

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2018 Legislative Session

Legislative Day No. 8

Bill No. 39 -2018

Introduced by: Jon Weinstein

AN ACT requiring specified shelter and conditions for certain dogs at certain times; specifying how dogs may be tethered, authorizing the Animal Control Officer to issue certain animal safety alerts in a specified manner; requiring certain publicity of certain provisions of Title 17 Subtitle 3; providing for civil penalties for specified violations; and generally relating to animal control in Howard County.

Introduced and read first time _____, 2018. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2018.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2018 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2018 at ___ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved by the County Executive _____, 2018

Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the Howard
2 County Code is amended as follows:

3 By adding:

4 Title 17. - Public Protection Services.

5 Subtitle 3. – Animals.

6 Sec. 17.305A. Shelter and tether requirements for dogs.

7 Sec. 17.305B. Tethers for dogs.

8 ~~Sec. 17.305B~~ Sec. 17.305C. Animal safety alerts.

9 By amending:

10 Title 17. - Public Protection Services.

11 Subtitle 3. – Animals.

12 Sec. 17.312. - Animal Control Division.

13 (e) Administrator's Duties.

14 Sec. 17.318 Civil penalties for violations.

15 (g) Fines for Violations of Certain Sections.

16
17 **Title 17. - Public Protection Services.**

18 **Subtitle 3. – Animals.**

19
20 **SEC. 17.305A. ~~SHELTER AND TETHER~~ OUTDOOR SHELTER AND WATER REQUIREMENTS**
21 **FOR DOGS.**

22 (A) *PURPOSE.*

23 (1) THE PURPOSE OF THIS SECTION IS TO AVOID RISK TO THE HEALTH OR SAFETY OF
24 DOGS.

25 (2) AS PROVIDED IN SECTION 17.312(E), THE ANIMAL CONTROL ADMINISTRATOR
26 MAY ADOPT REGULATIONS TO SET STANDARDS TO IMPLEMENT THIS SECTION.

27 (B) *IN GENERAL.*

28 (1) THIS SECTION APPLIES TO DOGS THAT ARE KEPT OUTSIDE WITHOUT FREE ACCESS TO
29 A RESIDENCE WHEN:

30 (I) THE OWNER IS ABSENT; OR

31 (II) THE DOG IS UNATTENDED FOR 30 MINUTES OR LONGER.

32 (2) THIS SECTION DOES NOT APPLY TO A WORKING DOG THAT IS NOT TETHERED AND IS
33 TRAINED AND KEPT OUTSIDE FOR THE PURPOSE OF GUARDING LIVESTOCK OR FOWL.

1 (3) IN ADDITION TO GENERAL REQUIREMENTS TO KEEP AN ANIMAL FREE FROM CRUELTY
2 AND NEGLECT, AS DEFINED BY THIS SUBTITLE, THE OWNER OF A DOG SHALL:

3 (I) ENSURE THAT THE DOG IS PROTECTED FROM THE WEATHER AS REQUIRED
4 BY THIS SECTION; AND

5 (II) ~~FOLLOW THE TETHERING REQUIREMENTS OF THIS SECTION~~ NOT SUBJECT
6 A DOG TO PROLONGED EXPOSURE TO WEATHER THAT CAUSES OR COULD CAUSE THE DEATH OF
7 OR HARM TO THE DOG, INCLUDING BUT NOT LIMITED TO HYPOTHERMIA, HYPERTHERMIA, AND
8 FROSTBITE OR A SIMILAR CONDITION.

9 ~~(B) CONDITIONS DURING COLD WEATHER. (C) ADEQUATE SHADE AND SHELTER.~~

10 ~~———— (1) THIS SUBSECTION APPLIES BETWEEN DECEMBER 1 AND MARCH 31 OR WHEN~~
11 ~~TEMPERATURES ARE COLDER THAN 32 DEGREES FAHRENHEIT.~~

12 ~~(2)~~ (1) THE DOG SHALL HAVE ACCESS TO A SHELTER THAT:

13 (I) IS OF A PROPER SIZE TO ALLOW THE DOG TO ADJUST POSITION AND IS
14 INSULATED SO THAT THE DOG IS ABLE TO MAINTAIN PROPER BODY TEMPERATURE;

15 (II) IS ENCLOSED AND MADE FROM MATERIALS THAT PROTECT THE DOG FROM
16 THE WEATHER; AND

17 (III) HAS AN ~~ENTRYWAY~~ ENTRANCE THAT PROTECTS THE DOG FROM THE
18 WEATHER.

19 ~~(3)~~ (2) THERE SHALL BE BEDDING MADE OF DRY WOOD SHAVINGS, STRAW, OR OTHER
20 NON-ABSORBENT MATERIAL IN THE SHELTER PROVIDED IN A QUANTITY THAT INSULATES THE
21 SHELTER TO PROTECT THE DOG FROM COLD AND DAMP WEATHER.

22 (C) WATER REQUIREMENTS.

23 THE OWNER SHALL ENSURE THAT THE DOG HAS ACCESS TO POTABLE LIQUID WATER
24 AT ALL TIMES AS NEEDED TO MAINTAIN PROPER HEALTH.

25 ~~(C)~~ (D) SANITATION.

26 THE DOG SHELTER AND THE AREA IN WHICH THE DOG MAY MOVE ~~WHILE TETHERED~~
27 SHALL BE KEPT CLEAN AND SANITARY.

28 ~~(D) TETHER REQUIREMENTS.~~

29 ~~———— (1) A TETHER MEANS A CHAIN, ROPE, CABLE OR SIMILAR RESTRAINT USED TO ATTACH A~~
30 ~~DOG TO A STATIONARY OBJECT OR PULLEY, BUT NOT A LEASH USED TO WALK A DOG.~~

31 ~~———— (2) A TETHER SHALL BE:~~

32 ~~———— (1) AT LEAST FIVE TIMES THE LENGTH OF THE DOG, AS MEASURED FROM THE TIP~~
33 ~~OF ITS NOSE TO THE BASE OF ITS TAIL;~~

1 _____ (II) AFFIXED SO THAT THE DOG WILL NOT BE INJURED, ENDANGERED, OR
2 ENTANGLED; AND

3 _____ (III) OF A WEIGHT THAT IS NOT MORE THAN 1/8 OF THE DOG'S BODY WEIGHT AND
4 IS APPROPRIATE FOR THE DOG.

5 _____ (3) THE DOG SHALL BE CONNECTED TO THE TETHER WITH A BUCKLE-STYLE COLLAR OR A
6 HARNESS. CHOKE-STYLE COLLARS ARE PROHIBITED ON TETHERED DOGS.

7 _____ (4) THIS SUBSECTION DOES NOT PROHIBIT A REGIMEN OF RESTRAINT THAT THE ANIMAL
8 CONTROL ADMINISTRATOR APPROVES FOR A PARTICULAR TRAINING OR WORKING DOG PURPOSE.

9
10 **SEC. 17.305B. TETHERS FOR DOGS.**

11 (A) THIS SECTION APPLIES TO DOGS THAT ARE KEPT OUTSIDE WHEN:

12 (I) THE OWNER IS ABSENT; OR

13 (II) THE DOG IS UNATTENDED FOR 30 MINUTES OR LONGER.

14 (B) TETHERS.

15 FOR PURPOSES OF THIS SECTION, A TETHER MEANS A CHAIN, ROPE, LINE, OR SIMILAR
16 RESTRAINT THAT CONNECTS A DOG TO A SHELTER, TREE, FENCE, OR ANY OTHER
17 STATIONARY OBJECT.

18 (C) GENERALLY PROHIBITED.

19 EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS SUBSECTION, AN
20 OWNER MAY NOT KEEP A DOG ON A TETHER.

21 (D) EXCEPTIONS.

22 (1) AN OWNER MAY KEEP A DOG ON A TETHER WHILE THE OWNER COMPLETES A
23 TEMPORARY TASK.

24 (2) AN OWNER MAY USE A TETHER WHILE SUPERVISING THE DOG AND:

25 (I) THE OWNER INTENDS TO ALLOW THE DOG TO ELIMINATE; OR

26 (II) THE OWNER IS EXERCISING THE DOG.

27 **SEC. 17.305B SEC. 17.305C. ANIMAL SAFETY ALERTS.**

28 (A) IN GENERAL.

29 WHENEVER THE ANIMAL CONTROL ADMINISTRATION CONSIDERS THAT AN ALERT IS
30 WARRANTED, THE ANIMAL CONTROL ADMINISTRATOR SHALL ISSUE AN ANIMAL ALERT
31 ADVISING THE PUBLIC OF THE ANIMAL SAFETY PRECAUTIONS THAT THE ANIMAL CONTROL
32 ADMINISTRATOR CONSIDERS APPROPRIATE.

1 (B) *PUBLICITY.*

2 IF AN ANIMAL SAFETY ALERT IS ISSUED:

3 (1) THE ALERT SHALL BE POSTED ON THE ANIMAL CONTROL WEBSITE AND SOCIAL MEDIA
4 WEBSITES; AND

5 (2) THE ANIMAL CONTROL ADMINISTRATOR MAY ISSUE A PUBLIC PRESS RELEASE.
6

7 **Sec. 17.312. - Animal Control Division.**

8 (e) *Administrator's Duties.* The Animal Control Administrator shall:

9 (1) Serve as Executive Secretary to the Animal Matters Hearing Board;

10 (2) Administer and enforce the animal control laws;

11 (3) Maintain records of microchip identification numbers cross-referenced to the
12 animal license files;

13 (4) Maintain records of rabies vaccinations cross-referenced to the animal license files;

14 (5) Administer the animal control facility;

15 (6) Supervise the Animal Control Officers and other employees of the Animal Control
16 Division;

17 (7) Adopt written regulations necessary to implement this subtitle; [[and]]

18 (8) PUBLICIZE THE REQUIREMENTS OF THIS SUBTITLE INCLUDING BUT NOT LIMITED
19 TO BREED-SPECIFIC REQUIREMENTS TO THOSE WHO ARE REQUIRED TO COMPLY WITH THIS
20 SUBTITLE; AND

21 (9) Perform such other functions as may be prescribed by directive of the County
22 Executive or by law.
23

24 **Sec. 17.318. - Civil penalties for violations.**

25 (g) *Fines for Violations of Certain Sections.* The amount of the civil penalty for a violation of
26 this subtitle is:

Code Section Violated	Amount of Fine	
17.301 and 17.306	First Offense	\$25.00
	Second Offense in 24-Month Period	50.00
	Third Offense in 24-Month Period	100.00
	Subsequent Offenses	250.00

17.302	First Offense	50.00
	Second Offense in 24-Month Period	100.00
	Third Offense in 24-Month Period	200.00
	Subsequent Offenses	200.00
17.303	\$250.00 to \$500.00; Board may waive fine if owner agrees to destruction of animal	
17.304 and 17.305	First Offense	100.00
	Second Offense in 24-Month Period	150.00
	Third Offense in 24-Month Period	300.00
	Subsequent Offenses	500.00
17.305A, AND 17.305B, AND 17.306	FIRST OFFENSE	100.00
	SECOND OFFENSE IN A 24-MONTH PERIOD	150.00
	THIRD OFFENSE IN A 24-MONTH PERIOD	300.00
	SUBSEQUENT OFFENSES	500.00
17.307	First Offense	100.00
	Second Offense in 24-Month Period	150.00
	Third Offense in 24-Month Period	300.00
	Subsequent Offenses	500.00
17.311(d)(2)		100.00
17.315	First Offense	100.00
	Second Offense in 24-Month Period	150.00
	Third Offense in 24-Month Period	300.00
	Subsequent Offenses	500.00
17.316	First Offense	25.00

	Second Offense in 24-Month Period	50.00
	Third Offense in 24-Month Period	100.00
	Subsequent Offenses	200.00
17.317		300.00

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4 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland, that
5 *this Act shall become effective 61 days after its enactment.*