

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D. C. LAW 3-30

"Animal Control Act of 1979"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 3-75, on first and second readings, June 19, 1979 and July 3, 1979 respectively. Following the signature of the Mayor on August 7, 1979, this legislation was assigned Act No. 3-80, published in the August 17, 1979, edition of the D.C. Register, (Vol. 26 page 765) and transmitted to Congress on August 14, 1979 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and, therefore, cites this enactment as D.C. Law 3-30 effective October 18, 1979.


ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

September	5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28
October	1, 2, 3, 4, 5, 9, 10, 11, 12, 15, 16, 17

EFFECTIVE
DATE OCT 18 1979

AN ACT

D.C. ACT 3-80

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

AUG 07 1979

To establish a comprehensive program for animal population control in the District of Columbia, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA.

That this act may be cited as the "Animal Control Act of 1979".

Sec. 2. Definitions.

For the purposes of this act:

(a) The term "animal at large" means any animal found off the premises of its owner and neither leashed nor otherwise under the immediate control of a person capable of physically restraining it.

(b) The term "animal shelter" means a District of Columbia government facility used by the Animal Control Agency for the care and detention of animals.

(c) The term "dangerous animal" means an animal that because of specific training or demonstrated behavior threatens the health or safety of the public.

-2-

(d) The term "Mayor" means the Mayor of the District of Columbia or his designee.

(e) The term "owner" means a person in the District of Columbia who purchases or keeps an animal in temporary or permanent custody except as provided in section 5.

(f) The term "vaccinated" means protected by a documented inoculation that the Mayor, consistent with the practices of veterinary medicine, determines is currently effective.

Sec. 3. Animal Control Agency.

(a) The Mayor may contract, either by negotiation or competitive bid, with a District of Columbia humane organization to serve as the Animal Control Agency. The Mayor may delegate all or part of his authority under this act, including the issuance of notices of violations, to the Animal Control Agency.

(b) The Animal Control Agency shall deliver all fees collected under this act to the Mayor.

Sec. 4. Vaccinations.

(a) An owner who has a dog over the age of four (4) months shall have the dog vaccinated against rabies and distemper.

-3-

(b) The Mayor shall provide a free anti-rabies vaccination clinic annually.

Sec. 5. Licenses and Fees.

(a) For purposes of this section, "owner" shall not include: (1) a licensed veterinary hospital, (2) a licensed pet shop, and (3) an incorporated animal welfare agency not engaged in the sale of animals.

(b) An owner who has a dog over the age of four (4) months shall before July 1 of each year, or within ten (10) days of acquiring the dog, or within (10) ten days after the dog becomes four (4) months of age, obtain an annual license. An owner shall ensure that his dog wears a collar and a license.

(c) Before any annual license may be issued, the owner of the dog shall have the dog vaccinated against rabies and distemper, and shall pay any outstanding fines.

(d) The Mayor shall collect the fees and issue the licenses as provided in this section.

(e) Except as provided in subsection (f) of this section, the annual license fee for a dog is as follows:

(1) no fee for a dog trained to aid the audio-handicapped or blind and actually used for that purpose;

(2) \$5 for a male dog;

-4-

(3) \$5 for a female dog certified by a licensed veterinarian as either spayed or incapable of enduring spaying;

(4) \$25 in any other case.

(f) For the year July 1, 1979, to June 30, 1980, the annual license fee for a dog is as follows:

(1) no fee for a dog trained to aid the audio-handicapped or blind and actually used for that purpose;

(2) \$8 in any other case.

(g) No license may be transferred from one dog to another.

Sec. 5. Impoundment.

(a) The Mayor may impound any animal at large or any dangerous animal.

(b) Upon impounding an animal, the Mayor shall make a prompt and reasonable attempt to locate and notify the owner of the impounded animal.

(c) The Mayor may dispose of any wild, sick or badly injured animal upon its impoundment.

(d) The Mayor shall provide appropriate vaccinations for each animal upon its impoundment.

-5-

(e) The Mayor shall provide appropriate veterinary services for each dog wearing a valid license upon its impoundment.

(f) The Mayor shall deem abandoned any animal impounded and not redeemed by its owner within seven (7) days of impoundment or, if notice is given under subsection (b) of this section, within seven (7) days of such notice. An animal deemed abandoned shall become the property of the District of Columbia and may be adopted or disposed of in a humane manner.

(g) The Mayor shall not release an animal unless it is vaccinated against rabies.

(h) The Mayor shall not release a sick or dangerous animal to anyone other than a licensed veterinarian until reasonably satisfied that it is safe to do so.

Sec. 7. Redemption by Owner.

(a) The Mayor shall not release a dog to its owner unless the owner has obtained a license as provided in section 5.

(b) An owner of an animal that is impounded shall pay the following:

(1) an impoundment fee of \$10;

-6-

(2) a boarding fee of \$3 for each night after the first night;

(3) the cost of veterinary services, including vaccinations, provided by the Mayor; and

(4) any outstanding fines.

(c) The Mayor shall issue a notice of violation to an owner of an animal impounded under section 6 except that this subsection shall not apply the first time an owner has an animal impounded.

Sec. 8. Adoption.

(a) The Mayor shall not release a dog for adoption unless the person adopting the dog obtains a license as provided in section 5.

(b)(1) The Mayor shall not release an animal over the age of six (6) months for adoption unless (A) the animal has been spayed or neutered and (B) the person adopting the animal has paid the expense of spaying or neutering.

(2) The Mayor shall not release an animal under the age of six (6) months for adoption unless the person adopting the animal has paid the expense of spaying or neutering the animal. The person adopting the animal shall have it spayed or neutered before it becomes six (6) months of age.

-7-

Sec. 9. Prohibited Conduct.

(a) No owner of an animal shall allow the animal to go at large.

(b) No person shall falsely deny ownership of any animal.

(c) No person shall remove the license of a dog without the permission of its owner.

(d) No person shall change the natural color of a baby chicken, duckling, other fowl or rabbit.

(e) No dog shall be permitted on any school ground when school is in session or on any public recreation area unless the dog is leashed.

Sec. 10. Animal Hobby Permit.

(a) No person shall own or keep five (5) or more mammals, larger than a guinea pig and over the age of four (4) months, without obtaining an animal hobby permit: EXCEPT, That this section shall not apply to a licensed pet shop, licensed veterinary hospital, circus or traveling exhibition.

(b) An owner of five (5) or more mammals shall before July 1 of each year or within ten (10) days of acquiring five (5) or more mammals obtain the permit required by this section.

-8-

(c) An owner applying for an animal hobby permit shall fully describe the kind and number of mammals to be maintained and the premises where the mammals are to be kept.

(d) No animal hobby permit shall be issued to:

(1) a dog owner unless the owner has obtained a license for each dog as provided in section 5;

(2) an owner who maintains mammals for commercial purposes. For purposes of this section, "commercial purposes" shall not include the sale of offspring if such sales are occasional and are not the primary purpose for maintaining the mammals.

(e) The Mayor shall collect the fees and issue the permits as provided in this section.

(f) A holder of an animal hobby permit shall provide his mammals with appropriate veterinary care. A holder of an animal hobby permit shall maintain the premises and enclosures where the mammals are kept in a clean and sanitary condition.

(g) A holder of an animal hobby permit shall not permit objectionable odors or noises to disturb the comfort or quiet of any neighborhood. A holder of an animal hobby

permit shall not permit a mammal to commit a nuisance on public space or property owned by others.

(h) The Mayor may revoke an animal hobby permit for failure to comply with the provisions of this section.

Sec. 11. Education and Incentive Program.

The Mayor shall implement an education and incentive program, which shall include the following:

- (a) low cost spay and neuter clinic services; and
- (b) program for education of animal owners.

Sec. 12. Penalty.

Each person who violates a provision of this act shall pay a fine not to exceed \$25.

Sec. 13. Notice of Violation.

(a) The Mayor may issue a notice of violation to any person who violates a provision of this act.

(b) A notice of violation shall:

- (1) state the nature of the violation; and
- (2) describe the procedures provided in this

section.

(c) A notice of violation shall be the summons and complaint for the purposes of this act.

(d) A person shall answer a notice of violation within fifteen (15) days by:

-10-

(1) depositing and forfeiting collateral in an amount established by the Superior Court of the District of Columbia; or

(2) depositing collateral in an amount established by the Superior Court of the District of Columbia and requesting, through the issuing agency, a trial in court.

(e) The Mayor shall prescribe the form for the notice of violation and establish procedures for the administrative control of the notice of violation.

Sec. 14. Amendments.

(a) Sections 1, 2, 3, 4, 5, 6, 7, 8, 10, and 11 of An act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes, approved June 19, 1878 (20 Stat. 173; D.C. Code, secs. 1-230, 47-2001 through 2008) are repealed.

(b) Section 15 of article 18 of the Police Regulations of the District of Columbia is repealed.

(c) Chapter 3-3 of the temporary supplement to the 1965 edition of the District of Columbia Health Regulations is amended as follows:

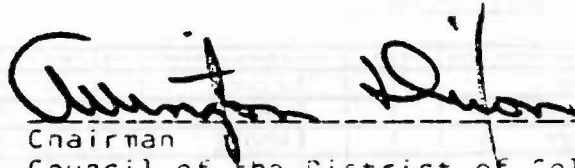
-11-

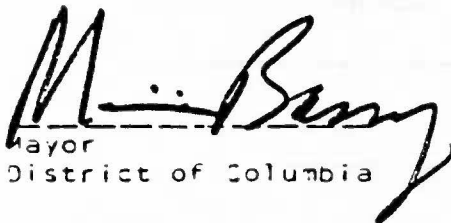
(1) section B-3110 is amended by deleting "It is the policy of the District of Columbia Government to" and substituting "The Director of the D.C. Pound may"; and

(2) section B-3114 is repealed.

Sec. 15. Effective Date.

This act shall take effect as provided for acts of the Council of the District of Columbia in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: August 7, 1979

COUNCIL OF THE DISTRICT OF COLUMBIA

RECORD OF OFFICIAL COUNCIL ACTION

DOCKET NO: Bill 3-75

ACTION: To Adopt (6-19-79)

VOICE VOTE: Unanimous

Absent: All Present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
LARVIS					ROLARK									

CERTIFICATION OF RECORD

Walter H. Robinson
Secretary to the Council

ACTION: To Adopt (7-3-79)

VOICE VOTE: Unanimous

Absent: Hardy

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
LARVIS					ROLARK									

CERTIFICATION OF RECORD

Walter H. Robinson
Secretary to the Council

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.A.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
LARVIS					ROLARK									

CERTIFICATION OF RECORD

Secretary to the Council