

Title 13 HEALTH DEPARTMENT

Subtitle 03 ANIMAL PROVISIONS

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CHAPTER 01 WILD, EXOTIC, HYBRID, AND LIVESTOCK ANIMALS

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

13.03.01.01. Adoption, Applicability, and Scope.

A. Adoption.

The Baltimore City Health Department adopts these rules and regulations under the Baltimore City Health Code § 2-106; § 10-104; § 10-601; and § 10-603.

B. Applicability.

These rules and regulations are in addition to all applicable laws found in the Baltimore City Health Code, Title 10, other applicable sections of the Health Code, and Maryland State Code.

C. Scope of Regulations.

- (1) This regulation applies to allowed wild, exotic, hybrid, and livestock animals and classifies them as allowed or prohibited.
- (2) This regulation describes
 - (a) the conditions that must be met to obtain a permit to keep allowed wild, exotic, hybrid, and livestock animals;
 - (b) the application process, including the requirements for inspection prior to obtaining a permit and fees for permits as applicable; and
 - (c) additional requirements for keeping animals for the purposes of Urban Agriculture.
- (3) This regulation describes the steps required for a 501(c)(3) Non-Profit Community Farm or Garden to apply to keep certain prohibited animals under
 - (a) certain restrictions,
 - (b) inspection requirements, and
 - (c) approval by the Office of Animal Control.
- (4) This regulation describes the grounds for revoking or denying a permit.

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

- A. No person may keep or allow to be kept on that person's premises wild, exotic, hybrid, or livestock animals, except as otherwise provided in this regulation.
- B. The following wild, exotic, hybrid or livestock animals are prohibited:
 - (1) any wild, exotic, hybrid, or livestock animal whose possession or sale is prohibited by any federal, State, or City law, rule, or regulation;
 - (2) all dogs, other than domesticated dogs (*Canis familiaris*);
 - (3) all cats, other than domesticated cats (*Felis catus*);
 - (4) all bears;
 - (5) all bats;
 - (6) all squirrels;
 - (7) all fur-bearing mammals of the family Mustelidae, other than domesticated ferrets;
 - (8) all venomous insects, other than honey bees;
 - (9) all spiders;
 - (10) all scorpions;

- (11) all centipedes;
- (12) all large rodents (Rodentia);
- (13) all even-toed ungulates (Artiodactyla) other than domesticated goats in the Miniature, Dwarf or Pygmy breeds;
- (14) all odd-toed ungulates (Perissodactyla), other than domesticated horses (*Equus caballus*) used in the Arabber trade, carriage trade or used by Federal, State or local law enforcement police units;
- (15) all marsupials;
- (16) all Procyonidae;
- (17) all carnivorous mammals of the family Viverridae;
- (18) all non-human primates;
- (19) all Bovine (cattle);
- (20) all porcine (pigs), boars, and swine, other than domesticated Vietnamese Pot-bellied pigs;
- (21) all rabbits of the family Leporidae, other than domesticated rabbits that have been bred and supervised in a properly maintained rabbitry;
- (22) all Crocodylia;
- (23) all venomous reptiles that are harmful to people, even if de venomized;
- (24) all snakes capable of growing to more than 5 feet when fully grown;
- (25) all lizards capable of growing to more than 4 feet when fully grown;
- (26) all green iguanas (*Iguana iguana*) less than 30 inches long or more than 6 feet long when fully grown; and
- (27) all fowl other than domesticated chickens (hens only, no roosters) and pigeons.

13.03.01.03. Conditions for Keeping Allowed, Exotic, Hybrid, and Livestock Animals.

A. Vietnamese Pot-bellied Pigs.

- (1) Vietnamese Pot-bellied pigs are permitted under the following conditions:
 - (a) a permit is obtained from the Office of Animal Control; and
 - (b) proof is presented to show that the Vietnamese Pot-bellied pig is altered.
- (2) A Vietnamese Pot-bellied pig must be
 - (a) neutered prior to 9 weeks, if it is a boar; or

- (b) spayed prior to 6 months, if it is a gilt.
- (3) A Vietnamese Pot-bellied pig may not be kept if it
 - (a) is greater than 22 inches in height at the shoulder; or
 - (b) weighs more than 150 pounds.
- (4) Tusks must be properly filed
 - (a) by an experienced handler; and
 - (b) so tusks do not show outside of the mouth when the mouth is closed.
- (5) Tusks may not be removed unless deemed medically necessary for the health of the animal.
 - (a) Rescue animals that have undergone this procedure are permitted.
 - (b) Paperwork shall be made available upon request to the Office of Animal Control which shows
 - (i) that tusk removal was medically necessary, or
 - (ii) that the Vietnamese Pot-bellied pig is a bona fide rescue animal.
- (6) Pot-bellied pigs shall be:
 - (a) kept in a clean and sanitary environment that will prevent disease, odor, and insect and rodent breeding; and
 - (b) provided with routine and emergency veterinary care as needed.

B. Pigeons.

- (1) Pigeons are permitted under the following conditions:
 - (a) a permit is obtained from the Office of Animal Control;
 - (b) all applicable zoning and building permits or authorizations have been obtained; and
 - (c) the number of pigeons kept is fewer than 125.
- (2) The pigeon coop or loft shall be:
 - (a) at least one square foot of floor space for each pigeon over the age of one month;
 - (b) constructed so that the interior is dry, airy, and bright, with adequate ventilation; and
 - (c) well maintained and kept in a clean and sanitary manner to prevent disease, odor, and insect and rodent breeding.

- (3) Feed shall be stored and used in order to prevent the attraction of rodents.
- (4) An individual may not permit pigeons:
 - (a) to be outside the coop or loft other than for a maximum of three hours a day of supervised exercise; or
 - (b) to perch or linger on the property or buildings of others.

C. Miniature, Dwarf, or Pygmy Goats.

- (1) Miniature, Dwarf, or Pygmy goats are permitted under the following conditions:
 - (a) a permit is obtained from the Office of Animal Control;
 - (b) goats shall be
 - (i) dehorned; and
 - (ii) male goats over the age of 6 months shall be neutered.
- (2) Individuals may keep:
 - (a) two female or neutered goats, plus any of 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 on lots over 20,000 square feet up to a maximum of six goats over the age of 6 months.
- (3) The yard in which goats are kept shall be
 - (a) fenced so as to prevent the goats from roaming;
 - (b) properly graded, drained, and kept clean; and
 - (c) at least 150 square feet of permeable space must be available per goat.
- (4) Goats shall be provided with
 - (a) fresh water at all times and adequate amounts of feed; and
 - (b) routine and emergency veterinary care as needed.

D. Ferrets.

- (1) Ferrets are permitted under the following conditions:
 - (a) a permit is obtained from the Office of Animal Control; and
 - (b) evidence of a current rabies vaccination is provided.
- (2) Ferrets shall be provided with:

- (a) adequate food that is highly concentrated with fat as the main source of calories and highly digestible meat-based protein;
- (b) adequate water at all times;
- (c) adequate exercise in an appropriate enclosed area; and
- (d) routine and emergency veterinary care as needed.

E. Snakes up to Five Feet Long.

(1) Snakes are permitted under the following conditions:

- (a) a permit is obtained from the Office of Animal Control; and
- (b) they are capable of growing to a length of no more than five feet when fully grown.

(2) Snakes shall be provided with:

- (a) water at all times and adequate food appropriate for the species;
- (b) an adequate enclosure with sufficient space so as not to be inhumane;
- (c) adequate heating and lighting as required for the species; and
- (d) routine and emergency veterinary care as needed.

F. Lizards up to Four Feet Long.

(1) Lizards are permitted under the following conditions:

- (a) a permit is obtained from the Office of Animal Control, and
- (b) they are capable of growing to a length of no more than four feet when fully grown.

(2) Lizards shall be provided with

- (a) water at all times and adequate food appropriate for the species;
- (b) an adequate enclosure with sufficient space so as not to be inhumane;
- (c) adequate heating and lighting as required for the species; and
- (d) routine and emergency veterinary care as needed.

G. Green Iguanas between 30 inches and Six feet Long.

(1) Green Iguanas are permitted under the following conditions:

- (a) a permit is obtained from the Office of Animal Control; and
- (b) they are a minimum of 30 inches in length but no more than six feet in length when fully grown.

(2) Green Iguanas shall be provided with:

- (a) water at all times and adequate food as appropriate for the species;
- (b) an adequate enclosure with sufficient space so as not to be inhumane;
- (c) adequate heating and lighting as required for the species; and
- (d) routine and emergency veterinary care as needed.

H. Chickens.

(1) Chickens are permitted under the following conditions:

- (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;
- (c) an egg producers' license is obtained through the Maryland Department of Agriculture if an individual plans to sell or otherwise provide eggs; and
- (d) all applicable zoning and building permits or authorizations are obtained prior to building or using a chicken coop or loft.

(2) Individuals may keep

- (a) four chickens over the age of one month on lots less than 2,000 square feet; and
- (b) on lots greater than 2,000 square feet
 - (i) one additional chicken over the age of one month may be kept for every additional 1,000 square feet of lot area,
 - (ii) not to exceed a total of ten chickens.

(3) Community Farms and Gardens, and Urban Agricultural Enterprises:

- (a) may submit permit applications for keeping chickens in numbers greater than ten, which will be approved solely at the discretion of the Health Commissioner;
- (b) for approved applications may keep:
 - (i) on lots greater than 5,000 square feet more than ten chickens;
 - (ii) one additional chicken over the age of one month may be kept for every additional 1,000 square feet of lot up to a total of fifty chickens;

- (c) shall include in the application a written management plan stating
 - (i) how the chickens will be housed,
 - (ii) how waste will be managed,
 - (iii) how the chickens and their feed will be protected from predators and other pests, and
 - (iv) how impacts to surrounding property owners and neighbors will be minimized.
 - (4) Chickens shall be provided with a sanitary and adequately sized coop that:
 - (a) provides suitable protection from predation;
 - (b) is not within 15 feet of any residence;
 - (c) is cleaned and managed to minimize odors and materials that may attract rodents;
 - (d) is moved frequently to minimize turf destruction and the build-up of manure borne pathogens such as coccidiosis and roundworms; and
 - (e) allows a minimum of two square feet per hen.
 - (5) Chickens shall be provided with:
 - (a) a well-constructed coop or loft that provides
 - (i) shade during warm weather; and
 - (ii) protection from inclement weather;
 - (b) potable water and proper feed; and
 - (c) veterinary care if they are known or suspected to be sick or injured.
 - (6) Chickens may not perch or roam on the property of others.
- I. Honey Bees.
- (1) Beekeeping of honey bees is permitted in the City under the following conditions:
 - (a) a permit is obtained from the Office of Animal Control; and
 - (b) the activity is registered with the Maryland Department of Agriculture.
 - (2) An individual may keep:
 - (a) for lots up to 2,500 square feet, two colonies and one nucleus colony; and
 - (b) for lots greater than 2,500 square feet, one additional colony and one additional nucleus colony may be kept for every additional 2,500 square feet of lot area.

(3) Requirements for hives housing colonies.

- (a) Except where a solid wall or fence measuring at least five feet in height and at least five feet in width is located at a lot line to provide a barrier,
 - (i) they are not located within five feet of any lot line; and
 - (ii) they are inaccessible to the general public;
- (b) Honey bee movement to and from the hive shall 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 any public right-of-way.

J. Rabbits.

- (1) A permit shall be obtained from the Office of Animal Control to keep domestic rabbits.
- (2) The permit application shall include a written management plan that includes how:
 - (a) the rabbits will be housed;
 - (b) waste will be managed;
 - (c) the rabbits 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, especially in male rabbits, to mitigate injuries caused by fighting.
- (3) Individuals may keep:
 - (a) on lots less than 1,000 square feet, no more than one breeding pair of rabbits may be kept and the total number of rabbits may not exceed twelve; and
 - (b) on lots greater than 1,000 square feet, no more than two breeding pairs of rabbits may be kept and the total number of rabbits may not exceed 24.
- (4) Rabbits shall be provided with shelter that:
 - (a) provides suitable protection from inclement weather;
 - (b) is adequately sized and not within 15 feet of any residence;
 - (c) is kept clean, free of all odors and materials that may attract rodents;
 - (d) is moved frequently to minimize turf destruction and the buildup of manure borne pathogens; and

- (e) allows a minimum of three square feet per rabbit.
- (5) Rabbits shall be provided with:
- (a) shade during warm weather;
 - (b) adequate fresh water and adequate amounts of feed accessible at all times; and
 - (c) veterinary care if they are known or suspected to be sick or injured.

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

- A. An applicant shall submit a permit application that has been completed in accordance with this section to the Office of Animal Control within ten days of acquiring the animals.
- B. An applicant shall provide an affidavit certifying that neither the applicant or any operator, employee, or agent of the applicant has ever been convicted of animal abuse, cruelty, or neglect.
- C. Except in the case of beekeeping, an applicant shall provide
 - (1) a photo of the animal,
 - (2) proof of current vaccinations and health examination, and
 - (3) vaccination and health records for inspection by the Office of Animal Control on request.
- D. On the application provided by the Office of Animal Control, an applicant shall provide
 - (1) the applicant's name and address, and
 - (2) the type, breed, age, and the gender of the animal.
- E. Except for beekeeping permits, a permit shall be valid only at the location where the animals are normally housed.
- F. A beekeeping permit shall be valid for each host site that is properly registered and approved under the permit with the Office of Animal Control.
- G. Renters, including those providing a premises as a host site for beekeeping, must submit written permission from the property owner to have the animal on the premises.
- H. Permit fees shall be as follows:
 - (1) There shall be a permit application fee of \$80.00 for an individual animal or group of animals of the same type.
 - (a) A collection of snakes, lizards and green iguanas are considered the same type of animal and shall pay one application fee for the collection.

- (b) In recognition of the unique role honey bees play in contributing to public welfare as pollinators, beekeepers may not be required to pay a permit application fee, but are required to obtain a permit.
- (2) A completed application shall be submitted to the Office of Animal Control with cash, a certified check, bank check, or money order made payable to the Director of Finance for the total cost of the permit.
- I. A permit shall remain valid unless it is suspended or revoked by the Health Commissioner.

13.03.01.05. Keeping Animals for Purposes of Urban Agriculture.

- A. In addition to the permit requirements, an applicant who keeps animals for purposes of Urban Agriculture must adhere to all applicable
 - (1) zoning requirements and
 - (2) all requirements of the Maryland Department of Agriculture.
- B. Where contiguous lots are being used cooperatively as part of a single farm or agricultural enterprise, they may be considered a single lot for the purposes of calculating
 - (1) minimum space requirements and
 - (2) contiguous open space.
- C. If lots used cooperatively under Regulation 05. B are titled under different owners, written permission must be obtained from each property owner to have the animals on the property.
- D. The slaughtering of animals for food, fur or other products is prohibited.

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

- A. Restrictions on certain types or quantities of animals in these regulations may be waived under this section for non-profit 501(c)(3) Community Farms or Gardens who
 - (1) serve the community and
 - (2) provide education to the public on proper animal care and husbandry.
- B. The Community Farm or Garden must submit an application outlining the following criteria:
 - (1) type of animal and breed;
 - (2) number of animals;
 - (3) gender of animals and 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. No animal will be approved if not properly registered with the State of Maryland as required.

13.03.01.07. Denial, Amendment, Suspension, Revocation, or Refusal to Renew 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 any permit issued under these Regulations.
- B. The provisions of Baltimore City Health Code §§ 10-222, 10-223, 10-224 shall apply to a permit issued under these Regulations.

Administrative History

Effective date: _____