The background is a solid green color with several large, stylized, overlapping leaf shapes in a lighter shade of green. The leaves are arranged in a fan-like pattern, pointing towards the right side of the image. In the center, there is a white rectangular box with a thin black border.

**DEPARTMENT OF THE ENVIRONMENT**

**Draft Animal Code Revisions**  
**June 13, 2019**

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Rodney Taylor, Associate Director, ASD



### **SUBTITLE 3. ANIMAL CONTROL – TOPICS OVERVIEW**

- Animal Control Commission – cases, hearings, membership, public service
- Animal Cruelty – definition, types and levels
- Dangerous and potentially dangerous animals
- Animals running at large – anti-tethering
- Neighbor complaints
- Investigations and hearings
- Animal Control Commission - diverse and staggered membership; orders
- Feral cats – trap, neuter and return; current law and changes
- Manner of keeping animals – holding facilities
- Other rules and regulations, including unlawful restraint of dogs
- Pit bull – DNA identification



## Division 1. Definitions

Care of animals. Current Code provides for “adequate” standards for animal care including exercise, feed, shelter, space and water. The amendment replaces “adequate” with “proper” and adds to and updates these standards of care.

Cruelty. Adds psychological and emotional harm, links adequate shelter to wind chill index of 32 degrees and heat index of 90 degrees as determined by the National Weather Service.

Less serious cruelty or neglect. Any act of cruelty or neglect, which has no permanent effect on the animal, and where the behavior of the owner is subsequently corrected through education and compliance. Second offenses of “less serious cruelty or neglect” shall result in removal of the animal and the owner fined. Animals so removed shall be housed for a period not to exceed seven (7) days until corrective measures are taken. If appropriate corrective measures are not taken, the animal becomes the property of the County.

Serious cruelty or neglect. Any act which causes pain and suffering and results in physical injury to the animal. Owner is subject to a fine of up to \$1,000.

Aggravated animal cruelty or neglect. An owner who tortures or kills an animal under circumstances demonstrating malice or fails to provide proper care resulting in the death of the animal. Owner is subject to a criminal fine of up to \$2,500 and/or imprisonment of not more than six months. A civil penalty of \$2,500 shall be imposed as appropriate.



## Division 1. Definitions

Dangerous animal. Includes any animal that without provocation inflicts injury on a human or public property or “has been previously found to be potentially dangerous because of injury inflicted on a human or an animal, the owner having received notice of such and the animal again aggressively bits, attacks or endangers public safety.” Replaces “vicious” animal.

Potentially dangerous animal. Any animal that, when unprovoked, demonstrates the potential to inflict bites on humans or by chasing or approaching a person in a menacing fashion or apparent attitude of attack.

Anti-diggers. A device installed nine inches below grade.

Animal Services and Adoption Center. Replaces current name.

Feral. A domesticated animal commonly kept and/or cared for as a pet existing in an unsocialized state.

Wild animal. — not tamed, domesticated or socialized in any manner.



## Division 2. Animal Control Program

[NO CHANGES]



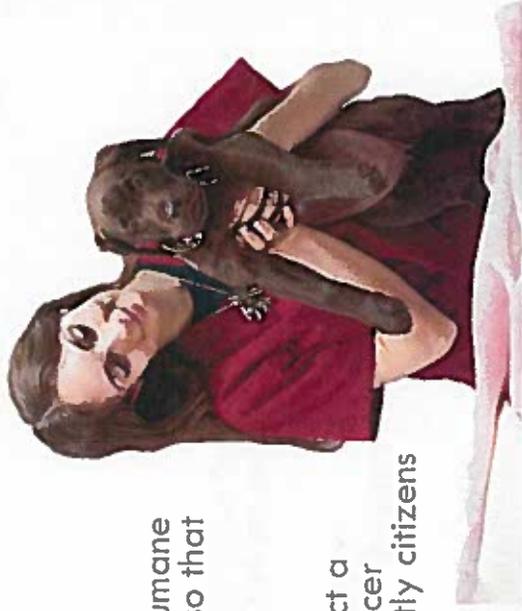
### Division 3. Commission for Animal Control

Membership. President of the Prince George's County Veterinarian's Association replaced with "a licensed veterinarian or his representative practicing in Prince George's County." Citizen members "may" include a representative of a local humane organization, a kennel owner, and the pet industry. Stagers Commission terms so that membership rotates every two years.

Hearings – Investigations. Animal Control Commission ("Commission") may conduct a public hearing after determination of probable cause by an Animal Control Officer (ACO) that a violation has occurred. If no probable cause, no hearing. (Currently citizens can bring cases to the Commission in the absence of ACO investigative findings.)

Hearings – Officers. Commission "may" delegate to a panel of three members or to a hearing officer the authority to hear and issue a proposed or final decision.

Commission Orders. Commission may impose as a penalty a restriction on animal ownership for a period of five years or more.



## Division 4. Animal Control Enforcement

Manner of keeping animals. Adds additional standards for proper keeping of animals, including grooming, light, air, and cleaning.

Animals at large – defines “at large” to include tethering of an animal on public property to any rail, post or fence

Dangerous animals – conditions of ownership. Provides updated standards for confinement; requires spay or neutering; provides for evaluation by a certified animal or veterinary behaviorist; imposes strict liability on the animal owner for any violations and resulting damages; authorizes removal of the dangerous animal designation and restrictions if after two years there are no further issues.

Criminal penalties. Imposes a criminal penalty of not less than \$500 or more than \$1,000 and/or imprisonment up to 180 days for violation of the dangerous dog law. This is consistent with the international model code.

Impoundment. An impounded animal may be redeemed by its owner only after the animal is spayed or neutered and micro-chipped and the costs of same shall be included as part of the redemption fee. Fee may be waived for financial hardship.



## Division 4. Animal Control Enforcement.

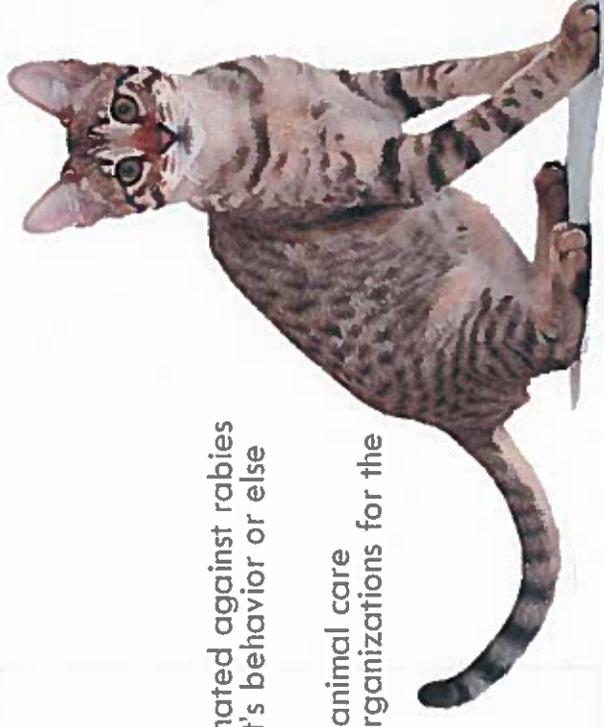
Irresponsible animal owner. Provides for declaring an owner irresponsible if the owner allows the animal to inflict bites on a human or other animal; allows the animal to chase or approach a person in a menacing fashion or apparent attitude of attack; or fails to provide proper care, treatment or humane training for appropriate temperament.

Feral cats. The County promotes the responsible practice of trap, neuter and return as an effective method for humanely reducing the population of feral cats.

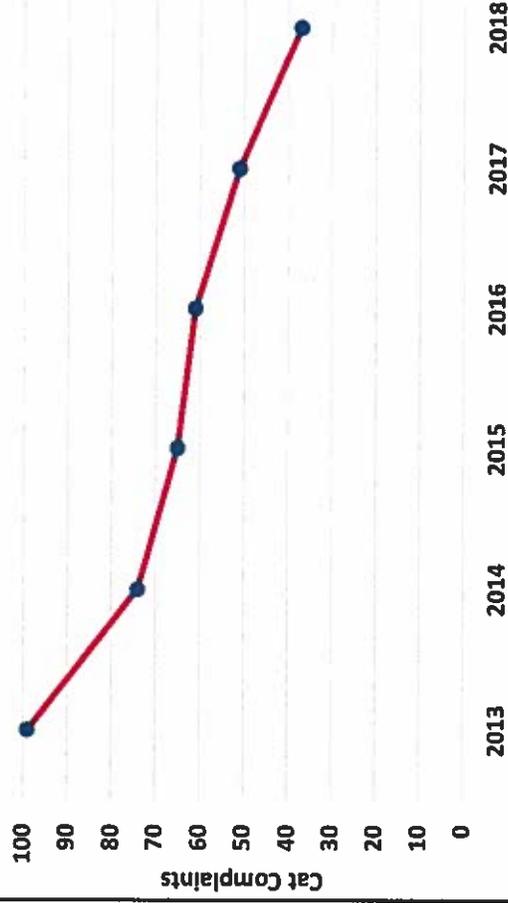
- Ear-tipped cats - CB41
- TNR studies; Laurel Cats – success
- Current law and reproductive impact of feeding without TNR

A person who starts feeding a feral cat shall have the cat neutered and vaccinated against rabies and other disease and resolve neighbor nuisance complaints regarding the cat's behavior or else the cat will be impounded.

DoE may enter into agreements with a local animal rescue organization or an animal care organizations having experience with ear tipped cats or local animal rescue organizations for the purpose of implementing TNR.



## Prince George's County Laurel Complaints About Cats



## Division 5. Licenses and Standards

License fees. States that the licensee fee is \$25 per year, not annually. This allows for issuance of a licenses over multiple years.

Animal holding facilities – standards. Updates general and specific standards for animal holding facilities, including pet shops, kennels, petting zoos and grooming establishments



## Division 6. Other Rules, Regulations and Standards

Animal Cruelty. Applies less serious; serious; and aggravated cruelty standards; provides for humane holds for corrective measures; and prohibits sponsoring or encouraging animal fighting.

Additional Violations. New sections prohibit animal abandonment, poisoning, carrying an animal in a vehicle in a manner that subjects the animal to injury, leaving an animal unattended in a vehicle, sexual assault of an animal and canned hunting.

Unlawful restraint of dogs. A dog may not be attached to a rope, tether or other restraint for more than one hour unless the dog is participating in a lawful animal event, e.g., walking on a leash or veterinary treatment, or the dog's owner remains with the dog throughout the period of restraint.

Potentially dangerous animal. Provides standards of care for ownership of potentially dangerous dogs. Failure to abide by these standards shall result in immediate impoundment of the animal.

Pit Bull Terrier. Provides the owner of an impounded Pit Bull Terrier with the opportunity to conduct DNA testing, at the owner's expense. to establish that the dog is not a pit bull.





# CONTACT US

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