

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2016, Legislative Day No. 11

Bill No. 43-16

Mrs. Vicki Almond, Chairwoman
By Request of County Executive

By the County Council, June 6, 2016

A BILL
ENTITLED

AN ACT concerning

Animal Services – Disposition of Animals

FOR the purpose of requiring the Animal Services Division to inspect a certain animal for certain identification; reducing the statutory hold period for a stray animal or animal at large; exempting certain animals from the statutory hold period; authorizing the Animal Services Division to require the spaying or neutering and microchipping of a certain stray animal under certain circumstances; requiring the Animal Services Division to provide a certain owner with certain information under certain circumstances; authorizing the issuance of a dog or cat license free of charge under certain circumstances; clarifying that an animal may be disposed of by rescue; clarifying that an animal may be fostered under certain circumstances; and generally relating to the disposition of animals.

By repealing and reenacting, with amendments
Sections 12-1-201(a), 12-1-203(j), and 12-3-203
Article 12. Animals
Baltimore County Code, 2015

By repealing
Sections 12-3-201 and 12-3-202
Article 12. Animals
Baltimore County Code, 2015

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 adding
Sections 12-2-204(d), 12-3-201, and 12-3-202
Article 12. Animals
Baltimore County Code, 2015

1 SECTION 1. BE IT ENACTED BY THE COUNCTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that Sections 12-3-201 and 12-3-202, of Article 12. Animals, of the
3 Baltimore County Code, 2015 are hereby repealed.

4
5 SECTION 2. AND BE IT FUTHER ENACTED, that the Laws of Baltimore County shall
6 read as follows:

7 Article 12. Animals

8 § 12-1-201.

9 (a) This subtitle does not apply to an animal impounded as a stray under § 12-3-
10 201(A) of this article unless the animal is also impounded for any other violation of this article,
11 the County Code, or state law.

12
13 § 12-1-203.

14 (j)[(1) If a dog or cat that has not been spayed or neutered is impounded two or more
15 times, the owner shall prepay to have the animal spayed or neutered at the owner's expense
16 before the animal is released from impoundment or surrender the animal to the Health Officer.

17 (2)] The Health Officer may not allow an owner to redeem an animal
18 impounded less than 12 months after the animal was released from a previous impoundment
19 unless the owner has successfully appealed any citation arising out of the prior impoundment,
20 until the Health Officer has issued:

- 1 (i) A citation for the current violation; and
- 2 (ii) An order designed to prevent future violations.

3
4 § 12-2-204.

5 (D)(1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF THE OWNER
6 OF A DOG OR CAT HAS HAD THE DOG OR CAT VACCINATED AGAINST RABIES BY
7 THE ANIMAL SERVICES DIVISION, THE ANIMAL SERVICES DIVISION MAY ISSUE
8 THE OWNER A LICENSE FREE OF CHARGE.

9 (2) THE ANIMAL SERVICES DIVISION MAY OFFER TO PLACE A
10 MICROCHIP IN THE DOG OR CAT FREE OF CHARGE.

11
12 12-3-201.

13 (A)(1) WITHIN 24 HOURS AFTER PICKING UP A STRAY ANIMAL, A PERSON
14 WHO PICKS UP A STRAY ANIMAL SHALL TURN THE ANIMAL OVER TO THE
15 ANIMAL SERVICES DIVISION.

16 (2) UNLESS THE STRAY ANIMAL IS CLAIMED BY ITS OWNER, THE
17 PERSON WHO TURNED THE STRAY ANIMAL IN TO THE ANIMAL SERVICES
18 DIVISION MAY ADOPT THE STRAY ANIMAL AFTER THE STATUTORY HOLDING
19 PERIOD.

20 (B) THE ANIMAL SERVICES DIVISION OR THE HEALTH OFFICER MAY
21 IMPOUND AN ANIMAL AT LARGE AND TAKE THE ANIMAL TO A COUNTY ANIMAL
22 SHELTER.

1 (C)(1) AN ANIMAL THAT IS IMPOUNDED UNDER THIS SECTION MAY NOT BE
2 PLACED OR DESTROYED UNTIL THE ANIMAL HAS BEEN CAREFULLY INSPECTED
3 FOR A TAG, TATTOO, MICROCHIP, OR OTHER IDENTIFICATION TO ASCERTAIN
4 THE OWNER AND:

5 (I) 72 HOURS HAVE ELAPSED AFTER NOTICE HAS BEEN GIVEN
6 TO THE OWNER;

7 (II) IF THE OWNER CANNOT BE NOTIFIED, 72 HOURS HAVE
8 ELAPSED AFTER THE ANIMAL WAS IMPOUNDED; OR

9 (III) THE HEALTH OFFICER HAS DETERMINED THAT THE
10 ANIMAL IS SERIOUSLY DISEASED OR SEVERLY INJURED.

11 (2) THE STATUTORY HOLDING PERIOD UNDER PARAGRAPH (1)(I)
12 AND (II) OF THIS SUBSECTION DOES NOT APPLY TO AN ANIMAL THAT IS UNDER 3
13 MONTHS OF AGE.

14 (D) THE ANIMAL SERVICES DIVISION SHALL MAKE A REASONABLE EFFORT
15 TO NOTIFY THE OWNER OF THE LOCATION OF AND THE PROCEDURE FOR
16 RETRIEVING AND REDEEMING THE IMPOUNDED ANIMAL. THE EFFORT TO
17 NOTIFY THE OWNER SHALL INCLUDE:

18 (1) PUBLICATION VIA SOCIAL MEDIA; OR

19 (2) TELEPHONE; OR

20 (3) EMAIL.

21

22

23

1 § 12-3-202.

2 (A) IF THE NEEDS OF THE ANIMAL HELD UNDER THIS ARTICLE CANNOT BE
3 PROVIDED FOR BY THE ANIMAL SERVICES DIVISION OR THE DIVISION
4 DETERMINES THAT IT WOULD BENEFIT THE ANIMAL'S HEALTH OR WELFARE TO
5 DO SO, THE ANIMAL MAY BE TEMPORARILY:

6 (1) HELD AT A HUMANE ORGANIZATION;

7 (2) PLACED WITH A FOSTER CUSTODIAN; OR

8 (3) HOUSED AT ANOTHER LOCATION DEEMED APPROPRIATE BY THE
9 HEALTH OFFICER.

10 (B) WHENEVER AN ANIMAL IS BEING TEMPORARILY HELD AT A LOCATION
11 OTHER THAN THE ANIMAL SERVICES DIVISION AS PROVIDED IN THIS SECTION,
12 THE DIVISION MAY KEEP THE LOCATION CONFIDENTIAL IF THE DIVISION
13 REASONABLY BELIEVES THAT DISCLOSURE OF THE LOCATION COULD RESULT
14 IN HARM TO EITHER THE ANIMAL OR THE TEMPORARY CUSTODIAN.

15

16 § 12-3-203.

17 (a) [The Health Officer shall make all reasonable efforts to locate and notify the
18 owner of the impounded stray animal or animal at large.

19 (b) If the owner of the impounded animal is not known, the Health Officer may
20 dispose of a sick or injured animal before the end of the statutory holding period.

21 (c) he] IF THE owner of an impounded animal [may] SEEKS TO redeem the [animal
22 on proof of] ANIMAL, THE ANIMAL SERVICES DIVISION MAY REQUIRE THE OWNER
23 TO:

1 (1) PROVIDE PROOF OF ownership SATISFACTORY TO THE DIVISION[,
2 compliance]

3 (2) COMPLY with the license provisions of this [article, and payment of]
4 ARTICLE;

5 (3) PAY ANY APPLICABLE redemption fees and boarding [fees];

6 (4) ALLOW THE DIVISION TO MICROCHIP THE ANIMAL AT THE
7 DIVISION'S EXPENSE; AND

8 (5) ALLOW THE DIVISION TO SPAY OR NEUTER THE ANIMAL AT THE
9 DIVISION'S EXPENSE.

10 [(d)] (B)(1) At the end of [the] ANY APPLICABLE statutory holding period, an
11 unclaimed animal is deemed abandoned and becomes the property of the county.

12 (2) (i) Except as provided in subparagraph (iii) of this paragraph, the
13 Health Officer may dispose of the animal only by [euthanasia] EUTHANASIA, RESCUE, or
14 [by] adoption.

15 (ii) The Health Officer shall maintain and keep accurate records of the
16 number of animals that are disposed of by [euthanasia] EUTHANASIA, RESCUE, and adoption
17 each year.

18 (iii) If the animal is a wild animal, the Health Officer shall release the
19 animal in a suitable habitat.

20

21 SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having passed by the
22 affirmative vote of five members of the County Council, shall take effect July 18, 2016.