

j. *Limitations on Classified Dog's Presence Outside the Secure Enclosure; Defense*

1. It shall be unlawful for an owner of a dangerous dog to permit the dog to be outside the secure enclosure unless:
  - A. the dog is restrained by a leash not to exceed six (6) feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other person or animal when necessary;
  - B. the dog is contained in a closed and locked cage or crate; or
  - C. the dog is working or training as a hunting dog, herding dog, or predator control dog.
2. It shall be unlawful for an owner of a vicious dog to permit the dog to be outside the secure enclosure unless:
  - A. the dog is muzzled and restrained by a leash not to exceed six (6) feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary; or
  - B. the dog is contained in a closed and locked cage or crate.
3. It shall be unlawful for an owner of a vicious dog to permit the dog to be unattended or unmuzzled with minors.

k. *Defense*

1. Any irregularity in classification proceedings shall not be a defense to any prosecution for violation of this Ordinance so long as the owner of the dog received actual notice of the classification and did not pursue a civil remedy for the correction of the irregularity.

l. *Governmental liability for enforcement*

1. Under no circumstances shall the County or any employee or official of the County be held liable for any damages to any person who suffers an injury inflicted by a dog as a result of a failure to enforce the provisions of this Ordinance.

m. *Disposition of classified dogs*

1. A classified dog that has been either voluntarily or involuntarily surrendered to Animal Services shall not be available for adoption by the public or any organization. Such classified dog shall be humanly euthanized; provided however, such euthanasia shall not occur until final disposition of any hearing before the Probate Court if applicable inclusive of any applicable appeal period unless the owner consents to euthanasia in writing.