

CHAPTER 6

ANIMAL CONTROL

Section 601.	Purpose & Incorporation of County Code.
Section 602.	Definitions.
Section 603.	Public Nuisance Animals.
Section 604.	Running at Large Prohibited.
Section 605.	Confinement of Vicious; Use of Muzzles.
Section 606.	Cruelty to Animals.
Section 607.	Raising or Keeping Certain Animals and Fowl Prohibited.
Section 608.	Commercial Breeding, Hospitalization or Boarding of Animals Prohibited.
Section 609.	Rabies Vaccination Required for Dogs and Cats.
Section 610.	Disposal of Animal Waste, Prohibited Areas.
Section 611.	Confinement of Female Animals in Heat.
Section 612.	Additional Dog Regulations.
Section 613.	Proclamation of Rabies Danger, Subsequent Action.
Section 614.	Disposition.
Section 615.	Violations and Penalties.

Section 601 Purpose and Incorporation of County Code [O-01-2014]

(A) The Town hereby incorporates by reference all provisions contained in the Prince George's County Animal Control Ordinance as it is amended from time to time. A violation of the Prince George's County Animal Control Ordinance by any person in the Town shall constitute a violation of this section.

(B) Notwithstanding the provisions of Subsection A of this section, in the event of a conflict between the County Animal Control Ordinance and this Chapter, the provisions of this Chapter shall prevail.

(C) The provisions of this section are not intended to displace or prevent the County from enforcing the provisions of its Animal Control Ordinance on properties located within the town. Furthermore, when authorized by the appropriate County official, Town personnel may enforce the provisions of the County Animal Control Ordinance.

(D) The purpose of this Chapter is to provide regulations concerning animals kept within the Town of Landover Hills so that such animals will not be or become a public nuisance.

Section 602 Definitions

As used in this Chapter, the following terms shall have the meanings indicated:

Animal at Large - An animal off the real property limits of its owner and not on a leash or under the immediate control of a person capable of restraining the animal.

Animal under Restraint - An animal secured by a leash or lead and under the control of a responsible person or confined within a vehicle or within the real property limits of its owner.

Domestic Animals - Includes but **is** not necessarily limited to, cats (Genus Felis Domestica), dogs, fowl, rabbits, guinea pigs, hamsters, gerbils, chinchillas, mice, rats, fish, birds and domesticated wild animals.

Fierce, Dangerous or Vicious Animal - Any animal which attacks without provocation attacks and threatens or causes bodily harm to a person.

Guard, Sentry or Attack Dog - A dog which will detect and warn its handler that an intruder is present in or near an area that is being secured or dog which is trained to attack with or without provocation.

Owner - Any person owning, keeping, harboring or acting as custodian of a domesticated animal or that person to whom an animal's identification tag is registered.

Pet -A domesticated animal kept for pleasure rather than utility. "Pets" include but are not limited to birds, cats, dogs, fish, hamsters, mice, reptiles and other animals associated with human environment.

Section 603 Public Nuisance Animals

(A) It shall be unlawful for any persons in the Town of Landover Hills to keep or maintain an animal so as to disturb the peace, comfort or health of any person or to cause or permit the animal to be a public nuisance or to cause or permit the animal to cause a public nuisance condition.

(B) Public nuisance animals are any animals which:

- (1) are repeatedly found at large;
- (2) damage, soil, defile or defecate on the property of anyone other than the owner of the animal;
- (3) are vicious;
- (4) cause fouling of the air by odors
- (5) cause unsanitary conditions of enclosures or surroundings
- (6) by virtue of numbers or type of animals maintained, are offensive or dangerous to the public health, safety or welfare;
- (7) excessively make disturbing noises including but not limited to continued and repeated howling, barking, whining or other utterances;
- (8) without provocation molest, attack or otherwise interfere with the freedom of movement of persons in a public right of way;
- (9) attack other domestic animals or pets;

(10) have been designated by the Town Council to be public nuisance animals by virtue of being a menace to the public health, welfare or safety; and/or

(11) chase vehicles in a public right of way.

Section 604 Running at Large Prohibited

(A) No owner or custodian of any animal shall allow or fail to prevent such animal from being at large within the Town. Any animal found at large or running at large is declared to be a nuisance and dangerous to the public health, safety and welfare.

(B) Any animal must be so controlled as to prevent it from molesting the person or property of any other person.

Section 605 Confinement of Vicious Animals; Use of Muzzles

It shall be unlawful for the owner of any fierce, dangerous or vicious animal, including dogs which have a history of unlawful biting of a human, not to confine such animal within a building or secure enclosure. Such animal shall not be taken out of such a building or secure enclosure unless securely muzzled.

Section 606 Cruelty to Animals

(A) It shall be unlawful for any person to willfully or maliciously strike, beat, abuse or intentional run down with a vehicle any animal, or otherwise engage in any act to cause or inflict unnecessary pain, injury, suffering or death to such animal; except that reasonable force may be used to drive away vicious or trespassing animals.

(B) No person, except a licensed veterinarian for humanitarian purposes, shall administer poison to any animal, or knowingly leave any poisonous substance of any kind or ground glass in any place that could injure any animal. The provisions of this section are not applicable to licensed exterminators using poisons as part of a pest control program or the use of commercial insecticides and rodent baits used to control insects and wild rodents.

(C) It shall be unlawful for any person to treat any animal or bird in a cruel manner either willfully or by neglect. It shall also be unlawful for any person to incite animals to fight or tease or harass animals.

Section 607 Raising or Keeping Certain Animals and Fowl Prohibited

It shall be unlawful for any persons to raise, maintain or keep domestic fowl, including pigeons, bees and beehives, livestock, or wild animals of any kind with the Town of Landover Hills.

For the purpose of this section "Livestock" shall include but not be limited to cows, sheep, goats, swine, mules, donkeys, horses or ponies.

Section 608 Commercial Breeding, Hospitalization or Boarding of Animals Prohibited

It shall be unlawful for any person to engage in the business of breeding, hospitalization and boarding of household pets or other animals in any residential area within the Town of Landover Hills.

Section 609 Rabies Vaccination Required for Cats and Dogs

It shall be unlawful for any person to own or harbor a dog or cat over the age of four (4) months without a valid rabies vaccination.

Section 610 Disposal of Animal Solid Waste: Prohibited Areas

It shall be unlawful for a person owning, keeping or having custody of an animal, except a “seeing eye dog”, to allow or permit solid waste of such animal to remain on the property of any other person without the consent of the owner or occupant thereof or on such public properties and public rights of way in the Town including sidewalks, streets, immediately adjoining areas to sidewalks and streets and any park or parkland.

Section 611 Confinement of Female Animal in Heat

Every female animal while in heat shall be kept confined in a building or secure enclosure by the owner in such a manner that she will not be in contact, except for intentional breeding purposes, with a male member of the same species nor create a nuisance by attracting other animals.

Section 612 Additional Dog Regulations

(A) License required. It shall be unlawful for any person to own or harbor within the Town of Landover Hills any dog or cat or other animal unless such animal is licensed as provided by the ordinances and regulations of Prince George’s County.

(B) Disturbing the peace. It shall be unlawful for any person to keep within the Town of Landover Hills a dog or other animal which shall, by barking, whining or howling or in any other manner, disturb the peace and quiet of any person or neighborhood.

(C) Attack Dogs. It shall be unlawful for any person to raise, maintain or keep within the residential areas of the Town of Landover Hills a dog which is being trained or has been trained as an attack dog, except that these provisions do not apply to a law enforcement officer of any State, County, Municipal or Local Government who, as a part of such officer’s job description, is engaged in the training of or working with dogs in any police-related function.

Section 613 Proclamation of Rabies Danger: Subsequent Action

Whenever the Town of Landover Hills shall determine that the health and safety of the people of the Town are endangered by reason of an animal with rabies having been or being in said Town, the Mayor shall forthwith issue a proclamation informing the people of the Town that their health and safety are endangered by reason of rabies. For thirty (30) days after issuance of the proclamation, it shall be the duty of the Police Officers of the Town of Landover Hills to

handle or dispose of any animal running at large in such a manner as the Officer or authorized person may deem proper.

Section 614 Disposition

(A) Disposition of animals. An animal found at large shall be reported and/or delivered immediately to the Prince George's County Animal Control Facility.

(B) Reporting injuries. Any person who accidentally or otherwise strikes an animal with any motor vehicle and injures or kills the animal shall immediately notify the police department or the Town Administrator of the location of the accident.

Section 615 Violations and Penalties

Violation of any provision of this Chapter is a municipal infraction. The penalty for violations shall be fifty dollars (\$50.00) for an initial offense and seventy dollars (\$70.00) for any repeat offense.