

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1996 Legislative Session

Bill No CB-106-1996

Chapter No. 78

Proposed and Presented by Council Member Gourdine

Introduced by Council Member Gourdine

_____ Co-Sponsors

Date of Introduction October 29, 1996

BILL

AN ACT concerning

Pit Bulls

For the purpose of defining Pit Bull Terrier dogs; prohibiting any person from owning, keeping, or harboring Pit Bulls under certain circumstances, and providing for penalties for violation.

BY repealing and reenacting with amendments:

SUBTITLE 3. ANIMAL CONTROL.

Sections 3-101 and 3-116,

The Prince George's County Code

(1995 Edition).

BY adding:

SUBTITLE 3. ANIMAL CONTROL.

Section 3-185.01,

The Prince George's County Code

(1995 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 3-101 and 3-116 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 3. ANIMAL CONTROL.

DIVISION 1. DEFINITIONS.

Sec. 3-101. Definitions.

(a) As used in and for the purposes of this Subtitle, the following words and phrases shall have the meanings assigned to them herein:

* * * * *

(34.1) Pit Bull Terrier shall mean any and all of the following dogs:

(A) Staffordshire Bull Terrier breed of dogs;

(B) American Staffordshire Terrier breed of dogs;

(C) American Pit Bull Terrier breed of dogs;

(D) Dogs which have the appearance of being predominantly of the breed of dogs known as Staffordshire Bull Terrier, American Staffordshire Terrier, or American Pit Bull Terrier. Predominantly shall mean that the dog exhibits the physical characteristics of a Pit Bull Terrier more than of any other breed of dog;

(E) Dogs which have been registered at any time as a Pit Bull Terrier.

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DIVISION 4. ANIMAL CONTROL ENFORCEMENT.

Subdivision 1. Enforcement and Violation Notices.

Sec. 3-116.01 Criminal penalties; violations.

(a) Any person found to have violated any provision of Subtitle 3-185.01 shall be fined up to \$1,000.00 or may be sentenced to not more than six (6) months of imprisonment. (b)

A Pit Bull that causes injury to or kills a human being or a domestic animal without provocation shall be humanely destroyed and the owner of such dog shall be fined up to \$1,000.00 or may be sentenced to not more than six (6) months of imprisonment.

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SECTION 2. BE IT FURTHER ENACTED by the County Council of Prince George's County, Maryland, that Section 3-185.01 of the Prince George's County Code be and the same is hereby added to the Prince George's County Code:

SUBTITLE 3. ANIMAL CONTROL.

DIVISION 6. OTHER RULES, REGULATIONS AND STANDARDS.

Sec. 3-185.01. Pit Bull Terriers.

(a) Except as provided below, no person shall own, keep or harbor a Pit Bull Terrier within the County.

(b) Any person owning a Pit Bull Terrier prior to November 1, 1996, may continue to harbor the animal on his premises under the following conditions:

(1) The animal shall be registered by the Administrator of Animal Control, and must at all times wear a tag provided by the Administrator which will readily identify it as a registered Pit Bull Terrier.

(2) The owner shall pay an annual fee of \$50.00 to the Administrator of Animal Control to maintain such animals and support enforcement.

(3) The owner shall maintain the dog within a building or a secure kennel at all times. Whenever the dog is removed from the building or kennel it shall be secured by an unbreakable or unseverable leash and maintained under the control of an adult.

(c) A person may temporarily hold a Pit Bull Terrier in the County for the purpose of showing the dog in a place of public exhibition, contest, or show sponsored by a dog club, association, or similar organization. The sponsor of the exhibition or show must obtain written permission from the Director and must provide protective measures adequate to prevent the dog from escaping or injuring the public. The dog shall at all times during the transportation to and from the show or exhibition be confined in a secure temporary enclosure.

(d) Any dog employed or owned by the County or licensed security services and trained to perform official police, correctional, security, fire and/or search and rescue service shall be exempt from the provisions of this act.

SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are necessary to protect the general public from the unique hazard to public safety represented by the ownership and possession of Pit Bull Terriers and to control the presence of Pit Bull Terriers due to the unpredictable nature of dogs which have an extraordinarily savage behavior and physical capabilities in excess of those possessed by many other breeds of dogs.

SECTION 4. BE IT FURTHER ENACTED that the provisions of this Act are hereby

declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall

not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 26th day of November, 1996.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:
Stephen J. Del Giudice
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____

BY:
Wayne K. Curry
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

The County Executive having failed to return this Bill within ten (10) days after the date of its presentation to him with either his approval or veto, this Bill became law on 12/19/96.

TO BECOME EFFECTIVE: 2/9/97