

FINAL

AMENDED
March 18, 2013

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2013, Legislative Day No. 5

Bill No. 12-13

Introduced by Mr. Smith

By The County Council, February 19, 2013

Introduced and first read on February 19, 2013
Public Hearing set for and held on March 18, 2013
Public Hearing on AMENDED BILL set for and held on April 1, 2013
Bill Expires May 25, 2013

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Public Safety – Animal Control and Zoning –
2 Commercial Kennels

3
4 FOR the purpose of amending the provisions for expiration, renewal, revocation and
5 suspension of certain animal control licenses under certain conditions; amending the
6 Zoning Code to allow commercial kennels as a conditional use in a W1 industrial
7 district; providing certain conditions; and generally relating to commercial kennels
8

9 BY repealing and reenacting with amendments: §§ 12-4-709; 12-4-710; 18-6-103 and
10 18-10-120
11 Anne Arundel County Code (2005, as amended)
12

13 SECTION 1. *Be it enacted*, That Section(s) of the Anne Arundel County Code (2005,
14 as amended) read as follows:
15

16 **ARTICLE 12 PUBLIC SAFETY**

17
18 **TITLE 4. ANIMAL CONTROL**

19
20 **12-4-709. Expiration, renewal, and revocation of certain licenses.**

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 (a) Expiration and renewal. A dog fancier, cat fancier, commercial kennel, or pet
2 shop license shall be valid from the date received until the following June 30 and shall be
3 renewed within 90 days after June 30 upon payment of the annual license fee. Failure to
4 make timely application for the initial license or for renewal shall result in a late fee of
5 \$25. The Agency may refuse to issue or renew any license required by this title if the
6 applicant or licensee has failed to comply with the provisions of this title OR ANY OF THE
7 PROVISIONS LISTED IN § 18-10-120 OF THIS CODE.

8
9 (b) Revocation and suspension. The Agency, Health Officer, or the authorized and
10 trained representative of the Health Officer may revoke OR SUSPEND a license issued
11 under this title on finding that the licensee has failed to comply with this article, ARTICLE
12 18, or any other applicable local, State, or federal law governing the protection and
13 keeping of animals. WHEN A LICENSE IS REVOKED OR SUSPENDED PURSUANT TO THIS
14 SECTION, THE LICENSEE SHALL IMMEDIATELY CEASE ALL OPERATIONS AND ACTIVITIES
15 AUTHORIZED BY THE LICENSE.

16
17 **12-4-710. Notice of denial, nonrenewal, revocation, or suspension of license.**

18
19 (a) Notice. Before denying withholding renewal of, suspending, or revoking any
20 license, the Chief shall give notice to the licensee. The notice shall:

21
22 (1) specify the violation or other basis for the action;

23
24 (2) state a time within which the licensee shall take corrective action to abate the
25 violation or cure other defects, IF THE VIOLATION OR DEFECT IS SOMETHING THAT CAN
26 BE CURED; and

27
28 (3) inform the aggrieved party of the right to appear before the Commission to
29 show cause why the license should not be revoked or other action upheld.

30
31 (b) Finality. A decision by the Agency to revoke a license shall be final except as
32 provided in § 12-4-711.

33
34 **ARTICLE 18. ZONING**

35 **TITLE 6. INDUSTRIAL DISTRICTS**

36
37
38 **18-6-103. Permitted, conditional, and special exception uses.**

39
40 The permitted, conditional, and special exception uses allowed in each of the
41 industrial districts are listed in the chart in this section using the following key: P =
42 permitted use; C = conditional use; SE = special exception use; and A= auxiliary use to a
43 business complex use. A blank means that the use is not allowed in the district. Except as
44 provided otherwise in this article, uses and structures customarily accessory to permitted,
45 conditional, and special exception uses also are allowed, except that outside storage as an
46 accessory use in W1 is limited to 15% of the allowed lot coverage.

1

Permitted, Conditional, and Special Exception Uses	W1	W2	W3

Kennels, commercial	C	P	

2
3

TITLE 10. CONDITIONAL USES

4
5

18-10-120. Kennels, commercial.

6
7

A COMMERCIAL KENNEL SHALL COMPLY WITH ALL THE FOLLOWING REQUIREMENTS.

8
9

(1) All structures, enclosed coops, and enclosed runs for the housing or shelter of animals in a commercial kennel shall be located at least 100 feet from residentially zoned property, and animals may not be housed within the 100-foot setback.

10
11
12

~~(2) COMMERCIAL KENNELS LOCATED IN MULTI-TENANT BUILDINGS SHALL INCORPORATE SOUND ATTENUATION CONSTRUCTION.~~

13
14
15
16

~~(3) THE USE MAY NOT BE NOXIOUS, OFFENSIVE, OR OTHERWISE OBJECTIONABLE TO SURROUNDING USES.~~

17
18
19

(2) A COMMERCIAL KENNEL LOCATED IN A STRUCTURE THAT CONTAIN USES OTHER THAN THE COMMERCIAL KENNEL SHALL INCORPORATE SOUND ATTENUATION CONSTRUCTION DESIGNED TO MINIMIZE THE IMPACT OF NOISE FROM THE COMMERCIAL KENNEL ON THE OTHER USES IN THE STRUCTURES.

20
21
22

(3) A COMMERCIAL KENNEL SHALL NOT UNREASONABLY INTERFERE WITH OTHER TENANTS LOCATED WITHIN THE SAME STRUCTURE AS THE COMMERCIAL KENNEL AND THE USE MAY NOT BE NOXIOUS, OFFENSIVE, OR OTHERWISE OBJECTIONABLE TO SURROUNDING USES.

23
24
25
26

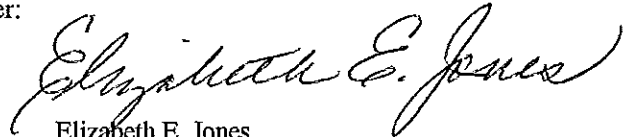
SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days from the date it becomes law.

27
28
29
30
31

AMENDMENTS ADOPTED: March 18, 2013

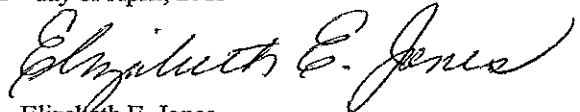
READ AND PASSED this 1st day of April, 2013

By Order:



Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for her approval this 2nd day of April, 2013



Elizabeth E. Jones
Administrative Officer

APPROVED AND ENACTED this * day of April, 2013

* Returned unsigned
Enacted April 12, 2013

Laura Neuman
County Executive

EFFECTIVE DATE: July 16, 2013

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
12-13, THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.


Elizabeth E. Jones
Administrative Officer