

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2012 Legislative Session**

Bill No. CB-41-2012

Chapter No. 95

Proposed and Presented by Council Member Lehman

Introduced by Council Member Lehman

Co-Sponsors \_\_\_\_\_

Date of Introduction June 19, 2012

**BILL**

1 AN ACT concerning

2 Animal Control – Ear Tipped Cats

3 For the purpose of defining an ear tipped cat; imposing conditions on the trapping and release of  
4 ear tipped cats; providing for a review provision; and generally relating to ear tipped cats.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 3. ANIMAL CONTROL.

7 Sections 3-101 and 3-122,

8 The Prince George's County Code

9 (2011 Edition).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
11 Maryland, that Sections 3-101 and 3-122 of the Prince George's County Code be and the same  
12 are hereby repealed and reenacted with the following amendments:

13 SUBTITLE 3. ANIMAL CONTROL.

14 DIVISION 1. DEFINITIONS.

15 **Sec. 3-101. Definitions.**

16 \* \* \* \* \*

17 (a) (39.1) Ear Tipped Cat shall mean a cat that has had a straight line cutting 1/4 '' off of  
18 the tip of the left ear while the cat is anesthetized. A cat who has been ear tipped indicates that it  
19 has been neutered and vaccinated.

20 \* \* \* \* \*

21 SUBTITLE 3. ANIMAL CONTROL.

**SUBDIVISION 2. IMPOUNDMENT AND DISPOSITION OF ANIMALS.****Sec. 3-122. Impounding animals; procedure.**

(a) A dog found at large with a license tag, rabies tag, tattoo, microchip, or other indications of ownership shall, except as otherwise provided in this Subtitle, be impounded and taken to the Animal Control Facility and there confined in a humane manner for a period of not less than five (5) workdays, unless sooner claimed and redeemed by its owner.

(b) A dog found at large without a license tag or other indications of ownership shall be impounded as above. However, such stray dogs will be confined in a humane manner for a period of not less than three (3) workdays.

(c) In the event an impounded animal shows signs of disease, injury, or severe behavioral maladjustment, the Administrator has discretion to send the animal to be euthanized rather than holding it for three (3) workdays, providing he has checked the records to see if the animal has been reported missing, the animal appears to be unlicensed, and, in the case of disease or injury, he has consulted with a veterinarian. The behavioral maladjustment must be of such a nature as to pose a threat to the animal's welfare while confined at the Animal Control Facility, or pose an unreasonable threat to the safety of personnel caring for the animal.

(d) Domesticated animals other than dogs may be impounded when found at large or abandoned, and disposed of in accordance with procedures established pursuant to regulations promulgated by the Director.

(e) An ear tipped cat shall be handled according to this subsection, and for ear tipped cats, this subsection shall supersede subsections (c) and (d) of this Section, and Sections 3-132, 3-135, and 3-140 of this Subtitle. An Animal Control Officer who has trapped or responds to a trapped ear tipped cat in the field, shall immediately release the ear tipped cat at the location where it was trapped, unless the ear tipped cat shows signs of disease, or injury, or unless the Animal Control Officer has probable cause that the specific cat is the subject of a pending nuisance complaint. An Animal Control Officer shall not trap an ear tipped cat for being at large or, if the ear tipped cat has no owner, for not being under restraint. An ear tipped cat transported to or deposited at the Animal Control Facility shall be held by the Administrator for at least three (3) working days, unless the cat is suffering from disease or injury. The Administer shall use all due diligence to provide electronic notification about all ear tipped cats held at the Animal Control Facility to all local animal rescue organizations and all animal care organizations who have

1 notified the Administrator of their experience with ear tipped cats and shall allow three (3)  
2 working days from the time of the electronic notification for an organization to rescue the ear  
3 tipped cat at no charge to the organization. An animal care or animal rescue organization shall  
4 not return an ear tipped cat to the area where it was trapped if that specific ear tipped cat has  
5 been impounded three times to the Animal Control Facility. If an ear tipped cat is trapped in or  
6 brought to the Animal Control Facility from a municipality located within Prince George's  
7 County with a municipal animal control department, the Administrator shall provide the  
8 municipality with the same notification and opportunity for rescue. If the Administer has used  
9 all due diligence to notify animal rescue organizations, animal care organizations, and where  
10 appropriate, a municipality about an ear tipped cat, and if the ear tipped cat is not retrieved by an  
11 organization or municipality within the designated time period, the ear tipped cat shall be treated  
12 the same as an impounded cat to the processes of Subtitle 3 of the Prince George's County Code.

13 (f) The Administrator shall make and keep records of individual ear tipped cats handled  
14 under this subsection (e), including: the date and location where the ear tipped cat was trapped or  
15 captured; the date the ear tipped cat entered the Animal Control Facility; whether the ear tipped  
16 cat suffered from a disease or injury, and the nature of any such disease or injury; whether the  
17 ear tipped cat was the subject of a nuisance complaint, and the facts and legal basis for any such  
18 complaint, all notifications, and notification attempts, to animal rescue or animal care  
19 organizations, or to a municipality; and the date and ultimate disposition of the ear tipped cat.  
20 The Administrator shall make these records available for public inspection and shall report these  
21 records to the Director of Environmental Resources.

22 (g) The Administrator shall, annually review by December 31<sup>st</sup>, with consultation with the  
23 Director and the County Council, the effectiveness of the ear tipped cat program under Section 3-  
24 122 of this Subdivision.

25 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)  
26 calendar days after it becomes law.

Adopted this 20<sup>th</sup> day of November, 2012.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Andrea C. Harrison  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive

In accordance with Section 411 of the Charter of Prince George's County:  
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 12/14/2012.

Effective date: 1/29/2013