

WHAT HAPPENS IF MY ANIMAL BITES A HUMAN OR ANOTHER ANIMAL?

As a pet parent and a GHI Member, it is important that you understand what happens if your companion animal bites a human or another animal. If your animal bites, the bite will be reported to the police, or to an animal control officer who works as part of, and with, the city or county police department. The report of the bite will be on file and available in the event your animal bites again.

The county defines a pet as:

Pet shall mean a domesticated animal kept for pleasure rather than utility. Pets include, but are not limited to, dogs, cats, birds, fish, reptiles, and other animals, which, by habit or training, live in association with man.

The county defines a companion animal as:

Companion animal shall mean any domestic or feral dog, domestic or feral cat, ferret, nonhuman primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, exotic or native bird, or any feral animal or any animal under the care, custody, or ownership of a person or any animal which is bought, sold, traded, or bartered by any person. Agricultural animals, farm animals, game species, wild or game species native to Maryland, or any animal regulated under federal law as research animals shall not be considered companion animals.

If those involved are GHI members, it is likely that the bite incident will be reported by the injured member, or by the member whose dog is injured, to GHI's Member Services. This may lead to a member complaint. At the least, the Director of Member Services will follow up with the animal control officer or the police department to obtain more information. The information about the bite incident will be kept on file at GHI in the event there is another incident in the future.

Below are excerpts from the city and county animal codes that explain the definition of a vicious or dangerous animal and other important information. Links for the entire **Greenbelt City Code; Chapter 3 Animals...CD3:1** and **The County Code - Prince George's County, Maryland; Subtitle 3. Animal Control** are also provided, as well as how Prince George's County addresses dangerous dogs. This is followed by the GHI definition for a vicious and dangerous animal and the GHI regulation about vicious and dangerous animals.

Chapter 3 of the City Code includes the definition of a vicious/dangerous animal:

Vicious or dangerous animal shall mean any animal that without provocation inflicts severe injury on, or kills, a human being either on public or private property; any animal previously declared to be potentially dangerous as evidenced by the unprovoked infliction of moderate injury upon a human being while on either public or private property on more than one (1) occasion; or the unprovoked killing, or infliction of greater than mild injury on, a domestic animal while at large on more than one (1) occasion; or the unprovoked infliction of mild injury on a human being or domestic animal while at large on more than two (2) occasions within a six (6) month period; or any animal declared to be dangerous or like term by any other jurisdiction pursuant to definitions and standards of dangerous that are substantially similar to those set forth in this chapter. (Ord. No. 1213, 4-22-02)

How dangerous animals are handled by the city can be found at:

<https://www.greenbeltmd.gov/home/showpublisheddocument/7788/636645074596470000>

Subtitle 3 of The County Code is more comprehensive. At key points in the city process, the city communicates and coordinates with the county and the Prince George's County Commission for Animal Control. Therefore, this article provides more detail from the Prince George's Animal Control Code than from the City Code. Subtitle 3; Division 4 addresses Animal Control enforcement.

The complete County Code can be found online at:

https://library.municode.com/md/prince_george's_county/codes/code_of_ordinances?nodeId=PTIITI17_PULOLAPRGECOMA_SUBTITLE_3ANCO_DIV4ANCOEN_SD3ANCORE_S3-136DAAN

Per the Prince George's County Code regarding dangerous animals:

Sec. 3-136. - Dangerous animals.

(a) Any animal that without provocation (i) inflicts injury on a human on private or public property; (ii) kills a domesticated and/or farm animal; or (iii) has been previously found to be potentially dangerous because of injury inflicted on a human or an animal, the owner having received notice of such and the animal again aggressively bites, attacks, or endangers public safety is defined to be a dangerous animal for the purpose of this Subtitle. No animal shall be found to be dangerous if the threat, injury, or damage was sustained by a person who was:

- (1) Committing, at the time, a crime upon the premises occupied by the animal's owner or custodian;*
- (2) Committing, at the time, a tort upon the premises occupied by the animal's owner or custodian; or*
- (3) Provoking, tormenting, or physically abusing the animal.*

(b) It shall be the duty of the Police Department to receive and document complaints concerning dangerous animals. It shall be the duty of the Administrator/Animal Control Officer to receive and investigate complaints concerning dangerous animals. Whenever an animal complained against shall be reasonably deemed by a police officer or the Administrator/Animal Control Officer to be a dangerous animal, the police officer or Administrator/Animal Control Officer shall report the fact to the Commission in the form of a written complaint and shall be authorized and empowered to impound the animal pending a hearing if he reasonably believes that the owner of the animal is not capable of restraining the animal from attacking, biting, or injuring any human being or other animal pending a hearing on whether the animal is dangerous. Notwithstanding the above, whenever an animal causes severe injury to any human being, the police officer or Animal Control Officer shall impound the animal pending a hearing by the Commission. In this Section, severe injury means any physical injury from single or multiple bite(s) resulting in broken bones, serious disfigurement, serious impairment of health, serious impairment of a bodily function, or requiring multiple sutures or cosmetic surgery.

Per Section 3-137 Dangerous animals; restrictions - allows restrictions to be placed on an animal once the animal has been declared dangerous. Included are restrictions requiring that the animal is under the supervision of a person 18 years old or older while on public premises, animal having to be muzzled, and a variety of other measures such as:

(d) The dangerous animal as evidenced by aggravating circumstances, or by previous unjustified attacks on a person or animal sustaining serious injury or death, shall become the property of Prince George's County.

(d) The owner of a dangerous animal may be banned from owning, possessing, or caring for animals for up to five (5) years subject to the right to petition the Board for a waiver based on good cause shown.

It is important to add that Prince George's County has a Commission for Animal Control where:

Any person who alleges that an animal is dangerous may file a complaint with the [Prince George's County] Animal Control Commission that states in clear language why the animal is dangerous. This complaint shall identify where the animal is located and describe the animal which is the subject of the complaint. The Administrator shall investigate the complaint and may impound the animal in accordance with this Section.

The following sections of the County Code may also impact owners and their animals in the event of a bite. Please see the following:

Section 3-101

(7) Animals at large.

(15) Animal under restraint.

*(20) Bite contact.

** (32) Custodian.

(33) Dangerous animal.

*(54) Nonbite contact.

** (56) Owned animal.

** (57) Owner.

(63) Potentially dangerous animal.

(78)(I) Public nuisance animal.

Sec. 3-107 to 3-112 Commission for Animal Control.

3-135 Animals at large prohibited.

3-137 Dangerous animals; restrictions.

3-142 Irresponsible owners.

3-182 Potentially dangerous animal.

Other regulation and enforcement procedures may be required should your animal bite and you do not have proof of a current rabies vaccination. See the County Code, Division 7. Rabies Control; Sections 3-186 to 3-197.

Finally, Section XV. Companion Animals of GHI's Rules and Regulations also has a definition of vicious/dangerous animals:

Vicious or Dangerous Companion Animal: Any companion animal that constitutes a physical threat to people or other animals by virtue of specific training or demonstrated behavior.

The actual GHI rule states:

Members are prohibited from owning or harboring vicious or dangerous animals.

In addition, members should have a good understanding of whether their homeowner's insurance policies may no longer cover an animal that has bitten a human or another animal, especially if a bite report exists, or the animal is deemed dangerous. Future attempts to obtain coverage with other insurance companies for such an animal may be unsuccessful as well.

What is a pet parent to do? First realize that these codes cover any animal defined as a pet or companion animal. Use common sense when handling your animals in public settings. Assess your children's ability to control your animal. Don't allow your children to walk the dog without close supervision and never put the leash in the hands of younger children in public settings. Be careful about allowing other people or dogs to approach and interact with your dog. Learn what stress behaviors/signals are specific to your animal. Remove your animal quickly from situations that are causing them to be stressed.

Want to learn more? Search online for bite prevention for more resources that will help you keep yourself, your children and your pet safe. Remember all animals will bite given the right circumstances.

Also never punish a dog that is growling. It is the last warning a dog knows how to make to get others to listen before the dog has no choice but to bite. If you do punish the growl, you end up with a dog that bites without warning.

You might also want to read this companion article, entitled, **How to Prevent Dog Bites When GHI Staff Are in Your Unit or Yard: Tips to Consider before Completing the Request for Maintenance Form.** It can be found on the Companion Animal Committee's web page on ghi.coop.