

FINAL

AMENDED
June 4, 2018

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2018, Legislative Day No. 13

Bill No. 50-18

Introduced by Mr. Grasso

By the County Council, May 7, 2018

Introduced and first read on May 7, 2018
Public Hearing set for and held on June 4, 2018
Public Hearing on AMENDED bill set for and held on June 18, 2018
Bill Expires August 10, 2018

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Animal Control – Dogs Outdoors – Shelters – Tethering

2
3 FOR the purpose of adding a definition of ~~“reasonable period”~~ “supervised”; prohibiting
4 the tethering of dogs outdoors; amending the shelter requirements for dogs kept
5 outdoors; adding enclosed area and shade requirements for kept dogs outdoors; limiting
6 the scope and applicability of the standards for animals outdoors; and generally relating
7 to animal control.

8
9 BY renumbering: § 12-4-101(41) (43) through (46) to be 12-4-101(42) (44) though (47)
10 Anne Arundel County Code (2005, as amended)

11
12 BY repealing ~~and reenacting, with amendments:~~ § 12-4-801(a), (b), and (c)
13 Anne Arundel County Code (2005, as amended)

14
15 BY adding: §§ 12-4-101(41) (43); and 12-4-801(a), (b), (c), and (f)
16 Anne Arundel County Code (2005, as amended)

17
18 ~~SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland,~~
19 ~~That § 12-4-101(41) through (46), respectively, of the Anne Arundel County Code (2005,~~
20 ~~as amended) is hereby renumbered to be § 12-4-101(42) though (47), respectively.~~

21
22 ~~SECTION 2. And be it further enacted, That Section(s) of the Anne Arundel County~~
23 ~~Code (2005, as amended) read as follows:~~

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland,
2 That § 12-4-801(a), (b), and (c) of the Anne Arundel Code (2005, as amended) is hereby
3 repealed.

4
5 SECTION 2. And be it further enacted, That § 12-4-101(43) through (46), respectively,
6 of the Anne Arundel County Code (2005, as amended) is hereby renumbered to be § 12-4-
7 101(44) though (47), respectively.

8
9 SECTION 3. And be it further enacted, That Section(s) of the Anne Arundel County
10 Code (2005, as amended) read as follows:

11
12 **ARTICLE 12. PUBLIC SAFETY**

13
14 **TITLE 4. ANIMAL CONTROL**

15
16 **12-4-101. Definitions.**

17
18 In this title, the following words have the meanings indicated:

19
20 (41) ~~“REASONABLE PERIOD” MEANS A PERIOD OF TIME NOT TO EXCEED THREE HOURS~~
21 ~~IN A 24 HOUR PERIOD, OR A TIME THAT IS OTHERWISE APPROVED BY THE AGENCY.~~

22
23 (43) “SUPERVISED” MEANS IN DIRECT OBSERVATION OF AN OWNER.

24
25 **12-4-801. Animals outdoors.**

26
27 ~~{(c)}(A) **Tethering of dogs prohibited; exceptions.** [If a chain, rope, or line is used to~~
28 ~~tie a dog, the chain, rope, or line shall be of sufficient length to allow the dog to exercise,~~
29 ~~at least 10 feet long, and affixed so that the dog will not be endangered.] AN OWNER MAY~~
30 ~~NOT TETHER, FASTEN, CHAIN, TIE, OR RESTRAIN A DOG, OR CAUSE A DOG TO BE TETHERED,~~
31 ~~FASTENED, CHAINED, TIED, OR RESTRAINED, TO A SHELTER, TREE, FENCE, OR ANY OTHER~~
32 ~~STATIONARY OBJECT, EXCEPT THAT A DOG MAY BE TETHERED, FASTENED, CHAINED, OR~~
33 ~~TIED TO ALLOW AN OWNER TO COMPLETE A TEMPORARY TASK THAT REQUIRES THE DOG~~
34 ~~TO BE RESTRAINED FOR A REASONABLE PERIOD. A DOG MAY NOT BE TETHERED,~~
35 ~~FASTENED, CHAINED, OR TIED OUTDOORS BY ANY MEANS IF THE OUTDOOR~~
36 ~~TEMPERATURE IS 32 DEGREES FAHRENHEIT OR LOWER OR 90 DEGREES FAHRENHEIT OR~~
37 ~~HIGHER. THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT A PERSON FROM~~
38 ~~WALKING OR OTHERWISE HOLDING A DOG WITH A HAND HELD LEASH.~~

39
40 ~~{(a)}(B) **Shelter required for dogs outdoors.** For each dog confined [or tied] outdoors,~~
41 ~~an owner shall provide accessible shelter to protect the dog from the wind, snow, rain, heat,~~
42 ~~cold, and sunlight [that:], IN ACCORDANCE WITH THE FOLLOWING PROVISIONS.~~

43
44 ~~(1)[has] THE SHELTER SHALL HAVE a SOLID, LEVEL floor[,]RAISED AT LEAST TWO~~
45 ~~INCHES OFF THE GROUND, A WATERPROOF roof, and four SOLID walls, one of which~~
46 ~~contains [a doorway;]AN ENTRYWAY SIZED TO ALLOW THE DOG EASE OF ENTRY.~~
47 ~~INTERIOR SURFACES MAY NOT BE METAL. BETWEEN DECEMBER 1 AND MARCH 15, THE~~
48 ~~ENTRYWAY SHALL BE COVERED TO PROTECT THE DOG FROM COLD TEMPERATURES AND~~
49 ~~INCLEMENT WEATHER AND INSTALLED SO AS TO ALLOW MOVEMENT IN AND OUT OF THE~~
50 ~~SHELTER.~~

1 ~~(2) [is] THE SHELTER SHALL BE of sufficient size to allow [its occupant] EACH DOG~~
2 ~~to stand up, lie down, and turn around without touching the sides or top[; and].~~

3
4 ~~(3) [is equipped with a resting board or other bedding] THE SHELTER SHALL BE~~
5 ~~EQUIPPED WITH BEDDING MADE OF NONABSORBENT MATERIAL AND PROVIDED IN~~
6 ~~SUFFICIENT QUANTITY FOR INSULATION AGAINST COLD AND MOISTURE. BEDDING SHALL~~
7 ~~BE KEPT DRY.~~

8
9 ~~[(b)] (4) The [dog] shelter and surrounding areas shall be kept clean and sanitary.~~
10 ~~Garbage, junk, fecal matter, or similar matter may not be placed or allowed to remain in~~
11 ~~the shelter or surrounding areas.~~

12
13 ~~(C) **Additional area required for dogs outdoors.** FOR EACH DOG CONFINED~~
14 ~~OUTDOORS, AN OWNER SHALL PROVIDE A SECURELY FENCED AREA OR ENCLOSED RUN~~
15 ~~OF AT LEAST 100 SQUARE FEET THAT IS DIRECTLY ACCESSIBLE FROM THE SHELTER~~
16 ~~REQUIRED UNDER SUBSECTION (B). BETWEEN MAY 1 AND SEPTEMBER 15, A PORTION OF~~
17 ~~THE ENCLOSED AREA SHALL BE SHADED TO PROTECT THE DOG FROM HOT~~
18 ~~TEMPERATURES AND INCLEMENT WEATHER.~~

19
20 (A) Tethering of dogs prohibited; exceptions. AN OWNER MAY NOT TETHER, FASTEN,
21 CHAIN, TIE, OR RESTRAIN A DOG, TO A SHELTER, TREE, FENCE, OR ANY OTHER
22 STATIONARY OBJECT, EXCEPT THAT, WHILE SUPERVISED, A DOG MAY BE TETHERED,
23 FASTENED, CHAINED, OR TIED TO ALLOW AN OWNER TO COMPLETE A TEMPORARY TASK
24 THAT REQUIRES THE DOG TO BE RESTRAINED OR TO ALLOW THE ANIMAL TO ELIMINATE
25 OR EXERCISE. AN OWNER MAY NOT CAUSE, PROCURE, OR AUTHORIZE AN ACT PROHIBITED
26 UNDER THIS SUBSECTION. A DOG MAY NOT BE TETHERED, FASTENED, CHAINED, OR TIED
27 OUTDOORS BY ANY MEANS IF THE OUTDOOR TEMPERATURE IS 32 DEGREES FAHRENHEIT
28 OR LOWER OR 90 DEGREES FAHRENHEIT OR HIGHER. THIS SUBSECTION MAY NOT BE
29 CONSTRUED TO PROHIBIT A PERSON FROM EXERCISING OR OTHERWISE HOLDING A DOG
30 WITH A LEASH. A PERSON MAY NOT TETHER OR CONNECT A DOG TO A CHAIN, ROPE, LINE,
31 OR SIMILAR RESTRAINT IN A MANNER THAT ENDANGERS THE HEALTH, SAFETY OR WELL
32 BEING OF THE DOG.

33
34 (B) Shelter and separate shade required for dogs outdoors. IN ACCORDANCE WITH
35 THE FOLLOWING PROVISIONS, FOR EACH DOG CONFINED OUTDOORS, AN OWNER SHALL
36 PROVIDE:

37
38 (1) A SOURCE OF NATURAL OR ARTIFICIAL SHADE SEPARATE FROM THE SHELTER
39 AND OF SUFFICIENT SIZE TO PROTECT THE ANIMAL FROM DIRECT SUNLIGHT AT ALL
40 TIMES; AND

41
42 (2) AN ACCESSIBLE SHELTER THAT SHALL:

43
44 (I) PROTECT THE DOG FROM THE WIND, SNOW, RAIN, HEAT, COLD, AND
45 SUNLIGHT;

46
47 (II) HAVE A SOLID AND LEVEL FLOOR;

48
49 (III) BE RAISED AT LEAST TWO INCHES OFF THE GROUND;

50
51 (IV) HAVE A WATERPROOF ROOF AND FOUR SOLID WALLS, ONE OF WHICH
52 SHALL CONTAIN AN ENTRYWAY SIZED TO ALLOW THE DOG EASE OF ENTRY;

53
54 (V) BE CONSTRUCTED OF WEATHER RESISTANT MATERIAL, EXCEPT THAT
55 INTERIOR SURFACES MAY NOT BE METAL;

1 (VI) BETWEEN DECEMBER 1 AND MARCH 15, HAVE AN ENTRYWAY COVERED TO
2 PROTECT THE DOG FROM COLD TEMPERATURES AND INCLEMENT WEATHER AND
3 INSTALLED SO AS TO ALLOW MOVEMENT IN AND OUT OF THE SHELTER OR BE OFFSET TO
4 ACT AS A WINDBREAK.

5
6 (VII) CONTAIN NO CRACKS OR OPENINGS OTHER THAN THE ENTRANCE;

7
8 (VIII) BE OF SUFFICIENT SIZE TO ALLOW EACH DOG TO STAND UP, LIE DOWN,
9 AND TURN AROUND WITHOUT TOUCHING THE SIDES OR TOP;

10
11 (IX) BE EQUIPPED WITH BEDDING MADE OF NON-ABSORBENT MATERIAL AND
12 PROVIDED IN SUFFICIENT QUANTITY FOR INSULATION AGAINST COLD AND MOISTURE;
13 AND

14
15 (X) ALONG WITH SURROUNDING AREAS, BE KEPT CLEAN, SANITARY, AND FREE
16 OF GARBAGE, JUNK, FECAL MATTER, OR SIMILAR MATTER AT ALL TIMES.

17
18 **(C) Additional area required for dogs outdoors.** THIS SUBSECTION DOES NOT APPLY
19 TO ANY PEN, RUN, OR ENCLOSURE CONSTRUCTED UNDER A POTENTIALLY DANGEROUS
20 ORDER OR DANGEROUS ORDER ISSUED PRIOR TO THE EFFECTIVE DATE OF BILL NO. 50-18.
21 IN ADDITION TO THE SHELTER AND SEPARATE SHADE REQUIREMENTS OF THIS SECTION,
22 FOR EACH DOG CONFINED OUTDOORS WITHIN AN OUTDOOR ENCLOSURE, PEN, OR
23 ENCLOSED RUN, AN OWNER SHALL PROVIDE ADEQUATE SPACE FOR EXERCISE
24 CONSISTENT WITH THE FOLLOWING REQUIREMENTS.

25
26 (1) DOGS LESS THAN 80 POUNDS SHALL HAVE A MINIMUM OF A 10 FOOT BY 10 FOOT
27 ENCLOSURE, OR 100 SQUARE FEET OF SPACE.

28
29 (2) DOGS 80 POUNDS OR MORE SHALL HAVE A MINIMUM OF A 10 FOOT BY 15 FOOT
30 ENCLOSURE, OR 150 SQUARE FEET OF SPACE.

31
32 (3) AN ADDITIONAL 50 SQUARE FEET OF SPACE SHALL BE ADDED FOR EACH
33 ADDITIONAL DOG LESS THAN 80 POUNDS TO BE KEPT IN THE ENCLOSURE OR PEN.

34
35 (4) AN ADDITIONAL 75 SQUARE FEET OF SPACE SHALL BE ADDED FOR EACH
36 ADDITIONAL DOG 80 POUNDS OR MORE TO BE KEPT IN THE ENCLOSURE OR PEN.

37
38 (5) THE ENCLOSURE, RUN, OR PEN AND THE SURROUNDING AREAS SHALL BE KEPT
39 CLEAN, SANITARY, AND FREE FROM ANY GARBAGE, JUNK, FECAL MATTER, OR SIMILAR
40 MATTER.

41
42 **(F) Scope; applicability.** THE REQUIREMENTS OF THIS SECTION MAY NOT SUPERSEDE
43 THE REQUIREMENTS OF COMMERCIAL ANIMAL CARE AND SHELTER SET FORTH IN §§ 12-4-
44 803 THROUGH 12-4-805.

45
46 ~~SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days~~
47 ~~from the date it becomes law.~~

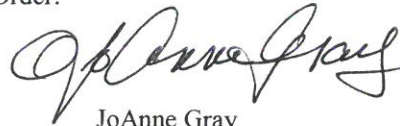
48
49 SECTION 4. *And be it further enacted,* That all references in this Ordinance to “the
50 effective date of Bill No. 50-18”, or words to that effect, shall, upon codification, be
51 replaced with the actual date on which this Ordinance takes effect under Section 307 of the
52 County Charter as certified by the Administrative Officer to the County Council.

53
54 SECTION 5. *And be it further enacted,* That this Ordinance shall take effect 45 days
55 from the date it becomes law.

AMENDMENTS ADOPTED: June 4, 2018

READ AND PASSED this 18th day of June, 2018

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 19th day of June, 2018



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 20th day of June, 2018



Steven R. Schuh
County Executive

EFFECTIVE DATE: **AUG 4 2018**

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
50-10 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer