

(5) REFUSES TO ALLOW A MEMBER OF THE BOARD TO ENTER AND INSPECT THE LICENSED PREMISES;

(6) OBSTRUCTS ANY MEMBER OF THE BOARD IN THE PERFORMANCE OF HIS DUTIES;

(7) COMMITS AN ACT OF CRUELTY OR TORTURE, AS THOSE TERMS ARE DEFINED IN ARTICLE 27, § 62 OF THE CODE, OR ALLOWS THE COMMISSION OF AN ACT OF CRUELTY OR TORTURE BY ANY OTHER PERSON WITH RELATION TO ANY HORSE UNDER THE CONTROL OF THE LICENSEE;

(8) IF ENGAGED IN THE PUBLIC SALE OF HORSES, FAILS TO COMPLY WITH ANY OF THE PROVISIONS OF TITLE 3, SUBTITLE 3 OF THIS ARTICLE; OR

(9) DOES ANY OTHER ACTION THAT, IN THE OPINION OF THE BOARD OF INSPECTION, TAKING INTO CONSIDERATION THE WELFARE OF THE HORSES UNDER THE CONTROL OF THE LICENSEE, SHOWS THAT THE LICENSEE IS UNFIT TO OPERATE A HORSE RIDING STABLE.

2-716.

(A) IF, IN ACCORDANCE WITH ARTICLE 27, § 67 OF THE CODE, THE BOARD CONSIDERS IT NECESSARY TO TAKE POSSESSION OF A HORSE TO PROTECT IT FROM NEGLECT OR CRUELTY, THE BOARD IMMEDIATELY SHALL NOTIFY THE OWNER OR CUSTODIAN OF THIS ACTION.

(B) THE OWNER OR CUSTODIAN OF THE HORSE MAY PETITION THE BOARD FOR RETURN OF THE HORSE WITHIN 5 DAYS AFTER POSSESSION WAS TAKEN. IF A TIMELY PETITION IS NOT FILED WITH THE BOARD, THE HORSE SHALL BE TREATED AS AN ESTRAY.

(C) (1) IF THE OWNER OR CUSTODIAN FILES A TIMELY PETITION, THE BOARD SHALL RETURN THE HORSE IF THE OWNER OR CUSTODIAN:

(I) CONSENTS TO PROVIDING PROPER ATTENTION TO THE HORSE, AS SPECIFIED BY THE BOARD; AND

(II) PAYS ALL COSTS AND EXPENSES INCURRED IN TAKING POSSESSION OF AND STABLING THE HORSE DURING POSSESSION.

(2) IF THE OWNER OR CUSTODIAN DOES NOT CONSENT OR PAY ALL COSTS AND EXPENSES, THE HORSE SHALL BE TREATED AS AN ESTRAY.

2-717.

THE BOARD MAY APPLY FOR RELIEF BY INJUNCTION, WITHOUT BOND, TO ENFORCE ANY PROVISION OF THIS SUBTITLE OR TO RESTRAIN A VIOLATION OF ANY PROVISION OF THIS SUBTITLE. IN THESE PROCEEDINGS THE BOARD DOES NOT HAVE TO ALLEGE OR PROVE THAT: