



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



Amal Awad
Chief of Police

Affidavit of Complaint Instructions

If you have any questions about completing this form or the affidavit process, please call 410-222-3920 or email P94228@aacounty.org with the subject line ATTN Affidavits.

1. Complete all **REQUIRED** 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 (size, color(s), distinguishing features) 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 animal 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 violates 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 and how the complainant identified or knows the owner of the animal listed. 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 complaint must be notarized. Free notarization for Affidavit of Complaints are available by appointment only.
14. The person completing this form **MUST** provide evidence to support their complaint (pictures, videos, medical records, or bite report case number that correlates to the date and time listed for when the violation occurred, etc.). Failure to provide evidence that correlates to the date and time listed on the Affidavit of Complaint will be returned to the complainant.

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. If upon review the Affidavit of Complaint does not meet the needs of probable cause or does not meet the requirements listed above, Animal Control reserves the right to return the Affidavit of Complaint to the complainant with a Return of Affidavit letter of explanation. Any Affidavits of Complaints that are unfounded, filled out incorrectly, or states the wrong owner of the animal will be voided and a **NEW** Affidavit of Complaint with the correct information and evidence will be required should the complainant want to move forward with the complaint.

After investigation, there was sufficient evidence to support the claims made in the complaint(s) and citation(s) have been processed for service. Based on our Affidavit of Complaint process, citation(s) are based on each affidavit, violation, animal, and date/time of the violation. A citation will be issued for each found violation that is listed correctly on the affidavit of

Nationally Accredited Law Enforcement Agency

Complaint. **For example, a correctly filled out affidavit of complaint with supporting documentation and/or evidence will result in a citation issued to the owner of the animal.**

Once the citation has been issued, any future violations with supporting documentation and/or evidence can be submitted. The amount of the civil fine will remain the same unless adjudicated by a judge as guilty or paid. Civil penalties/fines are based upon adjudicated citations. Once adjudicated as guilty or paid, the Civil penalties/fines will increase. If there are multiple animals involved they will receive one citation per animal. Each animal must be listed on a separate affidavit.

Additionally, Animal Care & Control cannot provide the complainant's personal information from our records to identify an owner. All requests can be made through a Maryland Public Information Act Request (MPIA) through the Anne Arundel County Police Department Website:

<https://www.aacounty.org/pia?type=POL&secondary=animal-related>

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 Matters 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 summoned to all hearings. The complainant's failure to appear **will 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://codelibrary.amlegal.com/codes/annearundel/latest/overview>

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

(a) **Scope.** This section does not apply to an ear-tipped community cat.

(b) **Prohibition.** A domesticated animal may not be at large. An owner of an animal at large violates 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 the exterior premises of private property.

(e) **Exceptions.** An animal is not at large for the purposes of this section if:

(1) the animal is actively engaged in search and rescue operation training or the sport of hunting or other legal dog sport or competition in authorized areas while supervised by a competent individual;

(2) the animal is undergoing supervised training as part of an organized obedience class and the owner of the animal is in possession of written permission to engage in the training on the property from the landowner or the landowner's agent or lessee;

(3) a dog is in a dog exercise area designated by the Anne Arundel County Department of Recreation and Parks as an "off-leash dog park" and is under the supervision of the dog's owner; or

(4) a dog is in a secured dog exercise area designated by the property owner, homeowner's association, condominium, or cooperative as an "off-leash dog park."

(f) **Exclusions.** For the purposes of this section, the common area of a homeowner's association, condominium, or cooperative is not the owner's property.

(1985 Code, Art. 12, § 9-105) (Bill No. 67-87; Bill No. 41-01; Bill No. 96-17; Bill No. 75-18)

§ 12-4-904. Animal disturbance is 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 conditions is 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.

(39) “Public nuisance” means an act by an animal that substantially interferes with the rights of citizens to the 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.

(40) “Public nuisance condition” means an unsanitary, dangerous, or offensive condition caused by the extreme size or number of animals kept on any premises, 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; Bill No. 59-17; Bill No. 96-17; Bill No. 50-18; Bill No. 90-18)

No. 44-14; Bill No. 59-17; Bill No. 96-17; Bill No. 50-18; Bill No. 90-18)

§ 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 owners.

(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) **Public safety threat.** An animal may not pose a threat to public safety. The owner of an animal who poses a threat to public safety violates 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 consideration of the animal’s demeanor and prior history and any evidence of mitigating circumstances, the Agency finds that 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

Nationally Accredited Law Enforcement Agency

public safety threat as described in subsection (a) of this section.

(d) **Vicious.** The Agency may designate an animal as vicious if, after 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 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 (a) 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 on a person or domesticated animal in another jurisdiction.

(e) **Determinative factors.** The Agency may decline to issue a citation to an owner for 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. 41-01; Bill No. 59-17; Bill No. 90-18)

§ 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 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 a written order to the owner 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 addition to the owner complying with all other relevant provisions of the County Code for the keeping and maintenance of 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;
 - (10) post on the premises where the animal is maintained a visible warning sign that there is a dangerous animal on the property;
 - (11) a behavioral assessment for the animal;
 - (12) specialized training for the animal; or
 - (13) such other conditions as the Agency determines to be in the public interest.
- (1985 Code, Art. 12, § 4-102) (Bill No. 41-01; Bill No. 59-17; Bill No. 90-18)

§ 12-4-913. Reckless animal owner.

(a)

Reckless animal owner designation.

- (1) Any person who is found guilty of violating the provisions of this article three

Nationally Accredited Law Enforcement Agency

or more times from separate incidents within a 24 month period may be designated by the Chief as a reckless animal owner.

(2) For the purposes of this section, a person is considered to be found guilty of violating the provisions of this article if the person is found guilty, is placed on probation before judgment, or pays a civil fine for a violation of this article, or owns an animal designated by the Agency as potentially dangerous, dangerous, or vicious within the preceding 24 months.

(b) Notice.

Upon designation by the Chief, the Agency shall issue a written notice to the reckless animal owner that includes:

- (1) the name and address of the reckless animal owner;
- (2) a description of the circumstances that led to the designation;
- (3) the name, description, and license number, if any, of any animals owned or in the custody of the reckless animal owner; and
- (4) notice of the right to appeal the designation

(e) Prohibition.

An owner designated as a reckless animal owner may not own, keep, possess, or harbor any animal for four years from the date of the designation, all licenses issued under § [12-4-702](#) to the reckless animal owner shall be revoked, all animals owned or in the custody of the reckless animal owner shall be impounded and seized by the Agency and shall be immediately considered unwanted or unredeemed.

(Bill No. 89-20)

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

Complainant: (First and Last Name and Full Address REQUIRED)		Owner: (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 (size, color(s), distinguishing features) (REQUIRED)			Name of Animal (If known)
SELECT ONE VIOLATION PER AFFIDAVIT (REQUIRED)		If Public Safety Threat is selected, please select ONE paragraph below:	
<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, Title 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 <input type="checkbox"/> Article 12, Title 4-913 Failure to Comply with Conditions of Reckless Owner Designation		(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 (7) engages in encouraged dogfighting activity or shows evidence of having been engaged in encouraged dogfighting activity	
Location Violation Occurred (address / intersection) (REQUIRED)		Date of Violation (REQUIRED)	Time of Violation (REQUIRED)
Statement of Facts (REQUIRED) (Please give a narrative of an incident that occurred and how ownership of animals was established)			

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 outlined 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 Care & Control,
411 Maxwell Frye Rd., Millersville, MD 21108
For questions, please call 410-222-3920