

Title 13 HEALTH DEPARTMENT

Subtitle 03 ANIMAL PROVISIONS

CHAPTER 01 WILD, EXOTIC, HYBRID, AND LIVESTOCK ANIMALS

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TITLE 13 HEALTH DEPARTMENT

Subtitle 03 ANIMAL PROVISIONS

CHAPTER 01 WILD, EXOTIC, HYBRID, AND LIVESTOCK ANIMALS

Authority: Baltimore City Health Code, § 2-106 and Title 10, Subtitle 6

13.03.01.01

.01 Scope.

This chapter establishes:

- A. Allowed and prohibited wild, exotic, hybrid, and livestock animals;
- B. Requirements to obtain a permit to keep allowed wild, exotic, hybrid, and livestock animals;
- C. The permit application process to keep allowed wild, exotic, hybrid, and livestock animals, including the requirements for inspection prior to obtaining a permit and fees for permits as applicable;
- D. Requirements for keeping animals for purposes of urban agriculture;
- E. Application requirements for a 501(c)(3) non-profit community farm or garden to keep certain prohibited animals under certain restrictions; and
- F. Grounds for revoking or denying a permit.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Altered” means to surgically or chemically render an animal incapable of reproducing.
- (2) “Applicant” means a person or entity applying for a permit to keep an allowed wild, exotic, hybrid, or livestock animal.
- (3) “Community farm or garden” means a plot of land used by individuals or groups for agricultural purposes.
- (4) “Exotic” means a wild animal of a species that is not indigenous to the state of Maryland or an animal that the Health Commissioner specifies by rule or regulation.
- (5) “Health Commissioner” means the Health Commissioner of the Baltimore City Health Department.
- (6) “Hybrid” means an animal that is crossbred between a domesticated, exotic, or wild animal.
- (7) “Inhumane” means to:
 - (a) Cause pain or suffering to an animal; or
 - (b) Keep an animal in a manner that does not allow for adequate:
 - (i) Ventilation;
 - (ii) Security; or
 - (iii) Space to meet the specific needs of its species and development.
- (8) “Keep” means:
 - (a) To feed or shelter an animal on the premises of real property by an owner, custodian, or occupant of the property; or
 - (b) To feed or shelter an animal on a plot of land being used for agricultural purposes.
- (9) “Livestock” means cattle, sheep, horses, goats, or other domesticated animals ordinarily raised or used in an agricultural setting.
- (10) “Urban agriculture” means the cultivation, processing, and distribution of agricultural products in an urban setting.
- (11) “Wild” means an animal that is not domesticated living in a natural environment.

.03 Prohibited Wild, Exotic, Hybrid, and Livestock Animals.

- A. A person may not keep, or allow to be kept on that person's premises, a wild, exotic, hybrid, or livestock animal as specified in §B(1)—(27) of this regulation.
- B. The following wild, exotic, hybrid, and livestock animals are prohibited:
 - (1) A wild, exotic, hybrid, or livestock animal whose possession or sale is prohibited by a federal, State, or City law, rule, or regulation;
 - (2) Dogs other than a domesticated dog (*Canis familiaris*);
 - (3) Cats other than a domesticated cat (*Felis catus*);
 - (4) Bears;
 - (5) Bats;
 - (6) Squirrels;
 - (7) Fur-bearing mammals of the family Mustelidae other than a domesticated ferret (*Mustela fero*);
 - (8) Venomous insects other than honey bees;
 - (9) Spiders;
 - (10) Scorpions;
 - (11) Centipedes;
 - (12) Large rodents (Rodentia);
 - (13) Even-toed ungulates (Artiodactyla) other than a domesticated goat of the Miniature, Dwarf, or Pygmy breed;
 - (14) Odd-toed ungulates (Perissodactyla) other than a domesticated horse (*Equus caballus*) used in the Arabber or carriage trades or used by federal, State, or local law enforcement units;
 - (15) Marsupialia;
 - (16) Procyonidae;
 - (17) Carnivorous mammals of the family Viverridae;
 - (18) Non-human primates;
 - (19) Bovinae (cattle);
 - (20) Pigs, boars, and swine other than a domesticated Vietnamese Pot-bellied pig;
 - (21) Rabbits of the family Leporidae other than a domesticated rabbit that has been bred and supervised in a properly maintained rabbitry;
 - (22) Crocodylia;
 - (23) Venomous reptiles that are harmful to people, even if the reptile has had venom producing glands or structures removed;

- (24) Snakes capable of growing to more than 5 feet when fully grown;
- (25) Lizards capable of growing to more than 4 feet when fully grown;
- (26) Green iguanas (*Iguana iguana*) less than 30 inches long or more than 6 feet long when fully grown;
and
- (27) Fowl other than domesticated hens and pigeons.

.04 Conditions for Keeping Allowed Wild, Exotic, Hybrid, and Livestock Animals.

- A. Except as provided in §J of this regulation, a person or entity shall meet the following conditions for keeping an allowed wild, exotic, hybrid, or livestock animal.
- B. Vietnamese Pot-bellied Pigs.
- (1) A person may keep a Vietnamese Pot-bellied pig if:
 - (a) A permit is obtained from the Office of Animal Control; and
 - (b) A veterinary record is presented to the Office of Animal control to show that the Vietnamese Pot-bellied pig is altered.
 - (2) A person may not keep a Vietnamese Pot-bellied pig if the animal:
 - (a) Measures greater than 22 inches in height at the shoulder; or
 - (b) Weighs more than 150 pounds.
 - (3) A person permitted to keep a Vietnamese Pot-bellied pig shall ensure that the animal is:
 - (a) Kept in a clean and sanitary environment that will prevent:
 - (i) Disease;
 - (ii) Odor; and
 - (iii) Insect or rodent breeding;
 - (b) Provided with routine and emergency veterinary care as needed; and
 - (c) Neutered prior to 9 weeks, if it is a boar; or
 - (d) Spayed prior to 6 months, if it is a gilt.
 - (4) A person permitted to keep a Vietnamese Pot-bellied pig shall ensure that the animal's tusks are properly filed by an experienced handler so tusks do not show outside of the mouth when the mouth is closed.
 - (5) Except as provided in §6 of this Regulation, a person who is permitted to keep a Vietnamese Pot-bellied pig may not remove the animal's tusks unless removal of the tusks is deemed medically necessary for the health of the animal.
 - (6) A person permitted to keep a Vietnamese Pot-bellied pig may keep a rescue Vietnamese Pot-bellied pig that has had its tusks removed by a previous owner.
 - (7) The Office of Animal Control may require paperwork from a person permitted to keep a Vietnamese Pot-bellied pig which demonstrates that:
 - (i) Tusk removal was medically necessary; or
 - (ii) The Vietnamese Pot-bellied pig is a bona fide rescue animal.
- C. Pigeons.
- (1) A person may keep a pigeon if:

- (a) A permit is obtained from the Office of Animal Control;
 - (b) Applicable zoning and building permits or authorizations have been obtained; and
 - (c) The total number of pigeons kept is fewer than 125.
- (2) A person permitted to keep a pigeon shall ensure that the pigeon coop or loft:
- (a) Contains a minimum of 1 square foot of floor space for each pigeon over the age of one month;
 - (b) Is constructed so that the interior is:
 - (i) Dry;
 - (ii) Airy;
 - (iii) Bright; and
 - (iv) Adequately ventilated; and
 - (c) Is maintained and kept in a clean manner to prevent:
 - (i) Disease;
 - (ii) Odor; and
 - (iii) Insect or rodent breeding.
- (3) A person permitted to keep a pigeon shall ensure that feed is stored and administered in a manner that prevents attracting rodents.
- (4) A person permitted to keep a pigeon may not allow the animal to:
- (a) Be outside the coop or loft other than a maximum of three hours per day of supervised exercise;
or
 - (b) Perch or linger on the property or buildings of others.

D. Miniature, Dwarf, or Pygmy Goats.

- (1) A person may keep a Miniature, Dwarf, or Pygmy goat if a permit is obtained from the Office of Animal Control.
- (2) A person permitted to keep a Miniature, Dwarf, or Pygmy goat shall ensure that:
 - (a) The animal is dehorned; and
 - (b) Males over the age of 6 months are neutered.
- (3) A person permitted to keep a Miniature, Dwarf, or Pygmy goat shall provide the animal with:
 - (a) Potable water at all times;
 - (b) Adequate amounts of feed; and
 - (c) Routine and emergency veterinary care as needed.

- (4) A person permitted to keep a Miniature, Dwarf, or Pygmy goat shall ensure the yard in which the animal is kept:
 - (a) Is well-maintained and clean; and
 - (b) Contains:
 - (i) A minimum of 150 square feet of permeable space available per goat;
 - (ii) Fencing to prevent roaming; and
 - (iii) Proper grading and drainage.
- (5) A person permitted to keep a Miniature, Dwarf, or Pygmy goat may keep:
 - (a) Two female or neutered goats, plus their offspring up to 6 months of age, on lots less than 20,000 square feet; and
 - (b) One additional goat for every 5,000 square feet of lot area over 20,000 square feet, up to a maximum of 6 goats over the age of 6 months.

E. Ferrets.

- (1) A person may keep a ferret if:
 - (a) A permit is obtained from the Office of Animal Control; and
 - (b) Evidence of a current rabies vaccination is provided to the Office of Animal Control.
- (2) A person permitted to keep a ferret shall provide the animal with:
 - (a) Adequate food that is highly concentrated with fat as the main source of calories and highly digestible meat-based protein;
 - (b) Potable water at all times;
 - (c) Adequate exercise in an appropriate enclosed area; and
 - (d) Routine and emergency veterinary care as needed.

F. Snakes up to 5 Feet Long.

- (1) A person may keep a snake capable of growing to a length of no more than 5 feet when fully grown if a permit is obtained from the Office of Animal Control.
- (2) A person permitted to keep a snake up to 5 feet long shall provide the animal with:
 - (a) Potable water at all times;
 - (b) Adequate food appropriate for the species;
 - (c) An adequate enclosure with sufficient space so as not to be inhumane;
 - (d) Adequate heating and lighting as required for the species; and
 - (e) Routine and emergency veterinary care as needed.

G. Lizards up to 4 Feet Long.

- (1) A person may keep a lizard capable of growing to a length of no more than 4 feet when fully grown if a permit is obtained from the Office of Animal Control.
- (2) A person permitted to keep a lizard up to 4 feet long shall provide the animal with:
 - (a) Potable water at all times;
 - (b) Adequate food appropriate for the species;
 - (c) An adequate enclosure with sufficient space so as not to be inhumane;
 - (d) Adequate heating and lighting as required for the species; and
 - (e) Routine and emergency veterinary care as needed.

H. Green Iguanas between 30 inches and 6 feet Long.

- (1) A person may keep a green iguana that is a minimum of 30 inches in length but no more than 6 feet in length when fully grown if a permit is obtained from the Office of Animal Control.
- (2) A person permitted to keep a green iguana between 30 inches and 6 feet long shall provide the animal with:
 - (a) Potable water at all times;
 - (b) Adequate food as appropriate for the species;
 - (c) An adequate enclosure with sufficient space so as not to be inhumane;
 - (d) Adequate heating and lighting as required for the species; and
 - (e) Routine and emergency veterinary care as needed.

I. Hens.

- (1) A person may keep a hen if:
 - (a) A permit is obtained from the Office of Animal Control;
 - (b) A Maryland Poultry Premises Registration is obtained through the Maryland Department of Agriculture; and
 - (c) All applicable zoning and building permits or authorizations are obtained prior to building or using a hen coop or loft.
- (2) If a person permitted to keep a hen plans to sell or otherwise provide eggs, an egg producers license shall be obtained through the Maryland Department of Agriculture.
- (3) A person permitted to keep a hen shall ensure that the animal:
 - (a) Is provided with:
 - (i) Potable water;
 - (ii) Proper feed; and
 - (iii) Veterinary care if the animal is known or suspected to be sick or injured.
 - (b) Does not perch or roam on the property of others.

- (4) A person permitted to keep a hen shall provide a coop or loft to house the animal that:
 - (a) Is well-constructed;
 - (b) Is sanitary and adequately sized;
 - (c) Provides shade during warm weather;
 - (d) Provides suitable protection from inclement weather and predation;
 - (e) Is not within 15 feet of a residence;
 - (f) Is cleaned and managed to minimize odors and materials that may attract rodents;
 - (g) Is moved frequently to minimize turf destruction and the build-up of manure borne pathogens such as coccidiosis and roundworms; and
 - (h) Allows a minimum of 2 square feet per hen.
- (5) A person permitted to keep a hen may keep:
 - (a) Four hens over the age of 1 month on a lot less than 2,000 square feet; and
 - (b) One additional hen over the age of 1 month for every additional 1,000 square feet of lot area over 2,000 square feet, not to exceed a total of 10 hens.

J. Hens – Community Farms or Gardens or Urban Agricultural Enterprises.

- (1) A community farm or garden or urban agricultural enterprise may keep hens in numbers greater than 10 if a permit is obtained from the Office of Animal Control.
- (2) A community farm or garden or urban agricultural enterprise shall include a written management plan with the permit application stating how:
 - (a) The hens will be housed;
 - (b) The hens and their feed will be protected from predators and other pests;
 - (c) Waste will be managed; and
 - (d) Impacts to surrounding property owners and neighbors will be minimized.
- (3) The Health Commissioner may deny a permit to keep hens in numbers greater than 10 to a community farm or garden or urban agricultural enterprise at their discretion.
- (4) In addition to adhering to the provisions noted in §I(1)—(4) of this regulation, a community farm or garden or urban agricultural enterprise permitted to keep hens may keep:
 - (a) Up to 10 hens on lots greater than 5,000; and
 - (b) One additional hen over the age of 1 month for every additional 1,000 square feet of lot area, not to exceed a total of 50 hens.

K. Honey Bees.

- (1) A person may keep honey bees if:
 - (a) A permit is obtained from the Office of Animal Control; and

- (b) The activity is registered with the Maryland Department of Agriculture.
- (2) A person permitted to keep honey bees may keep:
 - (a) Two colonies and 1 nucleus colony for lots up to 2,500 square feet; and
 - (b) One additional colony and 1 additional nucleus colony for every additional 2,500 square feet of lot area over 2,500 square feet.
- (3) Requirements for hives housing colonies.
 - (a) Except where a solid wall or fence measuring at least 5 feet in height and at least 5 feet in width is located at a lot line to provide a barrier, a person permitted to keep honey bees shall ensure that:
 - (i) The bees or hive are not located within 5 feet of a lot line; and
 - (ii) The bees or hive are inaccessible to the public.
 - (b) A person permitted to keep honey bees shall ensure that honey bee movement to and from the hive does not unreasonably interfere with:
 - (i) The reasonable enjoyment of the property of others;
 - (ii) The comfort of the public or domestic animals; or
 - (iii) The use of a public right-of-way.

L. Rabbits.

- (1) A person may keep a rabbit if a permit is obtained from the Office of Animal Control.
- (2) A person applying for a permit to keep a rabbit shall include a written management plan with the permit application stating how:
 - (a) The rabbit will be housed;
 - (b) Waste will be managed;
 - (c) The rabbit and their feed will be protected from predators and other pests;
 - (d) The keeping of breeding pairs and young will be managed to avoid unwanted litters resulting in rabbits exceeding the number allowed; and
 - (e) Aggressive behavior in group housing will be monitored, specifically in male rabbits, to mitigate injuries caused by fighting.
- (3) A person permitted to keep a rabbit may keep:
 - (a) Up to 12 total rabbits with no more than 1 breeding pair on lots less than 1,000 square feet; or
 - (b) Up to 24 total rabbits with no more than 2 breeding pairs on lots greater than 1,000 square feet.
- (4) A person permitted to keep a rabbit shall provide the animal with a shelter that:
 - (a) Allows a minimum of 3 square feet per rabbit;
 - (b) Provides suitable protection from inclement weather;
 - (c) Is adequately sized and not within 15 feet of a residence;

(d) Is kept clean and free of odors or materials that may attract rodents; and

(e) Is moved frequently to minimize turf destruction and the buildup of manure borne pathogens.

(5) A person permitted to keep a rabbit shall provide the animal with:

(a) Shade during warm weather;

(b) Adequate potable water at all times;

(c) Adequate amounts of feed at all times; and

(d) Veterinary care if the animal is known or suspected to be sick or injured.

.05 Permitting Process for Allowed Wild, Exotic, Hybrid, and Livestock Animals.

- A. A person intending to keep an allowed wild, exotic, hybrid, or livestock animal shall submit a permit application that has been completed in accordance with §B—H of this regulation to the Office of Animal Control within 10 days of acquiring the animal.
- B. To obtain a permit, an applicant shall submit the following to the Office of Animal Control:
 - (1) An affidavit certifying that neither the applicant nor an operator, employee, or agent of the applicant has ever been convicted of animal abuse, cruelty, or neglect;
 - (2) The applicant's name and address;
 - (3) The type, breed, age, and the gender of the animal; and
 - (4) Written permission from the property owner giving permission to have the animal on the premises, if the applicant is renting the property that will house the animal.
- C. Except in the case of beekeeping, an applicant shall further provide:
 - (1) A photo of the animal; and
 - (2) Proof of current vaccinations and health examination;
- D. The Office of Animal Control may request vaccination and health records for inspection.
- E. Except as provided in §F of this regulation, a permit will be valid only at the location where the animals are normally housed.
- F. A beekeeping permit will be valid for each host site that is properly registered and approved under the permit with the Office of Animal Control.
- G. Permit Fees.
 - (1) With the exception of honey bees and as provided in §G(2) of this regulation, the applicant shall remit a permit application fee of \$80.00 for an individual animal or group of animals of the same type.
 - (2) An applicant may remit one permit application fee for a collection of snakes, lizards and green iguanas, which are considered the same type of animal for the purpose of permit fees.
 - (3) An applicant shall remit the permit fee:
 - (a) In cash or by certified check, bank check, or money order made payable to the Director of Finance for the total cost of the permit; and
 - (b) Along with the completed application to the Office of Animal Control
- H. A permit will remain valid unless it is suspended or revoked by the Health Commissioner.

.06 Keeping Animals for Purposes of Urban Agriculture.

- A. In addition to the permit requirements in regulation .05 of this Chapter, a person who keeps an animal for purposes of urban agriculture shall adhere to applicable:
 - (1) Zoning requirements; and
 - (2) Requirements of the Maryland Department of Agriculture.
- B. Where contiguous lots are used cooperatively as part of a single farm or agricultural enterprise, a person who keeps an animal for purposes of urban agriculture may consider the contiguous lots as a single lot for the purposes of calculating:
 - (1) Minimum space requirements; and
 - (2) Contiguous open space.
- C. If lots used cooperatively under §B(1)—(2) of this Regulation are titled under different owners, a person who keeps animals for purposes of urban agriculture shall obtain written permission from each property owner to have animals on the property.
- D. A person who keeps animals for purposes of urban agriculture may not slaughter animals for food, fur or other products

.07 Non-Profit 501(c)(3) Community Farms or Gardens.

- A. The Office of Animal Control may waive certain restrictions on types or quantities of animals in this chapter for non-profit 501(c)(3) Community Farms or Gardens that:
- (1) Serve the community; and
 - (2) Provide education to the public on proper animal care and husbandry.
- B. To apply for a waiver, a community farm or garden shall submit an application outlining the following criteria:
- (1) Type of animal and breed;
 - (2) Quantity of animals;
 - (3) Gender of animals, including their status as altered or unaltered;
 - (4) Breeding population, if applicable;
 - (5) Habitat or shelter for the animals;
 - (6) Containment or restraint plan;
 - (7) Extreme and inclement weather protection plan;
 - (8) Space requirements;
 - (9) The animals' dietary needs;
 - (10) Preventative healthcare plan including:
 - (a) Coat;
 - (b) Hoof;
 - (c) Horn;
 - (d) Dental care; and
 - (e) Vaccines;
 - (11) Veterinary care plan including:
 - (a) Veterinarian identification and information; and
 - (b) Health certificates;
 - (12) Disease prevention plan; and
 - (13) Nuisance mitigation.
- C. The Office of Animal Control may not approve an application for an animal that has not been properly registered with the State of Maryland as required.

13.03.01.08

13.03.01.08. Denial, Amendment, Suspension, Revocation, or Refusal to Renew a Permit.

- A. Subject to the provisions of Baltimore City Health Code § 10-219 and § 10-220, the Health Commissioner may deny, amend, suspend, revoke, or refuse to renew a permit issued under these regulations.
- B. The provisions of Baltimore City Health Code §§ 10-222, 10-223, 10-224 apply to a permit issued under these regulations.

Administrative History

Effective date: _____