

Animal Welfare and Community Safety Act Supplemental Information

Definitions

“Bite”

A puncture or tear of the skin caused by the teeth of an animal.

“City Agent”

City of Hyattsville person or persons responsible for implementing and advising on animal control regulations contained in Chapter 52.

“Dangerous Animal”

A “Dangerous Animal” is a designation given by Prince Georges County Animal Services Division for animals who have a history of aggressive behavior. “Dangerous Animals” have restrictions placed upon them by the County, which can include a confinement order.

“PGCASD”

Prince George’s County Animal Services Division

“Public Nuisance Category 1”

“Public Nuisance Category 1” violations include excessive or continuous barking, howling or making of other noises, and defecating on property other than that of the owner without the defecation being cleaned up immediately.

“Public Nuisance Category 2”

“Public Nuisance Category 2” violations occur when a dog is off leash in public spaces or trespassing on private property.

“Public Threat Category 1”

“Public Threat Category 1” violations occur when an animal, without provocation, engages in threatening and menacing behaviors including charging at and snapping at humans or animals. This will not include animals that are in fenced yards or animals that are on leash.

“Public Threat Category 2”

“Public Threat Category 2” violations occur when an animal without provocation (i) inflicts injury on a human on private or public property; (ii) kills, “bites”, or attacks an animal.

“Protocol” (also called “Standard Response Protocol”)

Tool developed by City to guide appropriate responses in implementing and responding to animal control regulations contained in Chapter 52.

“Severe Weather”

Severe weather is temperatures below 32 and above 90 degrees Fahrenheit.

“Tethering”

Attaching a dog to a stationary object or pulley run by means of a chain, rope, tether, cable, or similar restraint. Tethering does not include the use of a leash to walk a dog.

City Code Chapter 52

Implementation

Unless and until the City of Hyattsville hires a dedicated Animal Warden,

The City shall designate a City Agent or City Agents for educating, informing, supporting, and communicating the implementation of Chapter 52, including amendments to Chapter 52 specified in this Motion. Possible City Agent(s) include staff from the Hyattsville Police Department or Office of Code Enforcement.

The City shall, on its website, specify who the City Agent(s) are and how to contact them. This shall occur within 60 days of the passage of this motion.

Animal Welfare

Chapter 52 shall be amended to include:

*** Tethering of Dogs - Restrictions on**

Animal behaviorists have warned that unattended tethered dogs are a risk to themselves and to communities. (See Definitions for “tethering.”) Long-term tethered dogs can become stressed, territorial, and aggressive. They can also engage in self-harming behavior.

Unattended tethering of a dog longer than one cumulative hour in a 24-hour period is prohibited.

Tethering during severe weather (temperatures below 32 and above 90 degrees) is prohibited. (See Definitions.)

*** Severe Weather - Restrictions on Exposure to**

Many jurisdictions are recognizing the danger to companion animals by protracted exposure to severe weather and are creating laws to improve animal welfare requirements.

Severe weather restrictions shall include a prohibition on leaving an animal outdoors without human accompaniment or adequate shelter for more than 15 minutes during periods of severe weather (temperatures below 32 and above 90 degrees).

Violations of the severe weather ordinance shall receive a written warning for the first violation and require a **mandatory** citation for subsequent violations by the City to the owner, pursuant to Section 9 of Code Chapter 52.

Animal Behavior

Current Code labels as “Public Nuisance” behavior a series of behaviors that range from barking to severe damage to people. The code shall be amended to include two categories of behavior: “Public Nuisance” and “Public Threat” behaviors.

A. Public Nuisance

Pet owners shall provide effective care and control of their animals to prevent them from becoming a “Public Nuisance”.

Depending on severity of the violation, “Public Nuisance” infractions are divided into two categories: Category 1 and Category 2.

“Public Nuisance Category 1” violations include excessive or continuous barking, howling or making of other noises, and defecating on property other than that of the owner without the defecation being cleaned up immediately.

“Public Nuisance Category 2” violations include dogs off leash in public spaces or trespassing on private property, unattended tethering violations, or severe weather exposure violations.

B. Public Threat

An animal control violation shall be deemed a “Public Threat” if it harms or threatens to harm humans or animals. Pet owners shall provide effective care and control of their animals to prevent them from becoming a “Public Threat”.

Depending on severity of the violation, “Public Threat” infractions are divided into two categories: Category 1 and Category 2.

“Public Threat Category 1” violations occur when an animal, without provocation, engages in threatening and menacing behaviors including charging at and

snapping at humans or animals. This will not include animals that are in fenced yards or animals that are on leash.

“Public Threat Category 2” violations occur when an animal without provocation (i) inflicts injury on a human on private or public property; (ii) kills, “bites”, or attacks an animal.

Violations - Response To

Chapter 52 shall be amended as follows:

Code violations that are a “Public Nuisance Category 1” can receive a written warning for the first violation and require a **mandatory** citation for second and subsequent violations by the City to the owner, pursuant to Section 9 of Code Chapter 52.

Code violations that are a “Public Nuisance Category 2” shall receive a written warning for the first violation and require a **mandatory** citation for subsequent violations by the City to the owner, pursuant to Section 9 of Code Chapter 52.

Code violations that are a “Public Threat Category 1” shall receive a written warning for the first violation and require a **mandatory** citation for subsequent violations by the City to the owner, pursuant to Section 9 of Code Chapter 52.

Code violations that are a “Public Threat Category 2” shall require a **mandatory** citation by the City to the owner, pursuant to Section 9 of Code Chapter 52.

A Public Safety Alert will be issued within 72 hours informing Hyattsville residents of the bite/injury incident and the address where the animal resides. Follow-up public safety alerts will be issued to keep citizens informed.

Code Conformity, Standardization, and Training

Code Conformity

Hyattsville will conduct a review of Hyattsville Police General Orders related to animal control to ensure that these General Orders (1) mirror Chapter 52 of the Hyattsville City Code as amended, and (2) align the City’s obligations to the requirements of applicable Prince George’s County Codes on animal control.

Standard Response Protocol

Hyattsville shall develop a “Standard Response Protocol” (Protocol) within ninety days to inform appropriate responses by all “City Agents” responsible for implementing and responding to Chapter 52 and in meeting the requirements of the Prince George’s County Codes on animal control. This will include requirements to provide county reporting, issue written warning or citations, log and track data for annual reporting, and share incident in police log.

Training Material

Hyattsville will develop training material related to responding to Chapter 52. This training material will include education on City and County animal control laws and best practices, and on how to use the "Protocol." "City Agents" shall be knowledgeable about the laws and procedures covered by this training material. "City Agents" shall also be responsible for public outreach and educational events to inform the public of animal control regulations and public safety best practices.

Data Collection, Sharing, Reporting

Chapter 52 exists to protect the safety of Hyattsville residents, companion animals, and City staff. Systematic data collection, sharing, and reporting is essential to evaluate how well our animal control regulations are working to protect public safety. Currently, little reliable data is available to evaluate the effectiveness of Chapter 52 in achieving its goal of public safety.

City Data

Hyattsville shall record all reported "Public Threat" violations and written warnings occurring within City boundaries in a prompt and timely manner.

Hyattsville shall report "Public Threat" violations to the Prince George's County Animal Services Division (PGCASD) within three (3) business days, which may lead PGCASD to issue a quarantine or confinement order and identify an animal as "Dangerous".

Hyattsville will make this data available to residents via the City Website and via Crime Reports, on a quarterly basis.

County Data

Hyattsville personnel sometimes report "Public Threat" violations to PGCASD. Also, Hyattsville residents sometimes report these violations directly to PGCASD without reporting these incidents to Hyattsville personnel.

Currently, Hyattsville lacks a systematic method to become aware of actions taken by PGCASD with regard to these violations. This lack of information includes PGCASD designations of animals as "Dangerous" and PGCASD orders requiring animal quarantine or confinement.

Annual Report

By July 31st of each year, Hyattsville shall prepare an Annual Report including the animal control data outlined below from the previous fiscal year. This report shall be made available to the Hyattsville Mayor and City Council and the general public.

The Annual Report should include, but not be limited to, the following information:

- At the Municipal and County level, all “Public Nuisance” incidents (e.g., at-large dog incidents) and all “Public Threat” incidents that occur in Hyattsville.
- At the Municipal and County level, all actions taken in response to the violations, including citations, animals reported by Hyattsville to PGCASD following “Public Threat” violations, an inventory of dogs identified as “Dangerous” by the County, and any animals under quarantine or confinement orders by the County.
- All “Public Threat, Category 2” Public Safety Alerts issued.
- All “City Agents”, including the completed animal control training/orientation.