

D. The request for a hearing before the Probate Court shall not become effective until the owner delivers the form to the Probate Court during normal business hours of the Probate Court and pays the applicable Probate Court hearing fee pursuant to Section IX of this Ordinance.

3. Agreement with Classification

A. The Notice of Classification shall also include a form for the owner of the dog to agree with the Dog Control Officer's classification. If the owner agrees with the Dog Control Officer's classification, the owner shall have fourteen (14) days from the date of the owner's agreement with the Dog Control Officer's classification to obtain a valid Certificate of Registration. If the owner does not obtain a valid Certificate of Registration within fourteen (14) days of the date of agreement, the dog shall be surrendered to Animal Services.

4. Surrender of Classified Dog

A. The Notice of Classification shall also provide a form for the owner of the dog to agree to surrender the dog to Animal Services.

B. If the Dog Control Officer is unable to serve the Notice of Classification within ten (10) days of the date of the Notice of Classification being issued because the owner cannot be located, such dog may be surrendered to the Animal Services.

d. *Hearings before Probate Court*

1. When a hearing before the Probate Court on the Dog Control Officer's classification of the dog is requested by an owner of a dog, such hearing shall be scheduled and held within thirty (30) days after the request is received; provided, however, such hearing may be continued by the Probate Court for good cause shown.
2. At least ten (10) days prior to the hearing, the Probate Court shall mail to the owner written notice of the date, time, and place of the hearing. In addition, the Probate Court may also email such notice to the owner if the owner has consented to email communication.
3. At the hearing, the owner of the dog and Dog Control Officer shall be given the opportunity to testify and present evidence and the Probate Court shall receive other evidence and testimony as may be reasonably necessary to sustain, modify, or overrule the Dog Control Officer's classification.
4. Any owner who requests a hearing before the Probate Court but who, after service of notice of the hearing, fails to appear at said hearing shall be deemed to have abandoned the hearing request and the classification of the Dog Control Officer stated in the Notice of Classification shall be affirmed by the Probate Court without the necessity of a hearing.