

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

Legislative Session \_\_\_\_\_ 1991 \_\_\_\_\_

Bill No. \_\_\_\_\_ CB-100-1991 \_\_\_\_\_

Chapter No. \_\_\_\_\_ 82 \_\_\_\_\_

Proposed and Presented by \_\_\_\_\_ The Chairman (by request -  
\_\_\_\_\_ County Executive) \_\_\_\_\_

Introduced by \_\_\_\_\_ Council Members Castaldi and Casula \_\_\_\_\_

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

Date of Introduction \_\_\_\_\_ November 5, 1991 \_\_\_\_\_

**BILL**

AN ACT concerning

ANIMALS

FOR the purpose of amending certain provisions relating to the licensing of animals, increasing a certain fee; requiring reimbursement from the owner or custodian for the care of impounded animals; and requiring an animal hobby permit for five or more animals in certain circumstances.

BY repealing and reenacting with amendments:

SUBTITLE 3. ANIMAL CONTROL.

Sections 3-101,

3-106, and

3-146,

The Prince George's County Code

(1987 Edition, 1990 Supplement).

By adding:

SUBTITLE 3. ANIMAL CONTROL.

Sections 3-148.1,  
3-148.2, and  
3-148.3,

The Prince George's County Code  
(1987 Edition, 1990 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 3-101, 3-106 and 3-146 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments: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 meaning assigned to them herein:

\* \* \* \* \*

(23.1) "Farm Animal" shall mean any domesticated species of animal commonly kept in proximity to, but not ordinarily housed in the immediate domicile or household of, humans, and used for agricultural or riding purposes. Farm animals shall include, but not be limited to, horses, cattle, sheep and swine. Dogs and cats are not farm animals.

**DIVISION 2. ANIMAL CONTROL PROGRAM.**

**Sec. 3-106. Fees for boarding and care of animals.**

\* \* \* \* \*

(b) Where the Administrator has ascertained the identity of the owner or custodian of an animal, the Administrator shall, as a precondition of the release of the animal, require the payment in advance by the owner or custodian of all charges for the care, feeding, housing and veterinary treatment of the animal accrued through the date of redemption, and shall, as a further precondition of the release of the animal, also collect from the owner or custodian the unpaid license fees and fines provided for in this Subtitle.

(c) Where the Administrator has ascertained the identity of the owner or custodian of an animal, and has duly notified said owner or custodian of the animal's impoundment, and said owner or custodian fails to redeem the animal from the custody of the County, the fees and fines as prescribed by this Subtitle shall be due and payable within 10 days of the animal becoming the property of the County.

\* \* \* \* \*

**DIVISION 5. LICENSES AND STANDARDS.**

**Subdivision 1. Pet Licenses.**

**Sec. 3-146. License application; fees, exemption, and notice conditions.**

(a) Application for license shall be made to the Department. The annual license fee shall be [Eight Dollars (\$8.00)] Twelve Dollars (\$12.00) for all dogs and cats. The license fee shall be

reduced to Five Dollars (\$5.00) where there is proof that the animal has been spayed or neutered or where the Administrator, in [his] the Administrator's sole discretion, has determined that the animal cannot be spayed or neutered because of size, age or other physical condition.

\* \* \* \* \*

SECTION 2. BE IT FURTHER ENACTED that new Sections 3-148.1, 3-148.2 and 3-148.3 be and the same are hereby added to the Prince George's County Code:

SUBTITLE 3. ANIMAL CONTROL.

DIVISION 5. LICENSES AND STANDARDS.

Subdivision 1. Pet Licenses.

**Sec. 3-148.1. Animal hobby permit.**

(a) No person may keep or harbor five (5) or more animals larger than a guinea pig or over the age of four months, without first obtaining an animal hobby permit as provided herein.

(b) This Section shall not apply to a licensed animal holding facility, a licensed veterinary hospital, a circus or travelling exhibition, or the keeping of farm animals, or fish or birds.

**Sec. 3-148.2. Animal hobby permit application; fees; term and standards.**

(a) Application for an animal hobby permit shall be made to the Department on forms prescribed by the Director. The annual fee shall be Five Dollars (\$5.00).

(b) The permit shall be valid for one year from the date of issue. Application for a permit must be made within thirty (30)

days of acquiring five (5) or more animals as set forth in Section 3-148.1, or within thirty (30) days of establishing a residence in the County with five (5) or more animals as set forth in Section 3-148.1.

(c) No permit shall be issued unless:

(1) each dog or cat has a valid County license;

(2) there exists an adequate and safe means of confinement for each animal;

(3) each animal is provided adequate protection from the weather;

(4) evidence exists that each animal has been provided adequate and proper veterinary care;

(5) no objectionable odors or noises exist that might disturb the neighborhood or otherwise cause a public nuisance condition to exist;

(6) all animals on the property are kept in compliance with any and all Federal, State and local laws and regulations as pertain to animals.

(d) An Animal Control Officer shall inspect for compliance with Subsection 3-148.2 (c) above before any animal hobby permit shall be issued.

(e) The permit shall be issued for the address and owner listed on the application and shall not be transferable to any other address or owner.

**Sec. 3-148.3. Same: Penalties; denial; revocation.**

(a) Failure to obtain an animal hobby permit as required in

Section 3-148.1 shall result in a fine of Twenty-five Dollars (\$25.00) for the first offense, Fifty Dollars (\$50.00) for the second offense, and One Hundred Dollars (\$100.00) for each subsequent offense in a two (2) year period.

(b) The Department shall deny any application for an animal hobby permit if the Administrator determines that the applicant is in violation of the standards herein.

(c) The Director may revoke the animal hobby permit if the Director determines that the owner or custodian is in violation of the standards herein.

(d) The Director shall give written notice of denial or revocation of an animal hobby permit to the applicant or permittee at the address shown on the permit application. The notice shall set forth the reasons for the denial or revocation.

(e) The denial or revocation shall be effective on the date set forth therein.

(f) The decision to deny or revoke an animal hobby permit may be appealed to the Commission for Animal Control within 10 days of the date of the letter of denial or revocation. Any such appeal shall be governed by Sections 3-110 and 3-111 of this Subtitle.

(g) Any animals found to be maintained in violation of the standards set forth herein may be subject to impoundment by the County.

SECTION 3. 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, 1991.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Richard J. Castaldi  
Chairman

ATTEST:

\_\_\_\_\_  
Maurene W. Epps  
Acting Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Parris N. Glendening  
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.