

harboring of three or more female dogs or cats each bearing offspring two or more times during any twelve-month period shall be prima facie evidence that such animals are harbored for the purpose of commercial breeding.

SEC. 3. New subsection (c) is hereby added to follow immediately after subsection (b) of Section 76-57, Chapter 76, title "Animals and Fowl," of the Montgomery County Code 1965, as amended, and existing subsection (c) of said Section 76-57, is hereby repealed and re-enacted, with amendments, to read as follows:

76-57. License required; Fee, issuance

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(c) No person shall establish or maintain a "Dog Fanciers' Kennel" without first obtaining an annual license therefor from the Department of Inspection and Licenses. The license fees for such kennels shall be based on the number of adult dogs harbored at the kennel and shall not exceed the total fee which would be required for the individual licensing of such dogs pursuant to Section 76-30 of this Chapter. The surplus offspring of dogs bred at a "dog fanciers' kennel" to enhance or perpetuate a given breed may be sold by such kennel and such sale shall not be considered a commercial activity for the purpose of this Chapter provided such breeding is occasional and provided further that the sale of the offspring of breeding is not the primary function of the kennel. Dogs maintained at a licensed "dog fanciers' kennels" are exempt from the individual licensing provisions of this Chapter except as otherwise provided in this Article. For protection and identification no dog may be permitted to leave the owner's premises for any reason without wearing a collar or harness with identification tags or marks attached thereto giving the name and address of the owner.

(d) Before an annual license for a pet shop, commercial kennel or dog fanciers' kennel shall be issued, and application therefor shall be made in such form as shall be prescribed by the Department of Inspection and Licenses.

SEC. 4. Subsection (d) of Section 76-57 of Chapter 76, title "Animals and Fowl," of the Montgomery County Code 1965, as amended, is hereby repealed and re-enacted, with amendments, to read as follows:

76-57. License required; Fee, issuance.

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(e) No license shall be issued to any person, association or corporation for any pet shop, commercial kennel, or dog fanciers' kennel, the location of which violates the Zoning Ordinance. If any such establishment is required by the Zoning Ordinance for Montgomery County to meet additional standards or to obtain a special