

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2015, Legislative Day No. 1

Bill No. 2-15

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All Councilmembers

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By the County Council, January 5, 2015

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A BILL  
ENTITLED

AN ACT concerning

Baltimore County Animal Services Advisory Commission

FOR the purpose of establishing the Baltimore County Animal Services Advisory Commission and its purpose; specifying its composition and the appointment of its members; providing for officers, meetings, and rules of the Commission; setting forth the Commission's duties and responsibilities; providing for reports of the Commission; specifying terms for the initial members of the Commission; requiring the Animals Services Division to keep and maintain certain records; and generally relating to the Baltimore County Animal Services Advisory Commission and the Animal Services Division.

By adding

Sections 3-3-2401 to 3-3-2407

Article 3 - Administration

Title 3 - Boards, Commissions, Committees, Panels and Foundations

Subtitle 24 - Baltimore County Animal Services Advisory Commission

Baltimore County Code, 2003

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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.

By repealing and re-enacting, with amendments

Section 12-1-103  
Article 12 - Animals  
Title 1 - In General  
Subtitle 1 - In General  
Baltimore County Code, 2003

WHEREAS, Article 12 of the Baltimore County Code establishes the statutory system governing the licensing of dogs and cats, the responsibilities of owners of animals, the general care and protection of animals, including stray animals, and the process for addressing complaints about animals; and

WHEREAS, the County's Animal Services Division is charged with enforcement of the County's animal control laws, in conjunction with and under the supervision of the Health Officer; and

WHEREAS, the County's Animal Hearing Board is charged with holding hearings related to dangerous animals and animal cruelty, and advising the County Executive or the Health Officer on matters relating to the control and welfare of animals in the County; and

WHEREAS, in 2011, the County Council convened an informal Animal Control Committee consisting of County elected and appointed officials, as well as persons from animal rights organizations and victims of dangerous animals advocates, to discuss animal control issues and areas of interest and concern; and

WHEREAS, from that Committee a number of issues and concerns were brought to the forefront, including potential volunteer opportunities, enhancing adoption opportunities, pet micro-chipping, partnering with rescue groups, and the rights of victims and potential liabilities associated with dangerous animals; and

WHEREAS, the County Council deems it appropriate at this time to establish a permanent Advisory Commission to work with the County's Animals Services Division, Animal Hearing Board and other agencies, interested persons, or organizations on these and other issues; now therefore,

1           SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that the Laws of Baltimore County, Maryland read as follows:

3                                   ARTICLE 3. ADMINISTRATION

4           TITLE 3. BOARDS, COMMISSIONS, COMMITTEES, PANELS, AND FOUNDATIONS

5                                   SUBTITLE 24. BALTIMORE COUNTY ANIMAL SERVICES

6   ADVISORY COMMISSION

7 § 3-3-2401. ESTABLISHED.

8           THERE IS A BALTIMORE COUNTY ANIMAL SERVICES ADVISORY COMMISSION.

9 § 3-3-2402. PURPOSE.

10          THE PURPOSE OF THE COMMISSION IS TO ADVISE THE COUNTY COUNCIL AND  
11 THE COUNTY EXECUTIVE ON ISSUES PERTAINING TO ANIMAL CARE AND  
12 WELFARE, ANIMAL RESCUE AND ADOPTION, CONTROL OF THE ANIMAL  
13 POPULATION, ANIMAL BITE PREVENTION, ZOO NOTIC DISEASE TRANSMISSION,  
14 STANDARDS FOR ANIMAL SHELTERS, TRAINING OF PERSONNEL AND  
15 VOLUNTEERS, AND ANY OTHER ISSUES RELATED TO THE COUNTY'S ANIMAL  
16 SERVICES DIVISION.

1 § 3-3-2403. MEMBERSHIP.

2 (A) COMPOSITION; APPOINTMENT OF MEMBERS.

3 (1) THE ANIMAL SERVICES ADVISORY COMMISSION SHALL CONSIST OF 11  
4 MEMBERS, EACH OF WHOM SHALL BE A RESIDENT OF THE COUNTY.

5 (2) OF THE 11 MEMBERS OF THE COMMISSION:

6 (I) EACH MEMBER OF THE COUNTY COUNCIL SHALL APPOINT ONE  
7 MEMBER; AND

8 (II) FOUR MEMBERS SHALL BE APPOINTED BY THE COUNTY EXECUTIVE  
9 AS FOLLOWS:

10 ~~(1) ONE MEMBER SHALL BE~~ 1. TWO MEMBERS SHALL BE EITHER ONE  
11 OF THE FOLLOWING:

12 A. A LICENSED VETERINARIAN;

13 ~~(2) ONE MEMBER SHALL BE~~ B. A REPRESENTATIVE FROM AN ANIMAL  
14 WELFARE A HUMANE ORGANIZATION OR;

15 ~~(3) ONE MEMBER SHALL BE~~ C. A PERSON WHOSE DUTIES INCLUDE THE  
16 DAILY OPERATION OF AN ANIMAL SHELTER; AND

17 ~~(4) 2. THE REMAINING MEMBER~~ MEMBERS SHALL BE AN AT-LARGE  
18 MEMBER MEMBERS FROM THE PUBLIC.

19 (3) THE DIRECTOR OF THE DEPARTMENT OF HEALTH SHALL DESIGNATE TO  
20 THE COMMISSION AN EX OFFICIO, NON-VOTING MEMBER TO PROVIDE  
21 TECHNICAL ASSISTANCE. THIS MEMBER SHALL ALSO HAVE THE RIGHT TO  
22 ADDRESS THE COMMISSION REGARDING ANY ITEM ON A MEETING AGENDA.

23 (B) TENURE; VACANCIES.

1 (1) THE TERM OF A MEMBER IS 3 YEARS AND BEGINS ON JANUARY 1.

2 (2) IF A VACANCY OCCURS ON THE COMMISSION, THE ORIGINAL APPOINTING  
3 AUTHORITY SHALL MAKE THE APPOINTMENT TO FILL THE VACANCY.

4 § 3-3-2404. OFFICERS.

5 THE MEMBERS OF THE COMMISSION SHALL ELECT A CHAIRPERSON WHO  
6 SHALL SERVE IN THAT CAPACITY FOR A ONE-YEAR TERM.

7 § 3-3-2405. MEETINGS; QUORUM; RULES.

8 (A) MEETINGS. THE COMMISSION SHALL MEET AT THE CALL OF THE  
9 CHAIRMAN AS FREQUENTLY AS REQUIRED TO PERFORM ITS DUTIES, BUT NO  
10 LESS THAN 4 TIMES PER YEAR.

11 (B) QUORUM.

12 (1) A MAJORITY OF THE VOTING MEMBERS OF THE COMMISSION SHALL  
13 CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS.

14 (2) AN AFFIRMATIVE VOTE BY A MAJORITY OF THOSE PRESENT AT ANY  
15 MEETING WHERE A QUORUM EXISTS IS SUFFICIENT FOR ANY ACTION.

16 (C) RULES. THE COMMISSION MAY ADOPT A SET OF RULES TO GOVERN ITS  
17 MEETINGS AND PROCEDURES.

18 § 3-3-2406. DUTIES AND RESPONSIBILITIES.

19 (A) THE COMMISSION HAS THE FOLLOWING DUTIES AND RESPONSIBILITIES :

20 (1) MAINTAIN LIAISON WITH:

1 (I) THE ANIMAL SERVICES DIVISION;  
2 (II) THE ANIMAL HEARING BOARD;  
3 (III) THE POLICE DEPARTMENT;  
4 (IV) PUBLIC AND PRIVATE ~~ANIMAL WELFARE~~ HUMANE ORGANIZATIONS;  
5 (V) ANIMAL SERVICES ADVISORY COMMISSIONS OR BOARDS IN OTHER  
6 COUNTIES AND MUNICIPALITIES; AND  
7 (VI) ANIMAL SERVICES AGENCIES IN OTHER STATES AND THE FEDERAL  
8 GOVERNMENT.;

9 (2) CONSULT WITH COUNTY AND MUNICIPAL ANIMAL SERVICES ADVISORY  
10 COMMISSIONS OR BOARDS ON THEIR ANIMAL WELFARE PROGRAMS;

11 (3) COLLECT AND ASSEMBLE PERTINENT INFORMATION THAT IS AVAILABLE  
12 FROM OTHER AGENCIES;

13 (4) SUBJECT TO SUBSECTION (B) OF THIS SECTION, VISIT THE COUNTY  
14 ANIMAL SERVICES FACILITY OF THE COUNTY SHELTER DURING HOURS THAT  
15 THE SHELTER IS OPEN TO THE PUBLIC AT TIMES SELECTED BY THE COMMISSION,  
16 AND INSPECT OBSERVE ALL PHASES AND AREAS OF THE OPERATION OF THE  
17 FACILITY. TO THIS END, COMMISSION MEMBERS SHALL HAVE ACCESS, FOR  
18 OBSERVATION PURPOSES ONLY, TO ALL AREAS OF THE ANIMAL SERVICES  
19 FACILITY. SHELTER;

20 (5) SUBJECT TO THE LIMITATIONS OF THE MARYLAND PUBLIC INFORMATION  
21 ACT, COLLECT AND ASSEMBLE ANY AND ALL DATA AND RECORDS OF THE  
22 ANIMAL SERVICES DIVISION PERTAINING TO ITS OPERATION.

23 (6) REVIEW AND MAKE RECOMMENDATIONS TO THE COUNTY COUNCIL AND

1 THE COUNTY EXECUTIVE CONCERNING:

2 (I) THE BUDGETS AND FISCAL NEEDS OF THE ANIMAL SERVICES DIVISION;

3 AND

4 (II) THE POLICIES GOVERNING THE OPERATION OF THE ANIMAL SERVICES  
5 DIVISION, INCLUDING RULES AND REGULATIONS FOR THE OPERATION OF THE  
6 ANIMAL SERVICES FACILITY SHELTER;

7 (7) WORK ACTIVELY IN EDUCATING THE PUBLIC ON ISSUES RELATED TO  
8 ANIMAL RESCUE AND ADOPTION AND THE NEED FOR STERILIZATION OF DOGS  
9 AND CATS, AND TO REVIEW AND MAKE RECOMMENDATIONS TO CONTROL THE  
10 ANIMAL POPULATION AND ENHANCE ADOPTION OPPORTUNITIES; AND

11 (8) GENERALLY PROMOTE THE MISSION AND RESPONSIBILITIES OF THE  
12 ANIMAL SERVICES DIVISION.

13 (B) (1) THIS SUBSECTION APPLIES ONLY TO A MEMBER WHO INTENDS TO VISIT A  
14 PART OF THE ANIMAL SHELTER THAT IS NOT NORMALLY OPEN TO THE PUBLIC.

15 (2) A MEMBER SHALL COORDINATE THE VISIT WITH THE DIRECTOR OF THE  
16 SHELTER NOT LESS THAN 4 HOURS IN ADVANCE.

17 (3) A MEMBER MAY NOT BE ACCOMPANIED BY A PERSON WHO IS NOT A  
18 MEMBER DURING A VISIT AUTHORIZED UNDER THIS SUBSECTION.

19 (4) A MEMBER MAY NOT VISIT THE QUARANTINE ROOM.

20 (5) IF THE VISIT IS EXPECTED TO LAST MORE THAN TWO HOURS, THE  
21 DIRECTOR OF THE SHELTER AND THE MEMBER MUST SECURE THE PERMISSION  
22 OF THE HEALTH OFFICER OR THE HEALTH OFFICERS DESIGNEE.

1 § 3-3-2407. REPORTS.

2 (A) ANNUAL REPORT. THE COMMISSION SHALL SUBMIT AN ANNUAL REPORT  
3 TO THE COUNTY COUNCIL AND THE COUNTY EXECUTIVE.

4 (B) CONTENTS OF REPORT. THE ANNUAL REPORT SHALL CONTAIN:

5 (1) A SUMMARY OF THE COMMISSION'S ACTIVITIES FOR THE PRECEDING  
6 YEAR; AND

7 (2) RECOMMENDATIONS RESULTING FROM THE ~~COUNCIL'S~~ COMMISSION'S  
8 CONSIDERATION OF THE MATTERS SET FORTH IN § 3-3-2406.

9 (C) ADDITIONAL REPORTS. THE COMMISSION MAY SUBMIT ADDITIONAL  
10 REPORTS PERIODICALLY, AS IT CONSIDERS NECESSARY, REGARDING THE  
11 ANIMAL ~~SERVICES FACILITY~~ SHELTER, ANIMAL SERVICES PROGRAMS, OR ANY  
12 OTHER ASPECT OF THE ANIMAL SERVICES DIVISION, TOGETHER WITH ITS  
13 RECOMMENDATIONS AND/OR ADVICE CONCERNING SAME.

14 ARTICLE 12. ANIMALS

15 TITLE 1. IN GENERAL.

16 *Subtitle 1. In General*

17 § 12-1-103. DUTIES OF THE ANIMAL SERVICES DIVISION.

18 The Animal Services Division shall, under the supervision of the Health Officer:

19 (1) Enforce the provisions of this article and the provisions of state law applicable to animal  
20 control;

21 (2) Appoint, train, and qualify individuals, including animal control officers and inspectors  
22 in personnel classifications that are or shall be established, to enforce the provisions of this



1 article and the provisions of state law applicable to animal control;

2 (3) Maintain a program for volunteers to assist the Animal Services Division in carrying out  
3 the provisions of this title; [and]

4 (4) Require an animal shelter to provide fresh food and water, clean and sanitary facilities,  
5 environmental enrichment, and appropriate veterinary care at the shelter[.]; AND

6 (5) KEEP AND MAINTAIN ACCURATE RECORDS PERTAINING TO THE  
7 OPERATION OF THE COUNTY ANIMAL ~~SERVICES FACILITY~~ SHELTER AND  
8 RELATING TO THE INTAKE AND DISPOSITION, INCLUDING BUT NOT LIMITED TO  
9 THE ADOPTION AND EUTHANASIA RATE, OF ALL ANIMALS IN THE CARE OR  
10 CUSTODY OF THE FACILITY DURING ANY CALENDAR YEAR.

11 SECTION 2. AND BE IT FURTHER ENACTED, that the terms of the initial members  
12 of the Baltimore County Animal Services Advisory Commission as appointed under § 3-3-  
13 2403(a)(2) of the Baltimore County Code, 2003, shall expire as follows:

14 (1) the initial terms of two members appointed under § 3-3-2403(a)(2)(i) of the Baltimore  
15 County Code, 2003 and one member appointed under § 3-3-2403(a)(2)(ii) of the Baltimore  
16 County Code, 2003 shall expire on December 30, 2015;

17 (2) the initial terms of two members appointed under § 3-3-2403(a)(2)(i) of the Baltimore  
18 County Code, 2003 and one member appointed under § 3-3-2403(a)(2)(ii) of the Baltimore  
19 County Code, 2003 shall expire on December 30, 2016; and

20 (3) the initial terms of three members appointed under § 3-3-2403(a)(2)(i) of the  
21 Baltimore County Code, 2003 and two members appointed under § 3-3-2403(a)(2)(ii) of the  
22 Baltimore County Code, 2003 shall expire on December 30, 2017.

1           SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
2           an affirmative vote of five (5) members of the County Council, and with the signature of the  
3           County Executive, shall take effect on February 16, 2015.

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