

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2018, Legislative Day No. _____

Bill No. _____-18

Councilmembers Quirk & Marks

By the County Council, March 19, 2018

A BILL
ENTITLED

AN ACT concerning

Animal Welfare

FOR the purpose of adding a definition to the Animal Welfare laws; requiring that an animal that is not kept inside a home or building be brought indoors under certain conditions; specifying the type of outdoor shelter that must be provided for an animal that is not kept within a home, including the space available to the animal, the cleanliness and maintenance of the shelter, and its ventilation; prohibiting the use of certain types of structures as animal shelters; and generally relating to the Animal Welfare laws by requiring certain care and shelter of animals that are not kept in a home or building.

BY adding
Section 12-1-101(b)
Article 12 – Animals
Title 1 – In General
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 renumbering
Section 12-1-101(b) through (cc) to be
12-1-101(c) through (dd)
Article 12 – Animals
Title 1 – In General
Baltimore County Code 2015

BY repealing and re-enacting, with amendments
Section 12-3-111(c)
Article 12 – Animals
Title 3 – Animal Welfare
Baltimore County Code 2015

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

§12-1-101. Definitions.

(B) “ADVERSE ENVIRONMENTAL CONDITIONS” MEANS (1) THE AMBIENT TEMPERATURE IS 32 DEGREES FAHRENHEIT OR BELOW IN THE IMMEDIATE VICINITY OF AN ANIMAL, OR THERE ARE OTHER COLD WEATHER OR PRECIPITATION-RELATED ENVIRONMENTAL CONDITIONS, INCLUDING, BUT NOT LIMITED TO, WIND, RAIN, SNOW, ICE, SLEET, OR HAIL THAT A PERSON SHOULD REASONABLY KNOW WOULD POSE AN ADVERSE RISK TO THE HEALTH OR SAFETY OF AN ANIMAL, BASED ON THE ANIMAL’S SIZE, AGE, PHYSICAL CONDITION, OR THICKNESS OF THE ANIMAL’S HAIR OR FUR; OR (2) THE AMBIENT TEMPERATURE IS 90 DEGREES FAHRENHEIT OR ABOVE IN THE IMMEDIATE VICINTIY OF AN ANIMAL, OR THE ANIMAL IS EXPOSED TO DIRECT SUNLIGHT, OR HOT PAVEMENT, OR ANY OTHER HOT SURFACE THAT A PERSON SHOULD REASONABLY KNOW WOULD POSE AN ADVERSE RISK TO THE HEALTH OR SAFETY OF THE ANIMAL,

BASED ON THE ANIMAL'S SIZE, AGE, PHYSICAL CONDITION, OR THICKNESS OF THE ANIMAL'S HAIR OR FUR; OR (3) THE NATIONAL WEATHER SERVICE ISSUES A SEVERE WEATHER ALERT.

§12-3-111. Collars and Shelters.

(c) Required shelter.

(1) AN ANIMAL SHALL BE BROUGHT INSIDE A HOME OR BUILDING WITHIN 30 MINUTES OF THE ONSET OF AND DURING ADVERSE ENVIRONMENTAL CONDITIONS, UNLESS THE ANIMAL HAS CONTINUOUS ACCESS TO SUITABLE SHELTER.

~~[(1)]~~ (2) The owner of an animal that is not kept within a home or building shall provide the animal with a suitable shelter to protect it from ~~[the]~~ wind, snow, rain, cold, ~~[and]~~ sunlight, AND ADVERSE ENVIRONMENTAL CONDITIONS.

~~[(2)]~~ (3) The shelter shall have a floor, a roof, and four walls, one of which shall contain a doorway.

(4) THE SPACE AVAILABLE TO THE ANIMAL IN THE SHELTER SHALL BE MAINTAINED IN A SAFE AND HEALTHFUL MANNER, FREE OF STANDING WATER, ACCUMULATED WASTE AND DEBRIS, PROTECTED FROM FLOODING, AND PROVIDED WITH ADEQUATE VENTILATION TO ALLOW THE ANIMAL TO REMAIN DRY AND MAINTAIN A NORMAL BODY TEMPERATURE AND EXPOSURE TO NATURAL OR ARTIFICIAL LIGHT.

(5) THE SHELTER PROVIDED TO AN ANIMAL MAY NOT INCLUDE A

CRAWL SPACE UNDER OR INSIDE OF A BUILDING OR PART OF A BUILDING, THE SPACE UNDER OR INSIDE OF A VEHICLE, ANY STRUCTURE MADE FROM PRESSURE-TREATED WOOD WHICH CONTAINS THE CHEMICALS ARSENIC OR CHROMIUM, OR A FLOOR CONSISTING OF WIRE OR CHAIN-LINK, OR ANY STRUCTURE MADE FROM CARDBOARD OR OTHER MATERIALS THAT ARE EASILY DEGRADED BY THE ELEMENTS.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the affirmative vote of five members of the County Council, shall take effect on April 30, 2018.