

**Town of Glen Echo  
Ordinance to Amend Article 2  
(Animal Control)**

Ordinance No.: 21-08  
Introduced: November 8, 2021  
Adopted:  
Effective Date:

**SUBJECT:** AN ORDINANCE TO AMEND ARTICLE 2 (ANIMAL CONTROL) TO DELETE PROVISIONS REGARDING THE APPOINTMENT OF A LOCAL ANIMAL CONTROL OFFICER AND THE LOCAL ANIMAL ADVISORY COMMITTEE, AND TO DELETE REPETITIVE PROVISIONS CONCERNING THE APPLICABILITY OF THE COUNTY CODE

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland, including the Town of Glen Echo, general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Sections 413 and 415 of the Charter of the Town of Glen Echo authorize the Town Council to pass ordinances not contrary to the Constitution and laws of the State of Maryland or the Charter of the Town of Glen Echo (the "Town");

WHEREAS, after proper notice to the public, the Town Council introduced the following Ordinance in an open meeting conducted on the \_\_\_\_ day of \_\_\_\_\_, 2021;

WHEREAS, after proper notice to the public, the Town Council considered the following Ordinance in public session assembled on the \_\_\_\_ day of \_\_\_\_\_, 2021;

WHEREAS, the Town Council finds that the ordinance as hereinafter set forth is necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the Town, and otherwise advantageous and beneficial to the Town.

NOW, THEREFORE, the Town Council does hereby adopt the foregoing Ordinance.

BE IT ORDAINED AND ORDERED, this \_\_\_\_ day of \_\_\_\_\_, 2021, by the Town Council, acting under and by virtue of the authority given it by the Maryland Code and the Town of Glen Echo Charter, the Town Code be and is hereby amended as follows:

\* \* \*

## ARTICLE 2 ANIMAL CONTROL

### Section 2.1 Applicability of Montgomery County Code

Except as modified by this Article, the provisions of Montgomery County Code, Chapter 5 “Animal Control,” as amended as of December 1999 and thereafter, shall apply and be enforced within the corporate limits of the Town of Glen Echo. Except as otherwise provided in this Article, Montgomery County is requested to and shall enforce the provisions of Montgomery County Code, Chapter 5, within the Town.

(Ord. No. 00-03, effective 11/7/00; Ord. No. 16-02, effective 1/30/17)

### Section 2.2 Modification of Montgomery County Code Provisions

**A. Animals Prohibited.** Notwithstanding any provision to the contrary in Montgomery County Code, Chapter 5, it shall be unlawful to own, keep or harbor within the corporate limits of the Town of Glen Echo the following animals: horses, swine, including, but not limited to, pot-bellied pigs, cows, cattle, goats, chickens, ducks, geese, pigeons, other domestic or wild fowl, bees and any other animals except dogs, cats and other pets commonly kept indoors in private residences. This provision shall be enforced, and penalties imposed, by the Town.

**B. ~~Town Enforcement.~~** ~~The Town’s Local Animal Control Officer shall have the power to enforce the owning, keeping or harboring of prohibited animals.~~

(Ord. No. 00-03, effective 11/7/00; Ord. No. 16-02, effective 1/30/17)

### Section 2.3 ~~Local Animal Control Officer; Concurrent Enforcement~~ **[Reserved]**

**A. ~~The Mayor of the Town of Glen Echo, or his or her designee, as approved by the Town Council, shall serve as the Town’s Local Animal Control Officer (the “LACO”).~~**

**B. ~~The LACO shall enforce the provisions set forth in Section 2.2.~~**

(Ord. No. 00-03, effective 11/7/00; Ord. No. 16-02, effective 1/30/17)

### Section 2.4 Penalties

Any person violating any of the provisions of this Article shall be subject to the penalties and remedies stipulated under Article 21.

(Ord. No. 00-03, effective 11/7/00; Ord. No. 16-02, effective 1/30/17)

## Section 2.5 Regulations

~~A.~~ All regulations now **or 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 (1999) as amended, ~~are hereby incorporated by reference and shall be deemed to be in effect within the incorporated limits of the Town.~~

~~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 (1999) as amended, as adopted by this Ordinance shall become effective within the Town upon the effective date thereof unless an ordinance shall be adopted by the Town Council disapproving such amendments.~~

(Ord. No. 00-03, effective 11/7/00; Ord. No. 16-02, effective 1/30/17)

## Section 2.6 ~~Local Animal Advisory Committee~~ Resolving Animal Nuisance Issues

~~A.~~ ~~**Purpose.**~~ It is the intent and desire of the Town that the collegiality and neighborliness which are hallmarks of the Town be maintained, and to that end, that information regarding animal control requirements be disseminated and attempts to resolve problems informally and without resort to penalties and litigation be encouraged. **If nuisance issues cannot be resolved between neighbors, residents may call Montgomery County Animal Control.**

~~B.~~ ~~**Appointment.**~~ The Mayor of the Town of Glen Echo shall appoint up to three residents of the Town as the Local Animal Advisory Committee. The Local Animal Control Officer shall automatically be a member of the Committee and shall serve as the chair of the Committee.

~~C.~~ ~~**Duties.**~~ The Committee shall:

- ~~1.~~ ~~Assist Town residents in resolving animal control problems informally;~~
- ~~2.~~ ~~Inform Town residents about animal control regulations and procedures;~~
- ~~3.~~ ~~Maintain a list of dogs in the Town licensed by the County to aid in the identification of stray, lost or injured dogs; and~~
- ~~4.~~ ~~Perform other appropriate services to the Town and its residents relating to animal control.~~

~~D.~~ ~~**Limitations.**~~ The Committee shall be advisory and informal in nature and shall have no enforcement authority under the provisions of this Article. Notwithstanding the foregoing, the Local Animal Control Officer shall have all powers and authority otherwise granted by this Article.

(Ord. No. 00-03, effective 11/7/00; Ord. No. 16-02, effective 1/30/17)

\* \* \*

**Bold Underline** indicates new language

~~Strikethrough~~ indicates language deleted

Asterisks \* \* \* indicate language unchanged

AND BE IT FURTHER ORDAINED AND ORDERED, by the Town Council, acting under and by virtue of the authority granted to it by the Maryland Code and the Town of Glen Echo Charter, that:

1. If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and

2. This Ordinance shall take effect, twenty (20) days after adoption.

**Attest:**

I hereby attest that the above Ordinance was duly adopted by the Town Council on the \_\_\_\_ day of \_\_\_\_\_, 2021, by a vote of \_\_\_\_ in favor and \_\_\_\_ in opposition.

\_\_\_\_\_  
Clerk-Treasurer  
Town of Glen Echo

**Approved:**

\_\_\_\_\_  
Dia Costello, Mayor  
Town of Glen Echo

Date: \_\_\_\_\_