of receipt.
- (c) Medical records and any required treatment program.
- (4) Every facility regulated by these regulations shall be considered a separate enterprise requiring an individual license.
- (5) The license period shall run for one (1) year from the date of issuance. Renewal applications for licenses shall be made thirty (30) days prior to expiration of said license. The license fee shall be fifteen dollars (\$15) with a penalty of two dollars (\$2) for noncompliance.

§ 40-10. Animal care.

A. No owner or custodian of an animal shall fail to provide the animal with sufficient wholesome and nutritious food; palatable water in sufficient quantities; proper air; shelter, space and protection from the weather; veterinary care when needed to prevent suffering-, and humane care and treatment.

(1) In the case of farm animals, nothing in this section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices.

B. Indoor and outdoor enclosures for animals shall meet the following minimum standards:

(1) Be structurally sound and maintained in good repair to protect the animals from injury and to contain the animal.

(2) Provide sufficient space to allow each animal adequate freedom of movement.

(3) Be routinely cleaned to remove excretions and other waste materials, dirt and trash, to provide humanely clean conditions to minimize health hazards and obnoxious odors.

(4) Provide palatable water that is always available and that is kept in a vessel secured to prevent tipping.

(5) For indoor housing facilities, adequate ventilation by natural or mechanical means and an ambient temperature which shall be compatible with the health of the animal.

C. In addition to the above, outdoor enclosures shall meet the following minimum standards:

(1) When sunlight is likely to cause heat exhaustion, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight.

(2) If an animal is confined outdoors unattended, it shall be the duty of each and every owner or custodian to provide said animal with proper shelter as described below:

(a) Weatherproof. The shelter must be solid. There shall be no cracks or openings other than entrance. The shelter shall not have any metal or plastic primary interior surfaces.

(b) Elevated. The floor must be off the ground at least two (2) inches.

(c) Door flap. The entrance must be covered with a flexible flap and/or entrance placed downwind when necessary to protect the animal from the elements of weather.

(d) Bedding. Bedding must be dry. Straw, leaves, hay, cedar chips or other material must be provided as needed during cold and inclement weather.

(e) Size. It must be large enough to allow the animal to enter, stand, turn around and lie down comfortably and small enough to allow the animal to warm the interior with its body.

D. If a chain, rope or line is used to tie an animal, it shall be of sufficient length (minimum length of two and one-half (2 1/2) times the animal's body length) to safely and humanely allow the animal freedom of movement without becoming entangled with obstructions.

E. A person shall not allow an animal to ride in the unenclosed area of a motor vehicle unless the animal is confined by a securely affixed, well-ventilated container, cage or other device designed to safely prevent the animal from falling or jumping from the motor vehicle.

§ 40-11. Animal at large.

A. It shall be unlawful for any person, partnership or corporation to allow his or its animal to be at large.

B. This section shall not apply to a dog undergoing supervised obedience training or while actually engaged in the sport of hunting in an authorized area while supervised by a competent person possessing a valid hunting license.

C. Without permission of the proper authority, the owner or custodian of any animal may not permit the animal to be on public or private school grounds on a day when school is in session or in a public recreation area unless:

(1) The animal is controlled by a leash or similar restraining device.

(2) The presence of the animal is in an organized activity such as a dog show.

- D. No animal accidentally at large with a person in immediate pursuit shall be deemed at large.
- E. A person who is aware of an animal being at large or who finds a stray animal shall report the condition to the Animal Shelter or Warden.
- F. A Warden and/or authorized representative of Animal Control who observes an animal at large may pursue that animal on public and/or private property.
- G. The Animal Warden or designee is authorized and directed, whenever possible, to seize and impound any animal running at large. When not able to catch an animal running at large and when all other options have been exhausted, he is authorized and may shoot or otherwise kill the animal.

§40-12. Female in season.

Every female dog or cat in season shall be humanely confined in a building or secure enclosure in such a manner that such female dog or cat cannot come in contact with an unneutered male of the same species except for planned breeding. This does not exclude normal waste elimination while under physical restraint and direct supervision on the owner or custodian's property.

§ 40-13. Public nuisance.

No person shall keep or maintain any animal in such manner as to cause or permit the animal to be a public nuisance. A public nuisance is when an owner or custodian allows an animal to:

- A. Be at large.
- B. Damage the property of anyone other than its owner or custodian.
- C. Molest pedestrians or passers by.
- D. Intimidate pedestrians or passers by. "Intimidation" is defined as a reasonable, prudent person under same and/or similar circumstances, and whether that person would have been intimidated by the actions of the animal in question.
- E. Chase vehicles.
- F. Bark or make other harsh or excessive noise so as to disturb the quiet, comfort or repose of members of the community as reflected by reasonable persons with normal sensitivities to noise.

G. Foul the air by odor and thereby create unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored.

H. Defecate on public property or urinate or defecate on private property.

§ 40-14. Dangerous and/or vicious animals.

A. Term defined.

(1) For the purpose of these regulations, a "dangerous and/or vicious animal" shall be defined as:

(a) Any animal which has inflicted injury on a human being without provocation on public or private property. Any person may kill any licensed or unlicensed dog which attacks him while he is peacefully standing, moving or riding outside the enclosure of the dog's owner or custodian.

(b) Any animal which has injured or killed a domestic animal without provocation. Any person may kill any licensed or unlicensed dog found out of the enclosure of its owner or custodian and not under his immediate care actually in the act of wounding or killing persons, livestock or fowl.

(c) Any animal owned or harbored primarily or in part for the purpose of animal fighting or any animal trained for animal fighting.

(d) Any animal not owned by a governmental or law enforcement unit, used primarily to guard on public or private property.

(2) No animal shall be declared dangerous and/or vicious if the threat, injury or damage was sustained by a person who:

(a) At the time was committing a willful trespass or other criminal act upon the premises . of the owner or custodian of the animal.

(b) Was teasing, tormenting, abusing, or assaulting the animal.

(c) Has in the past been observed or reported to have teased, tormented, abused or assaulted the animal.

(d) Was committing or attempting to commit a crime.

(e) Deliberately placed the animal in the position of protecting or defending its young or other animal.

(f) Caused pain or injury to the animal immediately prior to the attack.

B. Upon determination of an animal being dangerous and/or vicious by the Animal Warden, the Warden may require any or all of the following-

(1) Any dangerous and/or vicious animal must be kept in its own enclosure.

(2) Where any owner or custodian of a dangerous and/or vicious animal maintains his animal outside, a portion of his property shall be fenced with a perimeter or area fence. Within this perimeter fence, the animal shall be humanely confined inside a pen or kennel of adequate size. The pen or kennel shall not share common fencing with the area of perimeter fence. The kennel or pen must have secure sides and a secure top attached to all sides; the sides must either be buried two (2) feet into the ground, sunken into a concrete pad or otherwise secured to prevent escape by digging. The gate to the kennel must be locked.

(3) Whenever outside of its enclosure but on the owner's or custodian's property, a dangerous and/or vicious animal shall be attended by the owner or custodian and restrained by a secure collar and leash of sufficient strength to prevent escape.

(4) All owners or custodians of any dangerous and/or vicious animal shall display in a prominent place on their premises and at each entrance and exit to the area where such animal is confined a sign easily readable by the public using the words "DANGEROUS"

(5) Except when being transported in and humanely and securely confined within a vehicle, no dangerous and/or vicious animal shall be permitted off the property of his owner or custodian except when it is:

(a) Attended by its owner or custodian;

(b) Humanely restrained by a secure collar and leash [not to exceed six (6) feet in length], both collar and leash to be of sufficient strength to prevent escape; and

(c) Humanely muzzled by any means sufficient to prevent biting persons or domestic animals.

(6) The animal shall be neutered at the expense of the owner.

(7) Ownership or custody of an animal deemed dangerous and/or vicious by the Animal Warden shall not be transferred without prior notification to the Warden or designee.

(8) The animal shall be humanely euthanized.

C. Any police officer or Animal Warden has full authority to kill any dog that is known to be living in the county in a wild state. There shall be no liability on such persons, police officers or Animal Wardens in damages or otherwise for killing of animals as permitted in these regulations.

D. The Animal Warden or designee is authorized whenever possible to seize any animal known to be dangerous and vicious and found to be running at large. When not able to catch the animal and when all other options have been exhausted, he is authorized and may shoot or otherwise kill the animal.

§ 40-15. Impoundment; redemption; adoption.

A. Any animal observed in violation of these regulations or the State Code shall be immediately and humanely impounded and housed with the Animal Shelter or designated agent. In addition to or in lieu of impounding an animal, the Warden may issue to the known owner of such animal a notice of violation.

B. Impounded domestic animals shall be kept for not fewer than three (3) working days unless said animal is contagiously ill or severely injured.

C. An owner reclaiming an impounded animal shall pay the fees established by the Sheltering Authority. The fees for subsequent impounds occurring within twelve (12) months shall be doubled. Upon the third impoundment within twelve (12) months, the animal shall remain in the shelter until the owner appears before the Director. The Director shall determine the necessary means to address the violations and to levy fines and fees.

D. In addition to paying the established fees, an owner reclaiming an impounded animal shall show proof of a current rabies vaccination and county license or shall pay the license fees required to comply with § 212-7 of these regulations and other expenses incurred by the county in caring for the impounded animal.

E. Except as otherwise provided in these regulations, any animal impounded and not redeemed by its owner within three (3) working days following notice of impoundment shall be deemed abandoned. The animal shall become the property of the county, which shall place for adoption or euthanize the animal in accordance with the State Code and the shelter policy.

F. 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 sterilized within thirty (30) days for adults or at a specified date in the contract for puppies and kittens. A deposit established by the sheltering authority shall be paid at the time of adoption and refunded once proof of sterilization is presented.

G. Any animal considered by the sheltering authority to be unhealthy, dangerous or otherwise unsafe shall not be placed for adoption.

H. The Animal Shelter shall deny applications for adoption as provided established shelter policy and procedure.

I. No wild animal shall be placed for adoption.

J. No animal shall be knowingly sold or given away for use in experimentation or research.

K. The county, its employees or agents shall not be liable for any damage to person or property caused by an animal adopted or reclaimed from the shelter.

§ 40-16. Fees.

Any fees established within these regulations may be evaluated and adjusted annually.

The fines for violations are as follows:

<u>Description of Violation</u>	<u>Fine</u>
Interference with a Warden	\$ 50.00
Rabies prevention	
Failure to vaccinate	25.00
Failure to quarantine	50.00
Failure to license	25.00
Animal care	25.00
(Per offense, not to exceed \$100 per animal)	
Animal at large	
First offense	25.00
Second offense	50.00
All subsequent violations (per animal)	100.00
Female in season	35.00
Public nuisance	50.00
Dangerous and/or vicious	
First offense	50.00
Second offense	100.00
After second offense, animal will be removed from the owner for public safety, and will be secured at the Tri-County Animal Shelter pending an investigation.	

§ 40-18. Entering into contracts with outside services.

No statement, provision or regulations set forth herein shall be construed to prevent the County Commissioners of St. Mary's County, Maryland, or the Town of Leonardtown from

entering into a contract with any outside service for the administration of all or any portion of these regulations.

§ 40-19. Conflicting ordinances.

All other regulations of St. Mary's County or the town of Leonardtown that are in conflict with these regulations are hereby repealed to the extent of such conflict.

§ 40-20. Severability.

If any part of these regulations shall be held invalid, such part shall, be deemed severable, and the invalidity thereof shall not affect the remaining parts of these regulations.

Adopted this 28th day of December, 1998.



J. Harry Norris, III, Mayor



Ruth W. Proffitt, Vice President



Susan H. Erichsen, Councilwoman



Charles R. Faunce, Councilman



Walter R. Gillette, Councilman



Walter Wise, Councilman

individual designated by the County Commissioners to enforce these regulations and the State Code.

AN EXPOSED TO RABIES - Any animal which has been bitten by an animal which either has rabies or has been in proximity or contact with an animal that has rabies or any animal which has not been bitten but which has been in proximity to or in contact with or has otherwise been exposed for any period of time to an animal which has rabies. The determination whether an animal is infected with rabies shall be made by the Health Officer for St. Mary's County and the Maryland Department of Health and Mental Hygiene.

AN SHELTER - Any facility operated by a municipal agency or its agents for the purpose of impounding animals under the authority of these regulations or the State Code for care, confinement, return to owner, adoption or euthanasia.

ANIMAL/VETERINARY HOSPITAL - Any establishment maintained or operated by a licensed veterinarian for the immunization, hospitalization, surgery or diagnosis, prevention and treatment of diseases and injuries of animals.

ANIMAL WARDEN - Any Animal Warden employed by St. Mary's County Commissioners to enforce these regulations and the State Code.

AUCTION - Any place or facility where animals are regularly bought, sold or traded, except for those facilities otherwise defined in these regulations.

CAGE - Any enclosure of limited space, enclosed on the bottom, top and all sides by a wall or otherwise, in which animals are placed for any purpose, including confinement or display.

COMMERCIAL ESTABLISHMENT - Any person, partnership or corporation or other legal entity that has as its primary purpose the sale, transfer or conveyance of any animal/animal services for money. It shall include but not be limited to any pet shop, grooming shop, auction, zoological park, circus, performing animal exhibition, boarding or breeding kennel/cattery or any establishment with the purpose of training, leasing or selling guard dogs. It shall not include animal hospitals, animal shelters or humane society facilities.

COMMERCIAL KENNEL/CATTERY- Any establishment for the commercial breeding, boarding, grooming, sale or training of dogs/cats for which a fee is charged, provided that an animal hospital maintained by a licensed veterinarian as part of the practice of veterinary medicine for the treatment of animals shall not be considered a "commercial kennel/cattery".

CRUELTY - Any act or omission prohibited under § 40-7 below.

DOMESTIC ANIMAL - Any animal kept for pleasure rather than utility-, an animal of a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.

GROOMING SHOP - A commercial establishment where animals are bathed, clipped, plucked or