



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.
13. The Affidavit must be notarized.

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 Care & Control determines that there is probable cause to support that a violation has occurred Animal Care & Control may issue a citation for each violation. Upon service of a citation the defendant has 20 days to pay a civil fine or 15 days to request a hearing before the Animal Care & Control Commission. The defendant's failure to elect either option will result in the citation being sent to the District Court. As the complainant, you will be summoned to any and all hearings. The complainant's failure to appear may result in the citation being dismissed.

Please file the affidavit of complaint as soon as possible. The statute of limitations expires, one year after the offense was committed to when the citation is filed with District Court. The statute continues to run while the defendant is awaiting service and our office is awaiting a response for request of hearing or payment.

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 threats; potentially dangerous, dangerous and vicious animal criteria; defenses.

- (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, chases or approaches a lawfully restrained domesticated animal in an aggressive manner;
 - (6) while at large, chases or approaches a person in an aggressive manner; or
 - (7) engages in encouraged dogfighting activity or shows evidence of having been engaged in encouraged dogfighting activity.
- (b) Potentially Dangerous. the Agency may designate an animal as potentially dangerous if, after consideration of the animal's demeanor and prior history and any evidence of mitigating circumstances, the agency finds that the animal:
- (1) engaged in conduct that caused a minor or severe injury to a person or domesticated animal
 - (2) has been determined to be potentially dangerous or dangerous by another jurisdiction for an attack or action that would subject the animal to a potentially dangerous designation by the agency; or
 - (3) while at large, chases or approaches a person or lawfully restrained domesticated animal in an aggressive manner and the agency has received and verified information that the animal engaged in conduct that constitutes a public safety threat within the preceding twelve months in this or any other jurisdiction.
- (c) Dangerous. The Agency may designate an animal as dangerous if, after the consideration of the animal's demeanor and the prior history and any evidence of mitigating circumstances, the agency finds the animal
- (1) killed or inflicted severe injury on a person or domesticated animal;
 - (2) has been determined to be potentially dangerous, dangerous or vicious by another jurisdiction for an attack or action that would subject the animal to a dangerous designation by the agency;
 - (3) has been documented as killing or inflicting severe injury on a person or domesticated animal in another jurisdiction; or
 - (4) has been determined to be potentially dangerous by the agency and engages in a second incident that constitutes a public safety threat as described in subsection (a) of this section.
- (d) Vicious. The Agency may designate an animal as vicious if, after the consideration of the animal's demeanor and prior history and any evidence of mitigating circumstances, the agency finds that the animal cannot be safely maintained without threatening members of the public or other animals and the animal:
- (1) killed or inflicted severe injury on a person or a domesticated animal;
 - (2) has been determined to be potentially dangerous or dangerous by the agency and engages in a second incident that constitutes a public safety threat as described in subsection (s) of this section;
 - (3) has been determined to be dangerous or vicious by another jurisdiction for an attack or action that would subject the animal to a vicious designation by the agency; or
 - (4) has engaged in documented behavior involving killing or inflicting severe injury to a person or domesticated animal in another jurisdiction.
- (e) Determinative factors. the agency may decline to issue a citation to an owner of an animal engaging in activity that

constitutes a public safety threat or to designate an animal as potentially dangerous, dangerous, or vicious if the agency finds that it is more likely than not that:

- (1) the animal was provoked;
- (2) the animal was reacting to pain or injury;
- (3) the animal was protecting or defending a person in the immediate vicinity;
- (4) the animal was defending itself, its litter, or another animal; or
- (5) the animal acts against a person or animal trespassing on the property of the owner or custodian of the animal

(1985 Code, Art. 12, § 4-101 (Bill No. 90-18; Bill No. 59-17; Bill No. 41-01)

§ 12-4-403. Potentially dangerous, dangerous, or vicious animals; orders.

***Please Note: The below listed are conditions that Animal Care & 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 or potentially 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 potentially dangerous, dangerous, or vicious the Agency shall issue an order that explains the reasons for the Agency's determination for potentially dangerous and dangerous animals, the order shall direct 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. An impounded animal designated as potentially dangerous or dangerous may only be redeemed after the owner presents the agency with satisfactory proof of compliance with the issued order.
- (b) Conditions. When an animal is determined to be potentially dangerous or dangerous by the Agency, the Agency may order the owner to abide by some or all of the following conditions in the addition to the owner complying with all other relevant provisions of the county code for the keeping and maintenance of the animals
 - (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.
 - (11) a behavioral assessment for the animal
 - (12) specialized training for animal; or
 - (13) such other conditions as the agency determines to be in the public interest

(1985 Code, Art. 12, § 4-102) (Bill No. 90-18; Bill No. 59-17; Bill No. 41-01)