

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2025 Legislative Session

Bill No. CB-097-2025

Chapter No. _____

Proposed and Presented by Council Member Burroughs

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

AN ACT concerning

Animal Control

For the purpose of revising certain definitions; increasing certain civil penalties; expanding the leash law; expanding the type of dangerous animals; lifting a certain ban; providing for a pilot program to foster and adopt a certain specific dog breed; and generally regarding animal control in the County.

BY repealing and reenacting with amendments:

SUBTITLE 3. ANIMAL CONTROL.

Sections 3-101, 3-116, 3-135, 3-136, and 3-185.01,

The Prince George's County Code

(2023 Edition; 2024 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 3-101, 3-116, 3-135, 3-136, and 3-185.01 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments: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:

* * * * *

(7) **Animal at large** shall mean an animal except a service animal, not under

restraint, not leashed, and off the premises of its owner as set forth in Section 3-135 of this Subtitle.

* * * * *

(33) **Dangerous animal** shall mean any animal that without provocation:

[(a)] (A) inflicts injury on a human on public or private property;

[(b)] (B) kills a domesticate animal or human; [or]

[(c)] (C) 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 bites, attacks, or endangers public safety; or

(D) was declared by another jurisdiction as dangerous or potentially dangerous (even if the other jurisdiction uses a different term).

* * * * *

(63) **Potentially dangerous animal** shall mean

[(a)] (A) any animal when unprovoked: demonstrates the potential to inflict bites on humans or an animal, whether on public or private property, by chasing or approaching a person in a menacing fashion or apparent attitude of attack; or

(B) any animal with a known propensity, tendency, or disposition to attack unprovoked, to cause injury, or to otherwise threaten the safety of humans or animals; or

(C) is running-at-large and has been impounded by law enforcement two (2) or more times within any twelve (12) month period; or

(D) was declared by another jurisdiction as dangerous or potentially dangerous (even if the other jurisdiction uses a different term). The term "potentially dangerous animal" shall not include dogs used by law enforcement officials when the dog is being used for legitimate law enforcement purposes.

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SUBTITLE 3. ANIMAL CONTROL.

DIVISION 4. ANIMAL CONTROL ENFORCEMENT.

SUBDIVISION 1. ENFORCEMENT AND VIOLATION NOTICES.

Sec. 3-116. Civil penalties; subsequent violations.

(a) Any person found to have violated any provision of this Subtitle shall be subject to the following civil penalties:

(1) For violation of Sections 3-133, 3-134, 3-135, 3-138, 3-139, 3-144, 3-145, 3-148, and 3-184, the fines shall be Fifty Dollars (\$50.00) for the first violation, One Hundred Dollars (\$100.00) for the second offense, and Two Hundred Fifty Dollars (\$250.00) for each subsequent violation.

(2) For violation of Sections 3-125, 3-132, 3-148.03, 3-149, 3-158, 3-159, 3-160 through 3-174, 3-177, 3-183, 3-186, 3-188, and 3-190, the civil penalty for each violation shall be One Hundred Dollars (\$100.00) for the first violation, Five Hundred Dollars (\$500.00) for the second violation, and One Thousand Dollars (\$1,000.00) for each subsequent violation.

(3) For violation of Sections [3-137,] 3-175, 3-176, 3-189, 3-191, 3-195, and 3-196, the civil penalty for the first violation shall be One Hundred Dollars (\$100.00), One Thousand Dollars (\$1,000.00) for the second offense, and Two Thousand Five Hundred Dollars (\$2,500.00) for each subsequent violation.

(4) For violation of Sections 3-131, 3-141, 3-142, and 3-180, the civil penalty shall be Five Hundred Dollars (\$500.00) for the first violation, One Thousand Dollars (\$1,000.00) for the second violation, and Two Thousand Five Hundred Dollars (\$2,500.00) for each subsequent violation.

(5) For violation of any other Section of this Subtitle not separately specified in this Section, the civil penalty shall be Twenty-five Dollars (\$25.00) for the first violation, Fifty Dollars (\$50.00) for the second violation occurring within a twenty-four (24) month period, and One Hundred Dollars (\$100.00) for each subsequent violation occurring within a twenty-four (24) month period.

(6) For violation of Sections 3-136 and 3-137, the civil penalty shall be Five Hundred Dollars (\$500.00) for the first violation, One Thousand Five Hundred Dollars (\$1,500.00) for the second violation, and Three Thousand (\$3,000.00) for each subsequent violation.

SUBTITLE 3. ANIMAL CONTROL.

DIVISION 4. ANIMAL CONTROL ENFORCEMENT.

SUBDIVISION 3. ANIMAL CONTROL REGULATIONS.

Sec. 3-135. Animals at large prohibited.

(a) It shall be unlawful for the owner or custodian of any animal (including, but not limited to, any cattle, horse, mule, swine, sheep, goat, geese, ducks, chickens, dog, cat, or other animal)

1 to permit the animal to run at large or be at large as defined in Section 3-101(7) within Prince
 2 George's County, Maryland. At large shall also include:

3 (1) The confinement or securing of an animal by any person at a location other than on
 4 the premises of its owner, custodian, or authorized agent;

5 (2) Herding such animal or tying it for grazing in any street or other public place;

6 or (3) The fastening or tethering of any horse or other animal on public property
 7 affixed to any standard (i.e., rail, post, fence), hydrant, shade tree, or to any box or case around
 8 such tree, or to any public ornamental tree on any street or public ground.

9 (b) Any animal found at large or running at large is declared to be a nuisance and
 10 dangerous to the public health, safety, and welfare.

11 (c) The owner of any animal running at large shall be held strictly liable for a violation of
 12 this statute, except as provided in paragraphs (f) and (g) of this Section, and for any damages
 13 caused by said animal.

14 (d) Any person who is aware of an animal running at large within the County shall report
 15 the condition by telephone. The identity of an informant under this Section shall not be
 16 disclosed except to employees of the Animal Control program and duly authorized law
 17 enforcement officers.

18 (e) Any Animal Control Officer, police officer, or other agent authorized or empowered to
 19 perform any duty under this Subtitle may pursue any animal at large or running at large and may
 20 go upon any premises for impounding the animal at large or running at large. If the animal
 21 returns to the premises of its owner, the Animal Control Officer may pursue the animal upon the
 22 unenclosed exterior premises of the owner. If the owner or custodian takes the animal within the
 23 enclosed interior portion of his premises, the Animal Control Officer or police officer shall direct
 24 the owner or custodian to surrender the animal for impoundment. No person, after having been
 25 directed by an Animal Control Officer or law enforcement officer to surrender an animal for
 26 impoundment, shall fail to surrender the animal immediately. Failure to surrender an animal for
 27 impoundment upon demand by an Animal Control Officer or law enforcement officer is a
 28 misdemeanor and, upon conviction thereof, the violator may be punished by a fine not to exceed
 29 Five Hundred Dollars (\$500.00) or by imprisonment not to exceed ninety (90) days in the
 30 County Detention Center, or both. In addition to the criminal penalty hereby imposed, the
 31 Commission may impose civil penalties pursuant to Section 3-110 and Section 3-116 herein.

(f) Any animal is considered at large if it is outside the owner's premise and not leashed, unless it is a service animal, is in an animal exercise area, designated by Maryland-National Capital Park and Planning Commission (M-NCPPC) or the Administrator, or in a securely fenced area on the premises of another property owner with the permission of the property owner or lessee, or is participating in an approved activity such as undergoing obedience training or engaged in the sport of hunting in authorized areas and supervised by a competent person.

(g) For purposes of this Section, the common area of an apartment complex, homeowners' association, condominium, or cooperative is not the owner's premises.

(h) A leash may not exceed ten (10) feet in length. A retractable leash or electronic training collar or similar device does not meet the leash requirement for the purposes of this section.

[(g)](i) No animal running at large by accident with a person in immediate pursuit of it shall be deemed to be at large, running at large or a stray.

Sec. 3-136. - Dangerous animals.

(a) Any animal that without provocation:

(i) kills or inflicts injury on a human on private or public property;

(ii) kills a domesticated and/or farm animal; [or]

(iii) 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 bites, attacks, or endangers public safety;

(iv) poses a physical threat to humans because of specific training or demonstrated behavior, or because the animal's bite is poisonous; or

(v) has been declared dangerous or potentially dangerous elsewhere is defined to be a dangerous animal for the purpose of this Subtitle. An owner of an animal declared dangerous or potentially dangerous in another jurisdiction must remove the animal from the County within ten (10) days after receiving a citation or other notice of a violation of this Section unless waived of this requirement and has imposed conditions or restrictions for the animal to remain in the County. The Administrator may waive these prohibitions for a specific animal only upon a finding that the animal is not a threat to public health or safety. No animal shall be found to be dangerous if the threat, injury, or damage was sustained by a person who was:

(1) Committing, at the time, a crime upon the premises occupied by the animal's owner

1 or custodian;

2 (2) Committing, at the time, a tort upon the premises occupied by the animal's owner
 3 or custodian; [or]

4 (3) Provoking, tormenting, or physically abusing the animal[.]; or

5 (4) The animal was protecting or defending a person in the immediate vicinity; or

6 (5) The animal was defending itself, its litter, or another animal.

7 (b) It shall be the duty of the Police Department to receive and document complaints
 8 concerning dangerous animals. It shall be the duty of the Administrator/Animal Control Officer
 9 to receive and investigate complaints concerning dangerous animals. Whenever an animal
 10 complained against shall be reasonably deemed by a police officer or the Administrator/Animal
 11 Control Officer to be a dangerous animal, the police officer or Administrator/Animal Control
 12 Officer shall report the fact to the Commission in the form of a written complaint and shall be
 13 authorized and empowered to impound the animal pending a hearing if he reasonably believes
 14 that the owner of the animal is not capable of restraining the animal from attacking, biting, or
 15 injuring any human being or other animal pending a hearing on whether the animal is dangerous.
 16 Notwithstanding the above, whenever an animal causes severe injury to any human being, the
 17 police officer or Animal Control Officer shall impound the animal pending a hearing by the
 18 Commission. In this Section, severe injury means any physical injury from single or multiple
 19 bite(s) resulting in broken bones, serious disfigurement, serious impairment of health, serious
 20 impairment of a bodily function, or requiring multiple sutures or cosmetic surgery.

21 (c) Whenever an animal has been impounded pursuant to this Section, the owner shall be
 22 notified within forty-eight (48) hours of the impoundment of a right to a preliminary hearing.
 23 The preliminary hearing shall be scheduled within seventy-two (72) hours of a written request by
 24 the owner. This preliminary hearing may be conducted by a hearing officer designated by the
 25 Commission and shall be for the sole purpose of determining whether the owner of the animal is
 26 capable of restraining the animal from attacking, biting or injuring any human being or other
 27 animal until it can be determined at a hearing conducted by the Animal Control Commission
 28 whether the animal is dangerous.

29 (d) If it is determined that the alleged dangerous animal may be returned to the custody of
 30 the owner until the scheduled full hearing, the Commission may impose such requirements of
 31 conditions as are deemed necessary to restrain the animal and the owner shall be required to pay

the costs and maintenance expenses incurred during the time that the animal was impounded. Should the owner not adhere to conditions set forth by the Commission, the alleged dangerous animal shall be immediately impounded and remain in the custody of the County pending the outcome of the full hearing.

(e) If the Commission determines that continuing impoundment is necessary, the owner shall be responsible for all costs and maintenance expenses incurred.

(f) Any person who alleges that an animal is dangerous may file a complaint with the Animal Control Commission that states in clear language why the animal is dangerous. This complaint shall identify where the animal is located and describe the animal which is the subject of the complaint. The Administrator shall investigate the complaint and may impound the animal in accordance with this Section.

(g) The Commission shall conduct a public hearing upon the question of whether the animal is a dangerous animal in accordance with the provisions of Section 3-110 of this Subtitle.

(h) If the Commission, upon the evidence before it, finds that the animal complained of is in fact a dangerous animal, as defined in Subsection (a), above, and Section 3-101(32), the Commission may direct the owner or custodian of the dangerous animal to confine the animal and to abate its danger to the public in accordance with Section 3-137 herein, or require the owner or custodian of the dangerous animal to surrender the animal to the County and authorize the Administrator to destroy the animal.

(i) The Administrator shall maintain a record of all known dangerous animals in Prince George's County.

(j) If any animal shall be found at large or running at large by an Animal Control Officer or police officer and, in the judgment of the Animal Control Officer or police officer, such animal is dangerous, and cannot be taken up or tranquilized and impounded, such animal may be slain by the Animal Control Officer or police officer.

(k) The Administrator or any other person must not sell, release, or place for adoption an animal that an animal control officer found is dangerous or potentially dangerous unless the Administrator finds the action is safe.

SUBTITLE 3. ANIMAL CONTROL.

DIVISION 6. OTHER RULES, REGULATIONS, AND STANDARDS.

Sec. 3-185.01. - Pit Bull Terriers.

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

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

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

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

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

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

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

22 (a) The County shall implement a pilot program, as provided below:

23 (1) A person may foster a Pit Bull Terrier through Animal Control in the County.

24 (2) A person may adopt a Pit Bull Terrier through Animal Control in the County under
25 the following conditions:

26 (A) Animal Control must deem the Pit Bull Terrier adoptable; and

27 (B) The person must apply for a permit, which includes a signed agreement
28 concerning responsibility for the dog; and

29 (C) The person must provide the address of where the Pit Bull Terrier will be
30 located; and

31 (D) The person must comply with all other requirements in subsection (4) of this

Section; and

(E) Animal Control must microchip the Pit Bull Terrier and the Pit Bull Terrier must be spayed or neutered in accordance with Section 3-177 of this Subtitle.

(3) A person in the County owning a Pit Bull Terrier may harbor the animal under the following conditions:

(A) The person must apply for and maintain a permit, which includes a signed agreement concerning responsibility for the dog.

(B) The permit application and signed agreement must include:

(i) The name of the person who owns the Pit Bull Terrier and the address of where the Pit Bull Terrier will be located; and

(ii) Proof of rabies vaccination; and

(iii) Proof of microchip; and

(iv) A description of the Pit Bull Terrier; and

(v) A statement that the person agrees to comply with Sections 3-135 of this Subtitle, the County leash law and responsible dog ownership.

(4) Any owner or custodian of a Pit Bull Terrier shall:

(A) Complete a pet parenting class offered by Animal Control; and

(B) Notify animal protection in person or by telephone of any of the following occurrences within the scheduled time frames as set forth in this subsection:

(i) Within eight (8) hours after the Pit Bull Terrier has escaped or has otherwise ceased to be in the custody of the owner or keeper for any reason, unless the owner or keeper knows such animal to be physically secured, restrained, or confined and to be in the custody of a competent adult; and

(ii) Within eight (8) hours after the Pit Bull Terrier has attacked or bitten a person or another domestic animal; and

(iii) If the Pit Bull Terrier has died, or if the owner or keeper of the Pit Bull Terrier or the address of the Pit Bull Terrier has changed to a person or location outside of the County, the owner or keeper listed on the breed-restricted permit shall notify Animal Control within twenty-four (24) hours of such change, including the name, address, and telephone number of the new owner or keeper. If the owner or keeper or location of the Pit Bull Terrier changes to a person or location at a different address within the County, the owner or keeper

1 listed on the breed-restricted permit shall notify Animal Control within twenty-four (24) hours of
2 the change, including the name, address, and telephone number of the new owner, and the new
3 owner or keeper may be permitted to modify the breed-restricted permit to reflect the new
4 owner's name in the discretion of Animal Control, but such modification must be obtained within
5 five (5) days of the change;

6 (b) Animal Control shall be permitted to contact the owner at reasonable times, upon
7 reasonable notice, and in a reasonable manner and inspect the Pit Bull Terrier and/or the
8 premises where the Pit Bull Terrier is located to assess sanitary and health conditions and
9 compliance with this Section.

10 (c) Violation by an owner or keeper of the conditions of the breed-restricted permit may
11 impact the permit and may result in other criminal or administrative penalties allowed by this
12 Code. A person who fails to obtain a permit for a Pit Bull Terrier shall be fined \$50. A person
13 who violates the conditions of the permit as provided in the signed agreement shall be fined \$50.

14 (d) Nothing in this Section shall be construed in any manner as altering any owner or
15 custodian's duties, responsibilities, and/or liabilities under this Subtitle.

16 (e) Animal Control will collect, maintain, and review data and findings from inspections
17 and violations and shall report findings to the County Council bimonthly.

18 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
19 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
20 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
21 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
22 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
23 Act, since the same would have been enacted without the incorporation in this Act of any such
24 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
25 or section.

26 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
27 calendar days after it becomes law.

Adopted this _____ day of _____, 2025.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Edward P. Burroughs III
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Aisha N. Braveboy
County Executive