

MEMORANDUM

July 7, 2017

TO: County Council

FROM: Amanda Mihill, Legislative Attorney *A. Mihill*

SUBJECT: **Public Hearing:** Bill 21-17, Animal Control – Municipal Dog Exercise Area

Bill 21-17, Animal Control – Municipal Dog Exercise Area, sponsored by Lead Sponsor Councilmember Katz and Co-Sponsors Council President Berliner and Councilmembers Rice and Elrich, was introduced on June 20, 2017. A Public Safety Committee worksession is tentatively scheduled for July 17 at 9:30 a.m.

Bill 21-17 would allow a dog to be off leash if it is in an area that a municipality has identified as a dog exercise area and amend the definition of at-large animals.

This packet contains:

Bill 21-17

Legislative Request Report

Circle #

1

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Bill No. 21-17
Concerning: Animal Control – Municipal
Dog Exercise Area
Revised: 6/14/2017 Draft No. 1
Introduced: June 20, 2017
Expires: December 20, 2018
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Katz
Co-Sponsors: Council President Berliner and Councilmembers Rice and Elrich

AN ACT to:

- (1) allow a dog to be off leash if it is in an area that a municipality has identified as a dog exercise area;
- (2) amend the definition of at-large animals; and
- (3) generally amend the County's animal control law.

By amending

Montgomery County Code
Chapter 5, Animal Control
Section 5-101

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Section 5-101 is amended as follows:

5-101. Definitions.

In this Chapter, the following words and phrases have the following meanings:

* * *

At large: A dog, except a service animal, is at large if it is outside the owner's premises and not leashed, unless it is in a dog exercise area designated by either the Maryland-National Capital Park and Planning Commission, or a municipality, or is participating in a qualified activity. Any other animal is at large if it is outside the owner's premises and is not leashed or immediately responsive to verbal or non-verbal direction. For purposes of this Chapter or any other animal control law, the common area of a homeowners' association, condominium, or cooperative is not the owner's premises.

* * *

Approved:

Roger Berliner, President, County Council Date

Approved:

Isiah Leggett, County Executive Date

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council Date

LEGISLATIVE REQUEST REPORT

Bill 21-17

Animal Control – Municipal Dog Exercise Area

DESCRIPTION:	Bill 16-17 would allow a dog to be off leash if it is in an area that a municipality has identified as a dog exercise area.
PROBLEM:	Under current law, a dog is considered “at large” if it is outside the owners premises and not leashed, unless it is in a dog exercise area designated by M-NCPPC. Municipalities may want to designate dog exercise areas within their jurisdictions.
GOALS AND OBJECTIVES:	To allow a municipality to designate a dog exercise area.
COORDINATION:	Animal Control Division in the Department of Police.
FISCAL IMPACT:	To be requested.
ECONOMIC IMPACT:	To be requested.
EVALUATION:	To be requested.
EXPERIENCE ELSEWHERE:	To be researched.
SOURCE OF INFORMATION:	Amanda Mihill, Legislative Attorney, 240-777-7815
APPLICATION WITHIN MUNICIPALITIES:	Applies in municipalities
PENALTIES:	Enforcement procedures are specified in Article III of Chapter 5.