

THE OWNER OR OCCUPANT OF AN ENCLOSURE WHO FINDS A STRAY HORSE, SHEEP, HOG, COW, OR OTHER DOMESTIC ANIMAL TRESPASSING ON THE ENCLOSURE MAY IMPOUND THE ANIMAL IF THE OWNER OF THE ANIMAL IS KNOWN.

(B) VALUATION OF DAMAGES.

IF THE STRAY ANIMAL HAS CAUSED DAMAGE, THE INDIVIDUAL WHO IMPOUNDED THE ANIMAL MAY HAVE THE DAMAGE VALUED UNDER OATH BY TWO DISINTERESTED RESIDENTS OF THE COUNTY.

(C) NOTICE.

AFTER THE DAMAGE IS VALUED, THE INDIVIDUAL WHO IMPOUNDED THE ANIMAL SHALL NOTIFY THE OWNER OF THE ANIMAL OF THE IMPOUNDMENT AND THE AMOUNT OF THE DAMAGE.

(D) SALE.

(1) AFTER GIVING NOTICE, THE INDIVIDUAL WHO IMPOUNDED THE ANIMAL MAY SELL THE ANIMAL AT PUBLIC AUCTION TO THE HIGHEST BIDDER FOR CASH UNLESS THE DAMAGE AND A REASONABLE COMPENSATION FOR FEEDING THE ANIMAL WHILE IMPOUNDED ARE PAID OR TENDERED.

(2) THE NOTICE SHALL DESCRIBE THE ANIMAL AND STATE THE TIME AND PLACE OF SALE.

(3) THIS NOTICE SHALL BE SENT TO THE OWNER AND BE POSTED AT LEAST 10 DAYS BEFORE THE AUCTION AT THREE OR MORE PUBLIC PLACES IN THE NEIGHBORHOOD. THE DAY OF IMPOUNDING AND THE DAY OF SALE ARE NOT COUNTED AS PART OF THE NOTICE PERIOD.

(E) PROCEEDS.

(1) THE INDIVIDUAL WHO IMPOUNDED THE ANIMAL MAY DEDUCT FROM THE PROCEEDS OF THE SALE THE AMOUNT OF THE DAMAGE AND A REASONABLE COMPENSATION FOR KEEPING THE ANIMAL WHILE IMPOUNDED.

(2) ON DEMAND, THE INDIVIDUAL WHO IMPOUNDED THE ANIMAL SHALL PAY OVER THE RESIDUE OF THE SALE PROCEEDS TO THE OWNER OF THE ANIMAL.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 34, § 6. Notice of the sale to the owner is added for compliance with due process requirements.

Article - Business Occupations and Professions

SUBTITLE 3. SURVEY STATIONS.

1-301. ENTRY ONTO PRIVATE LAND.

(A) DEFINITION.

"AUTHORIZED PERSON" MEANS: