

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2026, Legislative Day No. 8

Bill No. 30-26

Mr. Michael Ertel, Chair
By Request of County Executive
&
Councilmembers Jones, Marks, Patoka, Young & Crandell

By the County Council, April 6, 2026

A BILL
ENTITLED

AN ACT concerning

Animals – Board Authority and Expedited Hearings

FOR the purpose of authorizing the Animal Hearing Board to order an animal to remain in the custody of the County or in a foster home and to order certain stipulations; repealing a certain mandatory hold period; requiring an expedited hearing and decision; providing for certain exemptions from spay and neuter requirements; making certain technical changes; and generally relating to animals.

BY repealing and reenacting, with amendments

Sections 12-1-101, 12-1-102, 12-1-109, and 12-1-114
Article 12 – Animals
Title 1 – In General
Subtitle 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 repealing and reenacting, without amendments

Section 12-1-107
Article 12 – Animals
Title 1 – In General
Subtitle 1 – In General
Baltimore County Code, 2015

BY repealing and reenacting, with amendments

Sections 12-3-201 and 12-3-203
Article 12 – Animals
Title 3 – Animal Welfare
Subtitle 2 – General Prohibitions and Requirements
Baltimore County Code, 2015

BY repealing and reenacting, without amendments

Section 12-3-202
Article 12 – Animals
Title 3 – Animal Welfare
Subtitle 2 – General Prohibitions and Requirements
Baltimore County Code, 2015

Preamble

WHEREAS, most animal cruelty or neglect cases are not charged criminally by the Baltimore County State’s Attorney Office; and

WHEREAS, the Health Officer can order that an animal be surrendered to the custody of the Animal Services Division (“Division”) in these cases; and

WHEREAS, the Division holds and cares for the animal that has been surrendered until the animal is fostered or adopted; and

WHEREAS, the owner of the animal has the right to appeal the order of the Health Officer to surrender the animal to the Division; and

WHEREAS, when the owner appeals to the Animal Hearing Board and then appeals to the Baltimore County Board of Appeals, the Division is required by the County Code to continue to hold and care for the animal during this time; and

WHEREAS, the administrative appeals process involving the Animal Hearing Board and the Board of Appeals can be lengthy and last many months; and

WHEREAS, animals that are in the shelter during these months suffer stress from the shelter environment developing behavioral problems that make fostering pending adoption, and permanent adoption, more difficult; and

WHEREAS, the County bears the costs of the care of the animals in the shelter during the appeal process; and

WHEREAS, it is necessary to expedite the appeal process between a decision of the Animal Hearing Board and the Board of Appeals by requiring an expedited hearing and decision by the Board of Appeals in order to improve behavioral outcomes for the animal and preserve the resources of the Division and the County; and

WHEREAS, the current County Code requires the Division to hold an animal at the shelter rather than being fostered for 30 days plus the number of days that an owner has a right to appeal an order of the Health Officer; and

WHEREAS, repeal of this mandatory hold period within the shelter will have positive behavioral impacts on the animal when the animal could be fostered outside the shelter; now therefore

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

1 ARTICLE 12 – ANIMALS

2 Title 1 – In General

3 Subtitle 1 – In General

4
5 § 12-1-101. Definitions.

6 (a) In this article the following words have the meanings indicated.

7 [(a-1)] (B) “Adverse environmental conditions” means:

8 (1) An ambient temperature of 32 degrees Fahrenheit or below in the immediate
9 vicinity of an animal, in addition to other cold weather or precipitation-related environmental
10 conditions, including[, but not limited to,] wind, rain, snow, ice, sleet, or hail, that a person
11 should reasonably conclude would pose an adverse risk to the health or safety of an animal,

12 based on the animal’s size, age, physical condition, or thickness of the animal’s hair or fur; or

13 (2) An ambient temperature of 90 degrees Fahrenheit or above in the immediate
14 vicinity of an animal, in addition to other environmental conditions, such as direct sunlight, or
15 hot pavement, or any other hot surface, that a person should reasonably conclude would pose an
16 adverse risk to the health or safety of an animal, based on the animal’s size, age, physical
17 condition, or thickness of the animal’s hair or fur; or

18 (3) The National Weather Service issues a severe weather alert, and the
19 forecasted weather is such that a person should reasonably conclude that the weather would pose
20 an adverse risk to the health or safety of an animal, based on the animal’s size, age, physical
21 condition, or thickness of the animal’s hair or fur.

22 [(b)] (C) “Animal” means any living, nonhuman, vertebrate creature.

1 [(c)] (D) (1) [(i)] “Animal at large” means any animal off the premises of its owner
2 and not under the control, charge, or possession of the owner or other responsible person.

3 [(ii)] (2) “Animal at large” includes any dog off the premises of its owner
4 and not under the control of the owner or other responsible person by a leash, cord, or chain.

5 [(2)] (3) “Animal at large” does not include:

6 (i) A dog on the premises of another property owner with the permission
7 of the property owner or lessee;

8 (ii) A dog being used for hunting or being trained for hunting except
9 within a county owned or Board of Education property;

10 (iii) A feral cat with an eartip; or

11 (iv) A dog authorized to be within the fenced area of a designated
12 Baltimore County dog park operated by the Animal Services Division, the Department of
13 Recreation and Parks or any other person authorized by the county.

14 [(d)] (E) (1) “Animal control officer” means the Baltimore County employee designated
15 and supervised by the Health Officer to perform the duties described in this article.

16 (2) “Animal control officer” includes an authorized representative of the animal
17 control officer.

18 [(e)] (F) “Animal Hearing Board” means the Board established under Article 3, Title 3,
19 Subtitle 4 of the Code for the purpose of hearing cases resulting from the enforcement of this
20 article by the Health Officer.

21 [(f)] (G) “Animal Services Division” OR “DIVISION” means the division of the Health
22 Department charged with enforcing the provisions of this article.

1 [(g)] (H) “Animal shelter” means any facility owned or operated by the county or by a
2 person under contract with the county for the care, confinement, adoption, euthanasia, or
3 detention of animals in accordance with the authority of this article or state law.

4 [(h)] (I) “Bite contact” has the meaning stated in COMAR 10.06.02.02.

5 [(i)] (J) (1) “Commercial kennel” means an animal boarding place or other establishment
6 for:

7 (i) The commercial breeding of dogs or cats; or

8 (ii) The boarding, grooming, sale, or training of dogs or cats for which a
9 fee is charged.

10 (2) “Commercial kennel” does not include a:

11 (i) Veterinary hospital; or

12 (ii) Fancier kennel or cattery.

13 [(j)] (K) “Commercial stable” means a facility that:

14 (1) With or without charge, provides;

15 (i) Riding instruction on horses, ponies, donkeys, mules, or burros; or

16 (ii) Boarding for horses, ponies, donkeys, mules, or burros;

17 (2) Offers horses, ponies, donkeys, mules, or burros for hire; or

18 (3) Is engaged in the business of buying, selling, or trading horses, ponies,
19 donkeys, mules, or burros.

20 [(k)] (L) “Custodian” has the meaning stated in COMAR 10.06.02.02.

21 [(l)] (M) (1) [(i)] “Domestic animal” means an animal that is accustomed to live in or
22 about the habitation of humans.

1 [(ii)] (2) “Domestic animal” includes cats, dogs, cows, fowl, ferrets, horses, or
2 swine.

3 [(2)] (3) “Domestic animal” does not include a wild animal or a feral cat with an
4 eartip.

5 [(l-1)] (N) (1) [Eartip] “EARTIP” means a mark identifying a feral cat as being in a TNR
6 Program, specifically, the removal of approximately 1/4 of an inch off the tip of the feral cat’s
7 ear in a straight line, while the feral cat is anesthetized.

8 (2) [An eartip] ‘EARTIP” does not serve as proof of a current rabies vaccination.

9 [(m)] (O) “Fancier” means a person who owns or keeps more than [three] 3 dogs or cats
10 for noncommercial purposes, including hunting, practice tracking, or exhibition in dog or cat
11 shows or field or obedience trials.

12 [(n)] (P) “Fancier kennel or cattery” means a kennel or cattery maintained by a fancier
13 for the maintenance or training of the dog or cat owned or kept by the fancier.

14 [(o)] (Q) [Feral dog or cat] “FERAL DOG OR CAT” has the meaning stated in COMAR
15 10.06.02.02.

16 [(o-1)] (R) [Feral Cat Caregiver] “FERAL CAT CAREGIVER” means a person or group
17 who, in accordance with program guidelines established by the County:

18 (1) Acts to trap, sterilize, vaccinate, and return a feral cat, or

19 (2) Provide volunteer care, such as food, shelter, or medical care, to a feral cat.

20 [(p)] (S) “Grooming parlor” means a commercial establishment, whether stationary or
21 mobile, where animals are bathed, clipped, or otherwise groomed.

22 [(q)] (T) “Health Officer” means the County Health Officer or the Health Officer’s
23 designee.

1 [(x)] (AA) (1) “Pet shop” means a person or establishment that sells or offers to sell
2 animals, whether as owner, agent, or on consignment, to the general public.

3 (2) “Pet shop” does not include a horse farm licensed by the state.

4 [(y)] (BB) “Protection-trained dog” means a dog that has received or been the subject of
5 protection training.

6 [(z)] (CC) “Protection training” means a method of training through the use of agitation,
7 sleeve, or wrap.

8 [(aa)] (DD) “Research institute” has the meaning stated in § 101 of the Baltimore County
9 Zoning Regulations.

10 [(bb)] (EE) “Trap-Neuter-Return” or “TNR” means a nonlethal approach to feral cat
11 population control where feral cats are humanely trapped, sterilized, and vaccinated, given an
12 eartip and then returned to the area where they were originally trapped or other location deemed
13 suitable by the Health Officer or their designee.

14 [(cc)] (FF) “Veterinary hospital” means an establishment maintained or operated by a
15 veterinarian for immunization, hospitalization, surgery, or diagnosis, prevention, and treatment
16 of disease and injuries of animals.

17 [(dd)] (GG) (1) “Wild animal” means any animal of a species that in the natural life of
18 the species is wild, dangerous, or ferocious.

19 (2) “Wild animal” includes an animal trained or domesticated by the owner that
20 remains dangerous to the general public.

21
22 § 12-1-102. Scope and exemption.

1 (A) IN THIS SECTION, "FARM ANIMAL" MEANS AN ANIMAL BEING
2 MAINTAINED FOR THE PRODUCTION OF FOOD, FOOD PRODUCTS, AND FIBER.

3 [(a)] (B) Except as provided in subsection [(b)] (C) of this section, this article applies to
4 a person who owns, leases, harbors, shelters, or controls an animal in the county, whether the
5 person is a resident of the county or not.

6 [(b) (1) In this subsection, "farm animal" means an animal being maintained for the
7 production of food, food products, and fiber.

8 (2) (C) This article does not apply to farm animals except as provided in §§ [12-
9 3-103] 12-3-301 and 12-3-208 of this Article regarding cruelty to animals.

10
11 § 12-1-107. Enforcement.

12 (a) Except as provided in this article, the Health Officer shall enforce the provisions of
13 this article.

14 (b) In the interests of public safety, health, and general welfare and to interpret,
15 implement, and further the intent of this article, the Health Officer may adopt rules and
16 regulations and create, prepare, and implement any procedures the Health Officer considers
17 appropriate and necessary.

18 (c) The Health Officer shall issue all notices and orders necessary and appropriate to
19 ensure compliance with this article.

20 (d) (1) The Health Officer may enforce an animal control law or protect the health or
21 safety of a person, an animal, or the public by impounding an animal at an animal shelter.

22 (2) The Animal Hearing Board may order an animal impounded under paragraph
23 (1) of this subsection.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

§ 12-1-109. Surrender of an animal.

(a) [The] WHEN A VIOLATION UNDER TITLE 3, SUBTITLE 3 OF THE CODE IS SUBSTANTIATED OR FOR REPEATED VIOLATIONS OF THIS ARTICLE, THE Animal Hearing Board may order an animal [removed from the county or surrendered to the Animal Services Division]:

(1) [When cruelty to an animal is substantiated; and] REMOVED FROM THE COUNTY;

(2) [For repeated violations of this article.] SURRENDERED TO THE ANIMAL SERVICES DIVISION;

(3) TO REMAIN IN THE CUSTODY OF THE DIVISION PENDING THE OUTCOME OF A RELATED CRIMINAL MATTER; OR

(4) TO BE RETURNED TO THE OWNER WITH STIPULATIONS AS DETERMINED BY THE ANIMAL HEARING BOARD.

(b) (1) If an owner fails to comply with an order issued under subsection (a) of this section within 5 business days after notification, the Health Officer may initiate an action to obtain a court order authorizing the Animal Services Division to execute the order.

(2) IF THE OWNER FAILS TO COMPLY WITH THE STIPULATIONS UNDER PARAGRAPH (4) OF SUBSECTION (A) OF THIS SECTION, THE ANIMAL HEARING BOARD MAY ORDER THE ANIMAL IMPOUNDED AS AUTHORIZED UNDER PARAGRAPHS (1) THROUGH (3) OF SUBSECTION (A) OF THIS SECTION.

[(c) Subject to Subtitle 2 of this title, an animal surrendered to the Animal Services Division shall remain at the animal shelter:

1 (1) For a minimum of 30 days; and

2 (2) Until expiration of the appeal rights of the animal's owner.]

3
4 § 12-1-114. Appeal to the board of appeals.

5 (a) [In accordance with § 3-5-104 of the Code, a violator may appeal a decision of the
6 Animal Hearing Board under this article to the Board of Appeals.] SUBJECT TO TITLE 1,
7 SUBTITLE 2 OF THIS ARTICLE, WITHIN 10 DAYS AFTER A DECISION OR ORDER OF
8 THE ANIMAL HEARING BOARD, AN OWNER WHO IS AGGRIEVED BY THE
9 DECISION OR ORDER OF THE ANIMAL HEARING BOARD MAY APPEAL THE
10 DECISION OR ORDER TO THE BOARD OF APPEALS.

11 (b) The Board of Appeals may not hear an appeal unless each of the procedural
12 requirements of this section is satisfied.

13 (c) (1) The violator shall file the written notice of appeal and petition with the
14 Animal Hearing Board.

15 (2) The Animal Hearing Board shall forward the file to the Board of Appeals.

16 (d) The violator shall file a petition with the notice of appeal setting forth with
17 reasonable particularity the grounds for the appeal, including:

18 (1) The error committed by the Animal Hearing Board;

19 (2) The relief sought; and

20 (3) The reasons why the relief sought should be granted.

21 (e) (1) A filing fee established by the County Administrative Officer shall
22 accompany the notice of appeal and petition.

23 (2) The violator shall pay any costs required under Subtitle 2 of this title.

1 (f) (1) The hearing before the Board of Appeals shall be limited to the record created
2 before the Animal Hearing Board, which shall include:

3 (i) The recording of the testimony presented to the Animal Hearing
4 Board;

5 (ii) All exhibits and other papers filed with the Animal Hearing Board;
6 and

7 (iii) The written findings of the Animal Hearing Board.

8 (2) If the violator requests a transcription of the recording, the violator shall pay
9 the cost of the transcription.

10 (G) *EXPEDITED HEARING.*

11 (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF THE
12 VIOLATOR APPEALS AN ORDER OF THE ANIMAL HEARING BOARD UNDER § 12-1-
13 109(A)(2) OR (3) OF THIS TITLE, THE BOARD OF APPEALS SHALL HEAR THE CASE
14 WITHIN 14 CALENDAR DAYS OF RECEIVING THE RECORD UNDER SUBSECTION (F)
15 OF THIS SECTION.

16 (2) (I) THE APPEAL OF AN ORDER OF THE ANIMAL HEARING
17 BOARD UNDER § 12-1-109(A)(2) OR (3) OF THIS TITLE SHALL TAKE PRECEDENCE
18 OVER OTHER CASES OF THE BOARD OF APPEALS.

19 (II) THE BOARD OF APPEALS SHALL POSTPONE OTHER CASES,
20 IF NECESSARY, TO HEAR THE EXPEDITED CASE.

21 (3) THE BOARD OF APPEALS SHALL ISSUE A DECISION WITHIN 10
22 CALENDAR DAYS OF HEARING A CASE UNDER THIS SUBSECTION.

23 [(g)] (H) (1) The Board of Appeals may:

- 1 (i) Remand the case to the Animal Hearing Board;
- 2 (ii) Affirm the decision of the Animal Hearing Board; or
- 3 (iii) Reverse or modify the decision of the Animal Hearing Board if a
- 4 finding, conclusion, or decision of the Animal Hearing Board:

5 1. Exceeds the statutory authority or jurisdiction of the Animal

6 Hearing Board;

7 2. Results from an unlawful procedure;

8 3. Is affected by any other error of law;

9 4. Subject to paragraph (2) of this subsection, is unsupported by

10 competent, material, and substantial evidence in light of the entire record as submitted; or

11 5. Is arbitrary or capricious.

12 (2) The unavailability of a recording of the Animal Hearing Board hearing is not

13 grounds for reversal of the decision of the Animal Hearing Board.

14

15 Title 3 – Animal Welfare

16 Subtitle 2 – General Prohibitions and Requirements

17

18 § 12-3-201. Impoundment of stray animal or animal at large.

19 (a) (1) Within 72 hours after picking up a stray animal, a person who picks up a stray

20 animal shall turn the animal over to the Animal Services Division.

21 (2) While in possession of a stray animal, a person shall actively attempt to locate

22 the owner and reunite the animal.

23 (3) Efforts to locate the owner [shall] include:

1 (i) Checking the animal for a tag, tattoo, microchip, or other identification
2 to ascertain the owner;

3 (ii) Filing a found report within 24 hours of finding a stray animal with
4 the Animal Services Division that includes the finder's information, animal description, and the
5 date and location the animal was found; and

6 (iii) Publication on social media, flyers, or other public platforms.

7 [(3)] (4) Unless the stray animal is claimed by its owner, the person who turned
8 the stray animal in to the Animal Services Division may adopt the stray animal after the statutory
9 holding period.

10 (b) The Animal Services Division or the Health Officer may impound an animal at large
11 and take the animal to a county animal shelter.

12 (c) (1) [An] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
13 SUBSECTION, AN animal that is impounded under this section may not be placed or destroyed
14 until the animal has been carefully inspected for a tag, tattoo, microchip, or other identification to
15 ascertain the owner and:

16 (i) [Seventy-two] 72 hours have elapsed after notice has been given to the
17 owner;

18 (ii) If the owner cannot be notified, 72 hours have elapsed after the animal
19 was impounded; or

20 (iii) The Health Officer has determined that the animal is seriously
21 diseased or severely injured.

22 (2) The statutory holding period under [paragraph] SUBPARAGRAPHS (1)(i)
23 and (ii) of this subsection does not apply to an animal that is under 3 months of age.

1 (d) (1) The Animal Services Division shall make a reasonable effort to notify the
2 owner of the location of and the procedure for retrieving and redeeming the impounded animal.

3 (2) [The effort] EFFORTS to notify the owner [shall] include:

4 [(1)] (I) Publication via social media; [or]

5 [(2)] (II) Telephone; or

6 [(3)] (III) Email.

7
8 § 12-3-202. Temporary placement of animal.

9 (a) If the needs of the animal held under this article cannot be provided for by the
10 Animal Services Division or the Division determines that it would benefit the animal's health or
11 welfare to do so, the animal may be temporarily:

12 (1) Held at a humane organization;

13 (2) Placed with a foster custodian; or

14 (3) Housed at another location deemed appropriate by the Health Officer.

15 (b) Whenever an animal is being temporarily held at a location other than the Animal
16 Services Division as provided in this section, the Division may keep the location confidential if
17 the Division reasonably believes that disclosure of the location could result in harm to either the
18 animal or the temporary custodian.

19
20 § 12-3-203. Disposition of stray animal or animal at large.

21 (a) If the owner of an impounded animal seeks to redeem the animal, the Animal
22 Services Division [may] SHALL require the owner to:

23 (1) Provide proof of ownership satisfactory to the Division;

- 1 (2) Comply with the license provisions of this article;
- 2 (3) Pay any applicable redemption fees and boarding;
- 3 (4) Allow the Division to microchip the animal at the Division's expense; and
- 4 (5) Allow the Division to spay or neuter the animal at the Division's expense.

5 (B) *EXEMPTION FROM SPAY OR NEUTER REQUIREMENTS*. THE DIVISION
6 MAY EXEMPT AN ANIMAL FROM THE SPAY OR NEUTER REQUIREMENTS OF THIS
7 SECTION IF, UPON IMPOUNDMENT BY THE DIVISION:

- 8 (1) THE ANIMAL IS FOUND TO HAVE A MICROCHIP THAT IS
9 REGISTERED WITH THE OWNER'S INFORMATION;
- 10 (2) THE OWNER REDEEMS THE ANIMAL WITHIN THE 72 HOUR
11 HOLDING PERIOD; AND
- 12 (3) THE OWNER OF THE ANIMAL STATES ON A FORM OF THE
13 DIVISION AND UNDER OATH OR AFFIRMATION THAT THE ANIMAL IS A WORKING
14 DOG OR IS NECESSARY FOR BREEDING.

15 [(b)] (C) (1) At the end of any applicable statutory holding period, an unclaimed animal
16 is deemed abandoned and becomes the property of the county.

17 (2) (i) Except as provided in subparagraph (iii) of this paragraph, the Health
18 Officer may dispose of the animal only by euthanasia, rescue, or adoption.

19 (ii) The Health Officer shall maintain and keep accurate records of the
20 number of animals that are disposed of by euthanasia, rescue, and adoption each year.

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

23

1 SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been
2 passed by the affirmative vote of five members of the County Council, shall take effect
3 14 days after its enactment.