

As of **September 7, 2017** Anne Arundel County Code §12-4-402 Public Safety has changed. The following paragraphs of the section may only be used for violations that occur on September 7, 2017 and later:

(3) kills or inflicts injury to a domesticated animal*

(5) while at large, and without provocation, chases or approaches a lawfully restrained domesticated animal in an attitude of attack.

* For violations prior to September 7, 2017 paragraph (3) previously stated “kills or inflicts severe injury to a domestic animal”



Anne Arundel County Police Department
8495 Veterans Highway Millersville, Maryland 21108
(410) 222-8050
www.aacounty.org/police



Timothy J. Altomare
Chief of Police

Affidavit of Complaint Instructions

If you have any questions about completing this form or the affidavit process please call 410-222-8900 ex.3920.

1. Complete all sections of the form as instructed.
2. Please print legibly using blue or black ink.
3. The person completing the form must be 18 years of age or older and must have witnessed the violation. A person may not complete an Affidavit of Complaint for another person.
4. The full name and address of the complainant (person completing the form) must be provided.
5. Please list the breed or a specific description of the animal involved in the incident. If you know the name of the animal please list it. Only one animal may be listed per Affidavit of Complaint. If more than one dog was involved you may complete and submit additional Affidavit of Complaint forms.
6. The full name of the owner or person allowing the animal on their property must be provided.
7. The full address of the owner or person allowing the animal on their property must be provided.
8. Select ONE violation (column on the left) per Affidavit of Complaint. If multiple violations were witnessed, please complete an additional Affidavit of Complaint for each violation.
9. If you allege the animal owner is in violation of Anne Arundel County Code §12-4-402 Public Safety Threat you must select one paragraph from the column on the right. If there was more than one Public Safety Violation, please complete an additional Affidavit of Complaint form for each violation.
10. The date (Month/Day/Year) and approximate time (hour: minute) of violation must be completed. "Morning", "afternoon", "evening", "all day" or "constantly" are not acceptable for date or time.
11. The specific location where the violation occurred must be provided. Please give the address or closest intersection.
12. The statement of facts must contain a narrative of the incident that occurred. Please give as much detail as possible. If additional space is needed, please attach another sheet of paper. Please do not write in the notary section or on the back of the form.

You may wish to review the attached sections of the Anne Arundel County Code that relate to the affidavit of complaint. The attachment is only a portion of the Code. To view the Anne Arundel County Code in its entirety visit:
https://www.municode.com/library/md/anne_arundel_county/codes/county_code

Please Note: If after review of the Affidavit of Complaint Animal Control determines that there is probable cause to support that a violation has occurred Animal Control may issue a citation for each violation. Upon service of a citation the defendant has 10 days to pay a civil fine or request a hearing before the Animal Control Commission. The defendant's failure to elect either option will result in the citation being heard in the District Court. As the complainant, you will be summonsed to any and all hearings. The complainant's failure to appear may result in the citation being dismissed.

Affidavit of Complaint Code Violations

*The following is a selection of Anne Arundel County Code sections which may or may not apply in any given case. It is NOT a complete copy of the Code. To view the code in its entirety you may visit the County website at:

https://www.municode.com/library/md/anne_arundel_county/codes/county_code

§ 12-4-905. Animals running at large prohibited.

(a) Scope. This section does not apply to an animal under control of its owner or an authorized agent of the owner by leash, cord, or chain, or to an animal while actually engaged in the sport of hunting in authorized areas while supervised by a competent individual, or while undergoing training to heel on or off a leash, obey on command to come to its owner, or to sit, lie, or stand until further command.

(b) Prohibition. An animal may not be at large. An owner of an animal at large is in violation of this section.

(c) Reporting. A person who is aware of an animal running at large shall report the condition to the Agency by telephone.

(d) Pursuit. An animal control officer or the authorized representative of an animal control officer may pursue an animal running at large on public property or on the exterior premises of private property.

(1985 Code, Art. 12, § 9-105) (Bill No. 67-87; Bill No. 41-01)

§ 12-4-904. Animal disturbance prohibited.

A person who owns, keeps, or has possession of an animal may not permit the animal to disturb the quiet of a person or the neighborhood.

(1985 Code, Art. 12, § 9-104) (Bill No. 41-01)

§ 12-4-903. Creating public nuisance or public nuisance condition prohibited.

The owner of an animal may not permit the animal to be a public nuisance or to cause a public nuisance condition.

(1985 Code, Art. 12, § 9-103) (Bill No. 41-01)

§ 12-4-101. Definitions.

(33) "Public nuisance" means an act by an animal that substantially interferes with the rights of citizens to enjoyment of life or property and that unreasonably annoys humans, endangers the life or health of other animals or human beings, or offends human senses, including the molesting of pedestrians, the chasing of vehicles, the damaging of property of someone other than the owner of the animal, and continually and repeatedly howling, barking, whining, or otherwise making noise that causes unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where a person keeps an animal.

(34) "Public nuisance condition" means an unsanitary, dangerous, or offensive condition caused by the extreme size or number of animals kept on any premises or by the inadequacy of facilities or a continuing or periodically recurring public nuisance.

(1985 Code, Art. 12, § 1-101) (Bill No. 29-91; Bill No. 83-94; Bill No. 67-98; Bill No. 20-00; Bill No. 41-01; Bill No. 11-07; Bill No. 44-14)

§ 12-4-909. Removal of animal excreta.

A person shall remove excreta deposited by an animal owned by that person on public walks, recreation areas, or private property other than the owner's.
(1985 Code, Art. 12, § 9-109) (Bill No. 41-01)

§ 12-4-402. Public safety threat.

- (a) Prohibition. An animal may not pose a threat to public safety. The owner of an animal who poses a threat to public safety is in violation of this section. An animal poses a threat to public safety if the animal:
 - (1) inflicts severe injury to a person;
 - (2) bites a person;
 - (3) kills or inflicts injury to a domesticated animal;
 - (4) attacks a person;
 - (5) while at large, and without provocation, chases or approaches a lawfully restrained domesticated animal in an attitude of attack;
 - (6) without provocation, chases or approaches a person in an attitude of attack; or
 - (7) engages in encouraged dogfighting activity or shows evidence of having been engaged in encouraged dogfighting activity.
- (b) Dangerous. The Agency may designate an animal as dangerous if the animal poses a threat to public safety, has been determined to be dangerous by another jurisdiction, or has engaged in documented behavior that is a public safety threat in another jurisdiction.
- (c) Vicious. The Agency may designate an animal as vicious if the animal kills or inflicts severe injury to a person or domesticated animal, if the animal has been determined to be dangerous and engages in a second incident determined to be a threat to public safety by the Agency, or if the animal has been determined to be vicious by another jurisdiction.

Bill No. 59-17

§ 12-4-403. Dangerous animals, orders.

***Please Note: The below listed are conditions that Animal Control MAY impose upon owners in order to protect public safety, but this does not mean all of the below conditions have been imposed on all animals that have a dangerous order in place. If you wish to know what conditions have been placed on a specific animal, please visit <http://www.aacounty.org/pia/index.html> to complete a Public Information Request.**

- (a) Issuance of order. Upon a determination that an animal is dangerous, the Agency shall issue an order that explains the reasons for the Agency's determination and directs the owner to comply with conditions for maintaining the animal on the owner's property. Failure of the owner to comply with the conditions may result in temporary or permanent impoundment of the animal.
- (b) Conditions. When an animal is determined to be dangerous, the Agency may order the owner to abide by some or all of the following conditions:
 - (1) manage the animal and its environment in a manner that will abate the animal's problem;
 - (2) spay or neuter the animal;
 - (3) implant the animal with a microchip containing owner identification information;
 - (4) obtain an insurance policy providing for protection for bite victims in a minimum amount of \$300,000;

- (5) remove the animal from the custody of an individual less than 21 years old;
- (6) for a rental property, obtain the written permission of the landlord to maintain the animal on the property;
- (7) confine the animal to a structure of a size and type specified by the Agency;
- (8) maintain the animal exclusively on the owner's property except for medical treatment or examination;
- (9) muzzle or leash the animal as required by the Agency; OR
- (10) post on the premises where the animal is maintained a clearly visible warning sign that there is a dangerous animal on the property.

Bill No. 59-17

**Anne Arundel County Animal Control
Affidavit of Complaint**

Complainant: (First and Last Name and Full Address Required)		Owned or Harbored By: (First and Last Name and Full Address Required)	
Phone Number (Required) and Email Address		Phone Number and Email Address (If Known)	
Animal (LIST ONE ANIMAL ONLY) Breed or Specific Description of the Animal including Color (Required)			Name of Animal (If known)
SELECT ONE VIOLATION PER AFFIDAVIT (Required)			
<input type="checkbox"/> Article 12, Title 4-905(b) Running at Large <input type="checkbox"/> Article 12, Title 4-904 Animal Disturbance <input type="checkbox"/> Article 12, Title 4-909 Removal of Animal Excreta <input type="checkbox"/> Article 12, Title 4-903 Public Nuisance <input type="checkbox"/> Article 12, 4-402 Public Safety Threat (select ONE paragraph) <input type="checkbox"/> Article 12, Title 4-403 Failure to Comply with conditions of Dangerous or Potentially Dangerous Order		If Public Safety Threat is selected, please select ONE paragraph below: <input type="checkbox"/> (1) inflicts severe injury to a person <input type="checkbox"/> (2) bites a person <input type="checkbox"/> (3) kills or inflicts injury to a domesticated animal <input type="checkbox"/> (4) attacks a person <input type="checkbox"/> (5) while at large, and without provocation, chases or approaches a lawfully restrained domesticated animal in an attitude of attack <input type="checkbox"/> (6) without provocation, chases or approaches in a person an attitude of attack	
Specific Location Violation Occurred (address or nearest intersection)		Date Violation Occurred	Time Violation Occurred
Statement of Facts (Please give a narrative of incident that occurred)			

If additional space is needed to complete the statement of facts, please use additional sheets. (Do not write in the notary section or on the back of this form.)

State of Maryland, Anne Arundel County:

I Hereby Certify that on this _____ day of _____ 20_____ before me, the subscriber, a notary public of the State of Maryland, in and for Anne Arundel County, personally appeared _____ who made oath in due form of law that the matters and facts set forth in this Affidavit of Complaint are true.

As WITNESS my hand on Notarial Seal

Signature of Complainant

Notary Signature and Expiration Date of Commission

Please send completed form to: Anne Arundel County Animal Control, 411 Maxwell Frye Rd., Millersville, MD 21108
For questions, please call 410-222-8900 ex. 3920