



Bill No. 26-02

Concerning: Revised Animal Control definitions

Introduced January 6, 2026

Revised: _____ Draft No. _____

Enacted: _____

Effective: _____

Expires: April 6, 2026

Frederick County Code, Chapter 1-5

Section(s) 1-36

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council President Brad W. Young on behalf of the County Executive

AN ACT to: Amend the Animal Control definitions for at large, potentially dangerous, and dangerous dogs;
and alter pet licensing and vaccination fees

Date Council Approved: _____ Date Transmitted to Executive: _____

Executive: _____ Date Received: _____

Approved: _____ Date: _____

Vetoed: _____ Date: _____

Date returned to Council by County Executive with no action: _____

By amending:

Frederick County Code, 1-5 Section(s) 1-36

Other: _____

Boldface

Underlining

[Single boldface brackets]

* * *

Heading or defined term.

Added to existing law.

Deleted from existing law.

Existing law unaffected by bill.

1 Bill No. 26-02

2 The County Council of Frederick County, Maryland, finds it necessary and appropriate to
3 amend the Frederick County Code to alter the Animal Control definitions for at large, potentially
4 dangerous, and dangerous dogs; and alter pet licensing and vaccination fees.

5
6 NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF
7 FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby,
8 amended as shown on the attached Exhibit 1.

9
10
11
12 _____
13 Brad W. Young, President
14 County Council of Frederick County,
15 Maryland

§ 1-5-1. DEFINITIONS

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to therein by this section.

ANIMAL. Specifically includes, but is not limited to, domestic dogs, domestic cats, animals used for agricultural purposes and animals used for public exhibitions.

AT LARGE. An animal shall be deemed to be at large whenever it is not:

(1) on the owner's property; or

(2) under the immediate physical control of a [responsible] person capable of physically restraining the animal and restrained by a chain or leash.

COMMERCIAL OPERATION. An establishment operating as a business within the county to include, but not be limited to, pet shops, boarding stables, boarding kennels and sales barns.

COUNTY. Frederick County, Maryland.

DANGEROUS DOG. Any dog that:

(1) Without provocation causes death or serious injury to a person; or

(2) Without provocation, is involved in a multiple bite incident causing injuries to a single person which are less than serious injuries; or

(3) Without provocation, is involved in a multiple attack incident causing injury to more than 1 person, resulting in less than serious injuries.

([3]4) After having been designated as a potentially dangerous dog by the Director of Animal Control, engages in any behavior which results in death or [serious] injury to a person or death or serious injury to an animal.

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Bill No. 26-02

1 **IMPOUND.** The taking into physical custody of any animal by the Division of Animal
2 Control.

3 **KEEPING** or **HARBORING.** The act or sufferance either of feeding or sheltering an animal
4 on the premises of the occupant or owner thereof.

5 **OWNER.**

6 (1) Any person having a right of property in an animal or any person who keeps or harbors
7 an animal or has it in his/her care or acts as custodian or permits it to remain on or about any
8 premises occupied or controlled by him.; or

9 (2) Any person, firm, corporation, organization, or department possessing, harboring,
10 keeping, having an interest in, or having control or custody of a dog.

11 **POTENTIALLY DANGEROUS DOG.** A dog that poses a threat to public safety,
12 demonstrated by any of the following behaviors:

13 (1) Causes injury to a person without provocation which is less severe than a serious injury,
14 or causes severe injury to or kills a domestic animal; or

15 (2) Running at large, meaning whenever the animal, three or more times within any
16 consecutive six month period is not on the owner's real property or under the immediate physical
17 control of a responsible person capable of physically restraining the dog, or impounded by the
18 Division of Animal Control three or more times within any consecutive six month period. An
19 animal that has been deemed potentially dangerous based on running at large will no longer be
20 deemed potentially dangerous two years after the dog was last cited for running at large if during
21 that time the dog has not engaged in any behavior prohibited by this chapter.

22 **PROPER ENCLOSURE.**

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Bill No. 26-02

(1) Secure confinement indoors; or

(2) Secure confinement outdoors in a locked pen or structure measuring a minimum of 100 square feet. Dogs over 75 pounds must have an additional 50 square feet. 75 square feet is required for each additional dog kept within the same enclosed area.

[at least five feet in width, 10 feet in length, and six feet in height,] with secure sides, roof and floor, which provides protection from the elements for the dog, is suitable to prevent the entry of young children, and is designed to prevent the animal from escaping.

PUBLIC NUISANCE. Any animal found repeatedly running at large, damaging property, molesting passersby, chasing vehicles or acting in any manner which is deemed to be doing damage to property or to the public health and well being, or shall have been determined by the animal control officer, the local health officer or any other authorized representative of the county to be a detriment to public health, welfare and safety shall be deemed to be a public nuisance.

SERIOUS INJURY. Any physical injury that results in broken bones or lacerations that require two or more sutures, or cosmetic surgery.

§ 1-5-22. DANGEROUS AND POTENTIALLY DANGEROUS DOGS

(A) *Determination of a potentially dangerous dog.*

(1) The Director is authorized to make a determination whether a dog is potentially dangerous as defined in § 1-5-1. An investigation must be initiated within ten days after the situation becomes known to the Division of Animal Control. The Director shall notify the owner of the dog in writing of that status within ten days after the completion of the investigation.

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Bill No. 26-02

(2) Following notice to the owner, if the Director has probable cause to believe that a dog is a potentially dangerous dog and poses a threat to public safety, may impound the dog pending disposition of the case. The owner of the dog shall reimburse to Frederick County for the costs and expenses of keeping the dog.

(3) An owner may, within ten days after a determination that a dog is potentially dangerous, request a hearing before the Director seeking review of the determination.

(B) Determination of a dangerous dog.

(1) If the Director has probable cause to believe that a dog is a dangerous dog, the Director may convene a hearing for the purpose of determining whether the dog in question shall be declared a dangerous dog and to determine if the dog would pose a threat to public safety if returned to its owner.

(2) The hearing shall be held no less than ten days after service of notice upon the dog's owner. The hearing shall be informal and open to the public. The owner shall have the opportunity to present evidence as to why the dog should not be declared a dangerous dog. The Director may present all issues for or against the owner of the dog regardless of whether the owner appears at the hearing.

(3) Within five days after the hearing, the Director shall notify the owner in writing of the decision.

(C) Exceptions. No dog shall be declared a dangerous or potentially dangerous dog if:

(1) The dog was used by a law enforcement official for legitimate law enforcement purposes.

(2) The injury or damage was sustained by a person:

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Bill No. 26-02

1 (a) Who was committing, at the time, a willful trespass or other tort upon the premises
2 lawfully occupied by the owner of the dog; or

3 (b) Who was tormenting, abusing, or assaulting the dog; or

4 (c) Who was committing or attempting to commit a crime on the owner's property; or

5 (3) The dog was:

6 (a) Responding to pain or injury, or was protecting itself, or its offspring; or

7 (b) Protecting or defending a human being within the immediate vicinity of the dog from a
8 physical attack or assault.

9 (D) *Consequence of a dangerous or potentially dangerous dog determination.*

10 (1) If the Director determines that a dog is a potentially dangerous dog under this section,
11 the owner shall comply with the provisions of this section and any other security or care
12 requirements the Director may establish.

13 (2) If the Director determines that a dog is a dangerous dog under this section, the owner
14 shall comply with the provisions of this section and any other security or care requirements the
15 Director may establish.

16 (3) The Director may humanely destroy a dog that has been determined to be a dangerous
17 dog and poses a threat to public safety if returned to its owner.

18 (4) The Director may impound the dog until the owner of the dog has satisfied all of the
19 requirements of which deemed the dog dangerous or potentially dangerous. The owner of the
20 dog shall be liable to Frederick County for the costs and expenses of holding the dog. The
21 requirements must be met within 30 days.

22 (E) *Dangerous dog and potentially dangerous dog registration requirements.*

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Bill No. 26-02

1 (1) The Director shall issue a certificate of registration to the owner of a potentially
2 dangerous dog if the owner establishes to the satisfaction of the Director:

3 (a) The owner of the potentially dangerous dog is 21 years of age or older; and

4 (b) The owner has paid an annual fee in an amount to be determined by the Animal
5 Control Director, in addition to regular dog licensing fees, to register the potentially dangerous
6 dog; and

7 (c) The potentially dangerous dog has current rabies vaccinations; and

8 (d) The owner has a proper enclosure to prevent the entry of any person or animal and the
9 escape of said potentially dangerous dog; and

10 (e) A valid license has been issued for the potentially dangerous dog pursuant to this
11 jurisdiction.

12 (2) The Director shall issue a certificate of registration to the owner of a dangerous dog if
13 the owner, in addition to satisfying the requirements for registration of a potentially dangerous
14 dog pursuant to subparagraph (1) of this section, establishes to the satisfaction of the Director:

15 (a) The owner of the dangerous dog has written permission of the property owner,
16 landlord or property manager to maintain the animal on the premises where the dangerous dog
17 will be kept; and

18 (b) The owner will maintain the dangerous dog exclusively on the owner's property except
19 for examination or medical treatment; and

20 (c) The owner of the dangerous dog has posted on the premises a clearly visible written
21 warning sign that there is a dangerous dog on the property with a conspicuous warning symbol

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Bill No. 26-02

1 that informs children of the presence of a dangerous dog. The sign will be visible from the public
2 highway or 50 feet whichever is less; and

3 (d) The owner of the dog will have the dog spayed or neutered within 30 days of being
4 deemed dangerous; and

5 (e) The owner will have the dog implanted with a microchip containing owner
6 identification information. The microchip information must be registered and provided to the
7 Director within three days of being deemed dangerous.

8 (3) The Director may order the immediate impoundment or humane destruction of a
9 dangerous dog if the owner fails to abide by the conditions for registration of a dangerous dog.

10 (F) Dangerous or potentially dangerous dog owner responsibility. It shall be unlawful for the
11 owner of a dangerous dog or potentially dangerous dog to:

12 (1) Keep a dangerous or potentially dangerous dog without a valid certificate of registration
13 issued under this section;

14 (2) Permit a potentially dangerous dog off the owner's real property unless the potentially
15 dangerous dog is under the immediate physical control of a responsible adult and restrained by a
16 chain or leash;

17 (3) Fail to keep a dangerous dog within the owner's real property except for medical
18 treatment or examination. When removed from the owner's property for medical treatment or
19 examination, the dangerous dog shall be caged or under the control of a responsible adult capable
20 of physically restraining the animal, and muzzled and restrained with a chain or leash, not
21 exceeding four feet in length. The muzzle shall be approved by the Director.

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Bill No. 26-02

(4) Fail to notify the Director within 24 hours if a dangerous or potentially dangerous dog is on the loose, is unconfined, has attacked another domestic animal, has attacked a human being, has died, has been sold, or has been given away. If the dangerous or potentially dangerous dog has been sold or given away, the owner shall also provide the Director with the name, address, and telephone number of the new owner of the dangerous or potentially dangerous dog. The owner shall notify the Director, in writing, of any change in the owner's address within 48 hours of the change.

(5) Fail to surrender a dangerous or potentially dangerous dog to the Director for safe confinement pending a disposition of the circumstances when there is reason to believe that the dangerous or potentially dangerous dog poses a threat to public safety after an investigation is conducted by animal control.

(G) *Penalties.* Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof shall be fined no more than \$1,000.

(H) Annual dangerous dog licensing drive; educational program. The Director shall encourage the owners of dangerous dogs to participate in preventive, behavioral and/or obedience programs.

§ 1-5-26. PROPER RESTRAINT, SHELTER, PROTECTION AND CARE FOR DOGS

(A) *Restraint requirement.*

(1) It shall be unlawful for any person to tether, fasten, chain, tie, restrain or cause a dog to be fastened, chained, tied or restrained to any stationary or inanimate object by means of a rope,

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Bill No. 26-02

chain, strap or other physical restraint for the purpose of confinement for more than four hours cumulatively in any 24-hour period.

(2) The dog must be tethered by a non-choke type collar or a body harness to a tether that is at least four times the body length of the dog, measured from the dog's nose to the back of the hindquarters, or at a minimum be ten feet in length, and which the tether is free from entanglement.

(3) The tether shall have swivels at both ends and all areas of confinement shall be maintained as to provide a safe and healthy environment for the dog.

(4) An individual found chaining or tethering an animal in violation of this section has 30 days to provide other means of confinement, as long as other conditions of confinement and care are being met. The grace period is null and void immediately if the owner, at any time during the grace period, is not in compliance with other applicable laws relating to animals.

(5) Individuals who do not comply within the 30-day grace period are subject to fines and penalties stipulated in this chapter.

(B) Shelter and outdoor enclosure requirements.

(1) Proper shelter, including protection from the weather and elements, shall be provided at all times. The shelter for a dog shall have a weatherproof roof, enclosed sides, a doorway, and a solid floor raised at least two inches above the ground. No interior surfaces shall be metal. The shelter shall have an entryway that the dog can easily enter and sufficient in size for a dog to stand, turn around, lie down, and exit in a natural manner. The shelter shall have adequate ventilation and protection from temperature extremes at all times.

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Bill No. 26-02

(2) Bedding, such as wood shavings, straw or other material, shall be provided in sufficient quantity for insulation. Bedding shall be kept dry.

(3) Shade, separate from the shelter, either natural or manmade, shall be available at all times to a tethered dog, or a dog confined to an outdoor enclosure.

(4) Any dog confined within an outdoor enclosure must have adequate space for exercise. A minimum of 100 square feet is required. Dogs over 75 pounds must have an additional 50 square feet. [Seventy-five square] 75 square feet is required for each additional dog kept within the same enclosed area.

(C) Care requirements.

(1) Any person owning or having care, control or custody of a dog shall provide daily food that is free from contamination and is of sufficient quantity and nutritive value to maintain the animal in good health.

(2) Potable water must be accessible to the dog at all times.

(3) The dog must receive care and medical treatment for injuries, parasites and disease, sufficient to maintain the dog in good health.

(4) Any outdoor area where a dog is confined must be kept free of excretions and contaminated materials and cleaned regularly.

(D) Penalties. A violation of this section may result in a civil citation pursuant to § [1-5-53](#) of this chapter, or impoundment of the dog(s), or both.

§ 1-5-34. APPLICATION AND FEES.

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(A) Application for dog and cat licenses shall be made to the Frederick County Animal Control Center or any other authorized facility accompanied by a license fee of ~~[\$15]~~ \$20 for unaltered dogs and cats for each year; \$5 for altered dogs and cats for each year; \$25 for a lifetime dog or cat licenses.

(1) To obtain a lifetime dog or cat license, the County resident must provide:

(a) A certificate from a veterinarian, a receipt, or other documentation indicating that the animal is altered;

(b) A current rabies certificate; and

(c) The animal's microchip number.

(2) A multiple domestic animal license or blanket kennel or cattery license will not be issued for any animal that has not been spayed or neutered.

(B) If individual licenses for owned dogs or cats exceed ~~[\$40]~~ \$30, the owner may request a multiple domestic animal license, or a blanket kennel or cattery license for ~~[\$40]~~ \$30, for each year, providing the owner gives duplicate copies of the rabies certificates to the county and the owner notifies the animal control center by the first of the following month of the transfer of ownership of any licensed dog or cat. Only altered dogs and cats may be licensed under a multiple domestic animal license, or a blanket kennel or cattery license. Unaltered dogs and cats must be licensed individually.

~~[(B)]~~ C) County residents who are 65 years of age or older can obtain dog or cat licenses at the rate of ~~[\$7]~~ \$3 for an altered dog or cat or \$10 for an unaltered dog or cat.

~~[(C)]~~ The license fee for a spayed or neutered dog or cat under subsections (A) and (B) above shall be ½ the fee for an unaltered dog or cat.]

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(D) Applications for licenses may be made within 30 days following the establishment of residence within the county, or within 30 days following the procurement of a dog or cat, without penalty.

(E) Service Dogs ["Seeing eye" dogs trained to assist the blind, "hearing ear" dogs trained to assist the hearing impaired] as defined in the Americans with Disabilities Act (ADA), Title III, CFR §36.104 and dogs trained and used by [police] government entities or law enforcement in the official performance of their duties shall be provided licenses free of charge.

(F) Fees specified in this section may be modified at any time by resolution of the county governing body, after a duly advertised public hearing.

§ 1-5-35. LICENSE EXPIRATION.

(A) The license of a dog or cat shall expire when the rabies vaccination certification for that animal issued under Md. Code Ann., Health General Article, § 18-319(A)(3) expires, except for a dog or cat licensed under a lifetime dog or cat license. A lifetime dog or cat license will expire when the pet dies or is relocated out of Frederick County.

(B) A lifetime dog or cat license will be considered invalid if the dog or cat has an expired rabies vaccination.

§ 1-5-36. TRANSFER.

(A) If the ownership of a licensed dog or cat changes during the licensing year, the Director of Animal Control shall be notified of the change of ownership, together with the name and address of the new owner, the microchip number, and identification number of the old license.

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Bill No. 26-02

1 The new owner may apply to have the original license transferred, provided a transfer fee of \$1
2 is made to the Frederick Animal Control Center.

3 (B) The provisions of subsection (A) shall apply to dogs licensed as part of a kennel and cats
4 licensed as part of a cattery. Owners of kennels and catteries must notify animal control of any
5 changes in their kennel or cattery.

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