

Chapter 18 ANIMAL CONTROL*

*Cross reference(s)--Health and sanitation, Ch. 10.

Sec. 18-1. Adoption of County law.

Sec. 18-2. Enforcement.

Sec. 18-3. Sections amended.

Sec. 18-4. Regulations.

Sec. 18-5. Authorization to administer and enforce.

Sec. 18-6. Other ordinances.

Sec. 18-7. Dog Exercise Area.

Sec. 18-1. Adoption of County law.

Chapter 5 of the Montgomery County Code, as amended, entitled "Animal Control" is hereby incorporated by reference and enacted as the Animal Control Code of the Village with the additions and amendments as set forth in this Chapter.

(No. 04-01-18, 04-09-18)

Sec. 18-2. Enforcement.

Any person who violates any of this Chapter, or sections 5-201, 5-202 or 5-203 of Chapter 5 of the Montgomery County Code, as amended hereby, shall be guilty of a municipal infraction and shall be subject to such prosecution and penalties as are provided in Chapters 5 and 6 of the Chevy Chase Village Code.

(No. 04-01-18, 04-09-18)

Cross reference(s)--Fine for violation of County Code, §§ 5-26--5-30, 5-40A, § 6-3(c)(1)--(6).

Sec. 18-3. Sections amended.

The provisions of Chapter 5 of the Montgomery County Code, as amended, for the purposes of and as incorporated in this Chapter, are hereby amended as follows:

(a) *Section 5-101. Definitions.*

Animal control officer: The Director of the Animal Services Division in the Department of Police, or the Division Director's designee or the Village Manager, or the Village Manager's designee.

(No. 04-01-18, 04-09-18)

Sec. 18-4. Regulations.

(a) All regulations now adopted by the County Council and/or by the County Executive for Montgomery County pursuant to the authority contained in Chapter 5 of the Montgomery County Code as amended, are hereby incorporated by reference and shall be deemed to be in effect within the incorporated limits of the Village.

(b) All regulations or amendments to regulations hereafter adopted by the County Council and/or by the County Executive for Montgomery County pursuant to the authority contained in Chapter 5 of the Montgomery County Code as amended, as adopted by this ordinance shall become effective within the Village upon the effective date thereof unless an ordinance shall be adopted by the Board of Managers of the Village disapproving such amendments.

(No. 04-01-18, 04-09-18)

Sec. 18-5. Authorization to administer and enforce.

The County is hereby requested and authorized to administer and enforce the Animal Control Code of the Village within the incorporated limits of the Village as fully and to the same extent as Chapter 5 of the Montgomery County Code is administered and enforced in the County.

Sec. 18-6. Other ordinances.

Nothing herein contained shall in any way be construed as exempting compliance with any other applicable ordinances of the Village now or hereafter enacted.

Sec. 18-7. Dog Exercise Area.

The Board may establish a Dog Exercise Area in the Village. The following requirements apply to any Dog Exercise Area so established:

- (a) All dog owners/handlers must comply with these rules and regulations at all times when accessing the dog exercise area.
- (b) All dogs must be accompanied by responsible owners/handlers who are physically able to exercise effective restraint of the dog(s), and who will restrain their dogs if necessary.
- (c) Owners/handlers must remain in the dog exercise area with their dogs and must keep their dogs in sight and under their control at all times.
- (d) The dog exercise area hours of operation shall be 8:00 a.m. until sunset Monday through Friday and 9:00 a.m. until sunset on Saturdays, Sundays and Village holidays. No person shall use the facility other than during the Village's designated hours of usage.
- (e) Individual owners/handlers may bring no more than two (2) dogs into the Dog Exercise Area at any one time.
- (f) Owners/handlers must immediately leash and remove from the Dog Exercise Area any dog showing aggression towards people or other dogs. Dogs with a known history of aggressive or dangerous behavior and/or dogs that have been deemed "potentially dangerous" or "dangerous" by any state, county or municipality are prohibited and are not permitted to enter the Dog Exercise Area.
- (g) Any dog barking continuously or uncontrollably must be removed from the Dog Exercise Area.
- (h) No female dogs in estrus (in heat) are permitted in the Dog Exercise Area at any time.

- (i) Any dog with a transmissible, communicable disease may not enter the Dog Exercise Area.
- (j) All dogs entering the Dog Exercise Area must be currently licensed by an authorized jurisdiction and must be currently vaccinated against the rabies virus. All dogs are required to wear a current rabies vaccination tag when using the facility.
- (k) Dogs must be four (4) months of age or older to enter the Dog Exercise Area.
- (l) Dogs must be immediately leashed and restrained when advised to do so by a police officer, the Village Manager or the Village Manager's designee, and any person and their dog must leave the Dog Exercise Area when ordered to do so by a police officer, the Village Manager or the Village Manager's designee.
- (m) Eating and smoking are not permitted inside the Dog Exercise Area.
- (n) No dog food treats or toys, except tennis balls, are permitted in the Dog Exercise Area.
- (o) No bare feet are permitted in the Dog Exercise Area.
- (p) Owners/handlers shall carry a leash at all times, and dogs must be leashed when entering and leaving the Dog Exercise Area. "spiked" dog collars are not permitted inside the Dog Exercise Area.
- (q) Owners/handlers are legally responsible for the behavior of their dogs and remain legally responsible for any injuries or damage caused by their dogs.
- (r) Owners/handlers are responsible for securely closing and latching all gates as they enter or exit the Dog Exercise Area.
- (s) Owners/handlers must pick up and properly dispose of their dog's feces.
- (t) Dogs must not be allowed to dig. Any holes created by a dog shall be immediately corrected and filled by the dog's owner/handler.
- (u) Children under the age of eleven (11) must be accompanied at all times by a responsible adult who will be accountable for the behavior and wellbeing of the child. Children should be discouraged from approaching or playing with unfamiliar dogs.
- (v) Owners/handlers are not permitted to groom or bathe their dogs inside the Dog Exercise Area.
- (w) Professional dog services such as, but not limited to, training, behavior modification and grooming are prohibited inside the Dog Exercise Area.
- (x) Upon a finding that a dog is dangerous, potentially dangerous or a public nuisance as defined in Chapter 5 of the Montgomery County Code, or that a dog has bitten a person or another dog without provocation, the Village Chief of Police may ban the dog from accessing the Dog Exercise Area. Appeals from that finding will be made to the Village Manager.

(No. 04-01-18, 04-09-18; No. 07-01-19, 07-08-19)

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