

a condition commonly known as ... "in season" is deleted in light of the reference to being "in heat".

In subsection (c)(2) of this section, the reference to each "subsequent" violation is substituted for the former reference to "a second" conviction for accuracy and consistency with the Criminal Law Article. See General Revisor's Note to the Criminal Law Article.

Defined term: "Person" § 1-101

11-514. SAME — HOWARD AND ST. MARY'S COUNTIES.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES IN HOWARD AND ST. MARY'S COUNTIES.

(B) IN GENERAL.

THE OWNER OR CUSTODIAN OF A FEMALE DOG THAT IS IN HEAT SHALL:

(1) ADEQUATELY AND SECURELY CONFINED THE DOG;

(2) PREVENT THE DOG FROM CONTACTING ROAMING DOGS;

(3) PROTECT THE DOG FROM OTHER DOGS THAT ARE ATTRACTED TO THE PREMISES; AND

(4) PROTECT THE DOG FROM MIGRATING DOGS.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT LESS THAN \$10 AND NOT EXCEEDING \$50.

REVISOR'S NOTE: Chapter 26, Acts of 2002, which enacted the Criminal Law Article, also added this section, which is new language derived without substantive change from former Art. 27, § 70B.

In subsection (b) of this section, the former reference to being "in oestrus or in a condition commonly known as 'in heat'" is deleted in light of the reference to being "in heat".

Also in subsection (b) of this section, the former reference to "[a]dequate is understood to mean – beginning soon enough and continuing long enough (this period is generally accepted to be twenty-one days)", is deleted as ambiguous in light of the reference to being "in heat" and the references requiring a dog to be confined and protected whenever the dog is in that condition.

Defined term: "Person" § 1-101