

BALTIMORE CITY HEALTH DEPARTMENT

OFFICE OF ANIMAL CONTROL
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REGULATIONS
OF
ACCEPTABLE STANDARDS
FOR
PROPER RESTRAINT OF ANIMALS

FEBRUARY 2012

REGULATIONS OF ACCEPTABLE STANDARDS FOR PROPER RESTRAINT OF ANIMALS

I. Authority: § 2-106; § 10-104; § 10-307; § 10-308; § 10-402; § 10-404; § 10-409 of the Baltimore City Health Code

II. General Restraints Required for Animals.

A. Animals Generally.

1. All animals must be kept:

- a) confined in a building or secure enclosure; or
- b) secured by a leash or otherwise.

2. The above requirements do not apply while the animal is:

- a) Participating in an off-leash activity approved by the Health Commissioner; or
- b) Is in an area and during the hours approved by the Director of Recreation and Parks for off-leash recreation.

B. Female Animals in Heat.

1. Every female animal in heat must be confined in a building or secure enclosure so that it cannot come into contact with a male animal, except if the owner has an animal fancier license.

C. Transportation of Animals.

1. See § 10-308 of the Baltimore City Health Code for improper restraints used when transporting animals.

D. General Restraints for Dogs and Cats.

1. All dogs or cats shall be leashed when off the premises of its owner or custodian and under the control of a person capable of handling the animal.

2. Unacceptable restraints for dogs and cats include:

- a) Shock collars
- b) Voice and audible commands
- c) Visual commands.

III. Proper restraints for dogs.

A. Fences in General.

1. Fences shall:

- a) be of sufficient height that the dog cannot put its muzzle over the top and the dog cannot jump over.
- b) be constructed as to effectively contain the dog on the real property.
- c) be in compliance with state and local laws, ordinances, rules and regulations now in effect and hereafter adopted.
- d) be free from defect, decay, or damage and kept in good condition and repair.
- e) be free from protruding nails or other sharp edges that might cause injury.

B. Electronic Fence Exemption.

1. Definition of "electronic fence": An electronic fence is a fence that controls the movement of a dog by emitting an electrical shock through an electric collar worn by the dog when the dog nears the boundary of the property around which the fence is located.

2. Filing of Application for Exemption.

a) An application for an exemption must be filed with the Office of Animal Control by the dog owner/custodian (applicant) and, if the applicant is not the owner of the property, the property owner or with the written consent of the property owner.

b) The application must be filed in the form the Health Commissioner requires.

3. Contents.

a) The application must:

(1) Be accompanied by the site plan for the electronic fence, including the property lines, dimensions and existing structures.

(2) Include a written statement by the applicant, with adequate supporting evidence, showing how the applicant will conform to the following standards:

(a) The fence shall be installed in such a way that the dog confined shall not come within ten (10) feet of any public footpaths, walkways, allies or streets.

(b) The fence shall not be installed closer than two (2) feet from an adjacent property.

(3) Provide proof that the animal is neutered or spayed.

(4) Include a statement by the applicant that the applicant:

(a) understands that approval of the fence in no way relieves the applicant of responsibility for control of his/her dog and any damages caused by his/her dog; and

(b) continues to accept responsibility for the dog and its actions, including any damages to the dog, the applicant, and third parties resulting from the applicant's dog, and the use of an electronic fence to contain the dog.

4. Posting of Property.

a) Applicant's property must be posted for ten (10) consecutive days immediately upon the filing of the application for an exemption.

b) Sign Placement.

(1) The posted sign must be placed in a conspicuous area, not over ten (10) feet above the ground and clearly visible and legible to the public

(2) The posted sign shall not be less than four (4) feet long and three (3) feet high with black block lettering not less than two (2) inches high on a white background.

c) Content.

(1) The sign must state the applicant has requested an exemption from the Health Commissioner to install and maintain an electronic fence and specify the species of dog the fence is to confine.

5. Approval or Denial of Application for Exemption.

(1) The Office of Animal Control shall approve or deny a completed application within 30 days after the submission of the application.

(2) The Office of Animal Control will provide a written explanation of the reason(s) for denial of an application.

(3) Should the applicant be aggrieved by the denial of the application, an administrative hearing may be requested pursuant to § 10-1004(B) of the Baltimore City Health Code.

6. Requirements after Approval of Electric Fence.

a) Should the application be approved:

(1) The applicant is responsible for ensuring that the fence effectively contains the animal on the property.

(2) The applicant of the animal shall clearly post his/her property to indicate to the public that an animal is confined to the property by an electronic fence or electronic collar.

(3) An applicant's failure to comply with this regulation may lead to a revocation of the exemption granted and citations for improper dog restraints.

7. Leashes.

a) Leashes shall:

(1) be no longer than 8 feet in overall length.

(2) be well constructed and of appropriate weight with sufficient strength to restrain the animal

(3) be attached to a properly fitted harness or collar.

8. Tethers.

a) Tethers shall:

(1) have swivels at both ends to prevent kinking and knotting;

- (2) weigh less than 1/8th of the dog's body weight;
- (3) be properly positioned to prevent the tether from becoming entangled in or around objects;
- (4) not unreasonably limit a dog's movement;
- (5) not restrict the dog's access to suitable and sufficient food, clean water, and appropriate shelter;
- (6) be properly positioned to prevent the dog from reaching or climbing a fence to avoid strangulation;
- (7) permit the dog to defecate or urinate in an area separate from the area where it must eat, drink, or lie down;
- (8) be in a safe and sanitary condition; and
- (9) not cause injury, stress, or demonstrable socialization problems

9. Pens and Cages are as adopted under the regulations entitled, Acceptable Standards For Proper Animal Care.

IV. Proper restraints for cats.

A. Fences.

1. Fences shall:

- a) be constructed as to effectively contain the cat on the real property.
- b) be in compliance with all state and local laws, ordinances, rules and regulations now in effect and hereafter adopted.
- c) be free from all defect, decay, or damage and kept in good condition and repair.
- d) be kept free of nails or other sharp edges that might cause injury.

B. Leashes.

1. Leashes shall:

- a) be no longer than 8 feet in overall length.
- b) be well constructed and of appropriate weight with sufficient strength to restrain the animal.
- c) be attached to a well fitted body harness.

C. Pens.


1. Pens shall:

- a) be constructed to allow a minimum of 3 feet long by 3 feet wide by 3 feet depth per cat.
- b) only contain socially compatible cats if housed together.

D. Cages are as adopted under section four (4) of Acceptable Standards For Animal Care.

E. Tethers are not acceptable for cats.

The above Regulations of Acceptable Standards for Proper Restraint of Animals are hereby adopted:

Approved: 
Oxiris Barbot, M.D.
Health Commissioner

3/1/12
Date

Effective date when filed with the Department of Legislative Reference: 3/2/12

