

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2009, Legislative Day No. 15

Bill No. 73-09

Councilmembers Gardina, McIntire and Bartenfelder

By the County Council, September 21, 2009

A BILL
ENTITLED

AN ACT concerning

Pet Cemeteries

FOR the purpose of requiring the owner of a pet cemetery to maintain certain records and to maintain the grounds of a pet cemetery; defining terms; specifying the duties of the owner of a pet cemetery; providing penalties; and generally relating to the regulation of pet cemeteries.

BY adding

Sections 21-19-101 to 21-19-105
Article 21 - Permits, Licenses, and Business Regulations
Title 19 - Pet Cemeteries
Baltimore County Code 2003

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that Sections 21-19-101 to 21-19-105 be and they are hereby added to
3 Article 21 - Permits, Licenses, and Business Regulation, Title 19 - Pet Cemeteries, of the Baltimore
County Code 2003, to read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
 [Brackets] indicate matter stricken from existing law.
 ~~Strike out~~ indicates matter stricken from bill.
 Underlining indicates amendments to bill.

1 TITLE 19. PET CEMETERIES.

2 21-19-101.

3 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

4 (B) "INTERMENT" MEANS THE FINAL DISPOSITION OF PET REMAINS, INCLUDING:

5 (1) EARTH BURIAL;

6 (2) MAUSOLEUM ENTOMBMENT; OR

7 (3) NICHE OR COLUMBARIUM INTERMENT.

8 (C) "INURNMENT" MEANS THE FINAL DISPOSITION OF CREMATED PET REMAINS,

9 INCLUDING:

10 (1) EARTH BURIAL;

11 (2) MAUSOLEUM ENTOMBMENT;

12 (3) NICHE OR COLUMBARIUM INTERMENT; OR

13 (4) PLACEMENT IN AN URN.

14 (D) "PET" MEANS A DOMESTIC ANIMAL THAT HAS BEEN ADAPTED OR TAMED TO

15 LIVE WITH PEOPLE.

16 (E) (1) "PET CEMETERY" MEANS ANY LAND, PLACE, STRUCTURE, FACILITY, OR

17 BUILDING PROVIDED BY A PERSON FOR THE PERMANENT INTERMENT OR

18 INURNMENT OF PET REMAINS OR CREMATED PET REMAINS FOR A FEE.

19 (2) "PET CEMETERY" DOES NOT INCLUDE A LANDFILL OR SOLID WASTE

20 DISPOSAL FACILITY.

21 (F) (1) "PET OWNER" MEANS A PERSON LISTED AS THE OWNER OF A PET ON THE

22 RECORDS OF A PET CEMETERY.

23 (2) "PET OWNER" INCLUDES THE AGENT OF A PET OWNER.

1 21-19-102.

2 (A) AN OWNER OF A PET CEMETERY SHALL MAINTAIN:

3 (1) MAPS AND RECORDS OF THE SPECIFIC SITES OF EACH PET GRAVE OR
4 UNUSED BURIAL LOT;

5 (2) THE PET OWNER'S LAST KNOWN ADDRESS;

6 (3) THE DATE OF INTERMENT OR INURNMENT;

7 (4) THE SIZE OF EACH GRAVE OR BURIAL LOT;

8 (5) THE CONTRACT FOR THE INTERMENT OR INURNMENT OF EACH PET; AND

9 (6) THE CONTRACT FOR THE PURCHASE OF EACH UNUSED BURIAL LOT.

10 (B) AN OWNER OF A PET CEMETERY SHALL KEEP DUPLICATE RECORDS OF ALL
11 RECORDS DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION AT A LOCATION
12 OTHER THAN THE PET CEMETERY GROUNDS.

13 21-19-103.

14 (A) (1) AN OWNER OF A PET CEMETERY SHALL ENSURE THE THOROUGH AND
15 REGULAR MAINTENANCE OF THE PET CEMETERY GROUNDS AND THE GRAVE OR
16 BURIAL LOTS.

17 (2) ANY SIDEWALKS, PATHS, OR WALKWAYS SHALL BE SAFELY
18 CONSTRUCTED AND MAINTAINED.

19 (B) AN OWNER OF A PET CEMETERY SHALL MAINTAIN CLEAN AND REFRIGERATED
20 HOLDING FACILITIES FOR THE SAFE STORAGE OF DECEASED PETS.

1 21-19-104.

2 (A) THE DEPARTMENT MAY INSTITUTE ANY ACTION AT LAW OR EQUITY,
3 INCLUDING INJUNCTION OR MANDAMUS, TO ENFORCE THE PROVISIONS OF THIS
4 TITLE.

5 (B) ALTERNATIVELY, AND IN ADDITION TO AND CONCURRENT WITH ALL OTHER
6 REMEDIES, THE DEPARTMENT MAY ENFORCE THE PROVISIONS OF THIS TITLE WITH
7 CIVIL PENALTIES IN ACCORDANCE WITH ARTICLE 3, TITLE 6 OF THE CODE.

8 (C) A PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS SUBJECT TO A CIVIL
9 PENALTY OF NOT MORE THAN \$1,000.

10 (D) EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

11 21-19-105.

12 A PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A
13 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000
14 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.

15 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days
16 after its enactment.