

**RESOLUTION TO AMEND THE RULES AND REGULATIONS OF THE
MONTGOMERY COUNTY ANIMAL CARE AND CONTROL**

WHEREAS, Montgomery County maintains an Animal Control Agency; and

WHEREAS, from time to time the regulations of the Montgomery County Animal Care and Control Department are reviewed and amended; and

WHEREAS, the Animal Care and Control Rules and Regulations have been reviewed by the Animal Care and Control Committee and certain recommendations have been made for amendment which are attached hereto as Exhibit A; and

WHEREAS, these amendments to the Animal Care and Control Rules and Regulations should be adopted amending *Section 9, Dangerous Dog - Appeal*.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners on this 13th day of July, 2020, that the Rules and Regulations of the Montgomery County Animal Care and Control Department be amended in *Section 9, Dangerous Dog – Appeal*, as shown in Exhibit A, attached hereto.

Duly passed and approved this 13th day of July, 2020.

Sponsor

Commissioner

Approved

County Mayor

Attest _____
County Clerk

To be added to Article 7 of the Montgomery County Animal Control Regulations – Dangerous Dog Ordinance

Section 9. Dangerous Dog – Appeal

- A. The owner of a dog found to be a dangerous dog or potentially dangerous dog, pursuant to this regulation by the Director or his or her authorized representative may, within 5 business days of receipt of notification of the determination, request an administrative hearing to appeal the determination. The administrative hearing shall be conducted pursuant to this section.
- B. A mandatory \$50.00 deposit is required upon submission of an appeal request. The \$50.00 deposit must be paid in full at the Montgomery County Animal Care and Control facility at the time of the appeal request. All deposits are refundable upon the appellant appearing before the Montgomery County Animal Care and Control Committee at the time of the appeal hearing. Any failure by the appellant to appear at the date, time, and location of the assigned Appeal Hearing shall forfeit all deposits made to Montgomery County Animal Care and Control.
- C. An owner desiring a hearing appeal shall make his or her request for a hearing to the reviewing committee comprised of members of the Animal Care and Control Committee, which will be reviewed and discussed in open committee session where all parties to the case may present their appeal to overturn the dangerous dog determination set forth by the Director.
- D. The restrictions placed on a dog that has been declared dangerous and to which an appeal has been filed, shall remain in effect until said determination has been overturned by the Animal Care and Control Committee.