

The Mayor and Commissioners of the Town of Elkton

Ordinance 3-2013

BY: Mayor and Commissioners

INTRODUCTION: May 15, 2013

ADOPTION:

AN ORDINANCE CONCERNING

**Code of the Town of Elkton
Title 6
Chapter 6.04
DOGS**

FOR THE PURPOSE of amending the Code of the Town of Elkton, Title 6, Chapter 6.04, DOGS, providing for the control of dogs within the town, inclusive of an area specifically designated as a '*dog park*.'

WHEREAS, the Constitution of the State of Maryland, Article XI-E; Article 23A, Annotated Code of Maryland; and the Charter and Code of the Town of Elkton, provide the authority under which the Board of Commissioners may adopt, repeal, and/or amend the ordinances of the Town of Elkton; and

WHEREAS, the Board of Commissioners has determined that regulations should be created to regulate dogs in any area designated as a '*dog park*'; and

WHEREAS, the Board of Commissioners has further determined that Chapter 6.04 should be amended to provide for regulating dogs within the town.

NOW, THEREFORE, the Mayor and Commissioners of the Town of Elkton hereby ordain that:

Section 1: The Code of the Town of Elkton, Title 6, Chapter 6.04, DOGS, shall be repealed; and

Section 2: The Code of the Town of Elkton, Title 6, Chapter 6.04, DOGS, shall be re-enacted and read as follows:

**Code of the Town of Elkton
Title 6
Chapter 6.04
DOGS**

§6.04.010 Running at large prohibited; Use of Dog Park; Dog Park Rules

- A. No dog shall be permitted to run at large at any time whatsoever within the town, UNLESS AS PROVIDED UNDER THIS SECTION. All dogs shall be confined to the property of their owner or other person who has possession or control of such dogs by fencing or trolley line, unless leashed and accompanied by the owner or other person.
- B. DOGS SHALL BE PERMITTED TO RUN FREELY AND WITHOUT A LEASH IN ANY AREA DESIGNATED AS A 'DOG PARK' BY THE TOWN. A 'DOG PARK' SHALL BE DEFINED AS A FENCED AREA WITHIN A TOWN PARK OR OTHER PUBLIC PROPERTY INTENDED FOR USE BY DOGS AND BEARING A SIGN SPECIFICALLY DESIGNATING THE AREA AS A 'DOG PARK.'
- C. THE TOWN SHALL POST RULES ASSOCIATED WITH THE USE OF A 'DOG PARK' AND ANY PERSON USING THE 'DOG PARK' SHALL ABIDE BY SUCH RULES AS A CONDITION FOR THE USE OF THE 'DOG PARK.'

§6.04.020 Dogs that bark, bite or howl.

It is unlawful for any person to have in his possession or own any dog which, by barking, howling, or in any other manner, disturbs the peace OF ANY PERSON(S), order, and quiet of the town, or creates a danger to any person(s).

§6.04.030 Nuisance prohibited.

- A. No person owning, harboring, controlling, or keeping any dog(s) shall ~~deposit or~~ permit the dog(s) to deposit fecal matter on any property not that of the owner or custodian. THE OWNER OR CUSTODIAN OF A DOG SHALL REMOVE ANY FECAL MATTER DEPOSITED BY A DOG UNDER THE OWNER'S OR CUSTODIAN'S CONTROL FROM ANY PUBLIC OR PRIVATE PROPERTY.

- B. NO PERSON OWNING OR POSSESSING A DOG SHALL PERMIT SUCH DOG TO GO UPON ANY PUBLIC OR PRIVATE PROPERTY AND DAMAGE SAID PROPERTY IN ANY MANNER WHATSOEVER. THE OWNER OF THE DOG SHALL BE RESPONSIBLE FOR ANY RESULTING DAMAGE INCURRED TO PUBLIC AND/OR PRIVATE PROPERTY.

§6.04.040 Violation – Penalty

A violation of any provision of this chapter shall be deemed a civil infraction and shall be punished as provided in the Charter, § C14-1., B.

**** END OF SECTION ****

Date of Effect

THIS ORDINANCE shall be effective on the _____ day of _____, 2013.

Certification of Legal Review

THIS ORDINANCE reviewed by the Town Attorney and found legally sufficient and in proper form.

Mr. H. Norman Wilson, Jr., Esq., P.A.

Date

Execution by the Mayor and Commissioners

Attest:

Mayor and Commissioners
of the Town of Elkton

Lewis H. George, Jr., Town Administrator

Mayor Joseph L. Fisona

Commissioner Charles H. Givens, Sr.

Commissioner Charles E. Hicks, V

Commissioner Mary Jo Jablonski

Commissioner Earl M. Piner, Sr.