

**Legislative Report 01-16-08**

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## **FEDERAL**

**U.S. Senate** passes Farm Bill with important Companion Animal Provision - Last Chance for Animals (AR group) applauds Senate for making pet theft a Federal Issue.

**Toledo OH** - Tellings appeal to the United States Supreme Court was filed 12-21-07

<http://www.supremecourtus.gov/docket/07-8545.htm>

## **STATES - IN ALPHABETICAL ORDER**

### **ALABAMA**

**Athens** - repeals pet license ordinance. City officials said the registration was costing the city more money than it was bringing in and that it was a duplication of services with a state health law that requires dogs to be vaccinated for rabies. **12/17/07**

**Colbert County** - County's animal control director is asking the county's larger municipalities to consider an ordinance that would outlaw chaining dogs. Government officials in Muscle Shoals, Sheffield and Tuscumbia said they are aware of the request from county Animal Control Director Tommy Morson, but so far none of the councils has adopted the proposed ordinance. When he presented the proposal to Sheffield council members, Morson said chaining dogs to a stake or post makes the animals more territorial and aggressive. In addition to prohibiting tethering or chaining of dogs to stationary objects, the ordinance would mandate that dog pens must provide 100 square feet of space for each dog over 3 months old. If dogs are confined within a fenced-in yard, the area must have sufficient space for exercise based on a dimension of 100 square feet per dog. Fences must be constructed of chain link or similar material and be tall enough to prevent the dog from escaping and each animal must have his own dog house.

**Dothan** - new ordinance gives AC officers right of entry for the purpose to impound animal(s) and issue citations for violations (against Alabama State Law), defines regulations for "dangerous", "vicious" and nuisance (any animal at large not spay or neutered)" dogs, prohibits urination on private property or defecate on public property, liability for damage caused by animal(s) and care of livestock. **text available upon request.**

## ARKANSAS

**Crossett** - extended discussion involving the city's existing animal ordinance as compared to a recommendation prepared by a committee working on the definition of a vicious dog, the council moved that City Attorney James Hamilton amend the existing ordinance and prepare the committee's suggestion in ordinance form for further discussion and review by the council.

**North Little Rock** - new ordinance, Little Rock residents still will be allowed to have pit bulls, and new residents can move with their dogs into the city but will have to register them with Animal Services, pose for a photograph with the dog, sterilize the animal and pay an additional fee to have a dangerous breed permit. The ordinance also limits owners to two dogs per household, would apply to American pit bull terriers, Staffordshire terriers, American Staffordshire terriers and any mix of those breeds. **Text is available upon request.** **NOTE:** City of Little Rock was added to a lawsuit filed by Responsible Owners of Arkansas Dogs (ROADS) regarding breed selective legislation and banning of certain breeds

## CALIFORNIA

**City of Sacramento** - importing adoptable dogs to meet the demand at the shelters and building a new \$25 million shelter where, evidently, they are planning to eventually be the only place in town to "buy" a pet.

**Kern County** - During the months of May and June 2007, ten public workshops were conducted throughout Kern County to introduce possible Animal Ordinance amendments. As a result of public input received during those workshops, staff indicated that a number of changes would be included in further discussion with the Animal Control Commission. Commission will further discuss this matter at its Wednesday, January 16, 2008 meeting, 6:00 p.m. at the Public Services Building, 2700 M Street, Bakersfield. It is possible that a formal recommendation on this proposal may be acted upon at the February 20, 2007 Commission meeting.

## COLORADO

**Carbondale** - Town Council agreed Tuesday (12/11/07) after reviewing a draft of the new ordinance aimed at addressing aggressive animals, that it requires tweaking. A revised version will come back to town trustees with further clarification of the penalty for neglecting a dog and a refined definition of "vicious." Other issues- mandatory leash laws and limiting the number of dogs a single owner can have were also discussed. Board members agreed the revised ordinance should include rewards for responsible owners.

**Edgewood** - seeks to join surrounding communities in limiting the number of animals in a home. Limits are based on the number of lots you are on, as opposed to the number of acres. A 100-acre lot has the same limits as a person on a 1-acre lot.

**Parachute** - ordinance that would have banned pit bulls, unless their owners followed several strict requirements, died after two motions to approve it failed for lack of seconds. One motion would have added other dog breeds, such as Dobermans and Rottweilers, to the ban. **DEAD 12/13/07**

**Parachute** - Town Council approves vicious-pet ordinance regarding dangerous and potentially dangerous dogs. The ordinance would apply to all breeds of dogs and any kinds of pets. A municipal judge would determine whether an animal is potentially dangerous after a hearing. A dog designated as potentially dangerous would have to be spayed or neutered and kept indoors or in a secure pen to prevent it from escaping, according to the ordinance. A dog classified as

dangerous, meaning it had violated the ordinance after being deemed potentially dangerous, would be humanely euthanized. If the dog were taken off its owner's property, it must wear a leash no longer than 4 feet. The owner would also have to display a sign on his or her property to alert people that a dangerous animal was present, and obtain a special license and tag from the town. Violators of those conditions would be subject to a municipal fine. The ordinance will take effect once the Town Council gives it final approval at its next meeting.

## FLORIDA

**Lake Mary** - City is discussing a change in the pet limit laws

**Miami-Dade County** - County Commission will be holding a public hearing at 9:30am on Tuesday, 12/18, to discuss a variety of changes to the animal control ordinance including limiting the number of pets a resident may own, implementing hobby breeder licensing, requiring mandatory microchipping for dog breeders and restricting rescue organizations. Commissioners voted in a non-public hearing to defer the Chapter 5 re-write in Miami-Dade **12/18/07**

**Palm Beach** - County commissioners are discussing proposed revisions to animal control ordinance. The majority of people agreed to a non mandatory spay/neuter program offered through vet vouchers in the entire County. (health issues and other concerns not directly related to being a breeder were cited) This would remove the breeder "tax" from the legislature altogether and make it completely voluntary. The revisions were a result of the 6 MONTH waiting list to get low cost spay/neuter from Palm Beach Animal Care and Control. **UPDATE:** Palm Beach County officials have taken the bite out of a controversial plan intended to force residents to spay and neuter their pets. Newest version of the rules would allow all pet owners to opt out of the requirement by paying a \$75 fee. Pet owners who buy the unaltered license also would be required to certify in writing that the dog or cat will not be bred. Breeders still would be required pay for the permit - \$300 a year, but the county would waive the fee in many cases.

## GEORGIA

**Athens-Clarke County** - Commission voted to ban tethering animals to object. The new law requires all dogs and other animals to be housed in an enclosure, such as a fenced-in area with a doghouse, and no longer allows owners to chain or tether their pets to inanimate objects like trees. The law came in response to complaints from animal-rights activists and Athens-Clarke Animal Control officers. Commissioners Doug Lowry, George Maxwell and Harry Sims opposed it. **(PASSED)**

## ILLINOIS

**Springfield** - new law went into effect Tuesday (01/01/08) to protect pets and animals from domestic violence. Under the new law, Illinois judges can include animals in orders of protection, just as they would a human being. The bill was passed unanimously in May 2007.

**Farmington** - City Council heard a proposed ordinance for the first time Monday (12/17/07) that would make pit bulls a dying breed in the city. The ordinance states that no 'new' pit bulls can be brought into the city and that current pit bull owners will have to apply for a special license within 60 days of the ordinance. The ordinance was read for the first time Monday and will be presented for a full vote in early 2008. The license would require proof of ownership of the pit bull, a copy of health and immunization records, a certificate of insurance for injury or damages by the dog for at least \$500,000 and two photographs of the dog. The license will cost \$100. Farmington is not a "home rule" city. The council will vote on the ordinance at an upcoming meeting. **UPDATE:**

Proposed ordinance banning pit bulls in the city was not on January 7 meeting agenda. "There has been indication of potential litigation by various organizations, and the cost of a legal defense for this type of lawsuit would not be in the best interest of the citizens of Farmington," City Administrator Roger Woodcock said in a news release Thursday **12/20/07**.

## **KANSAS**

**Beloit** - BSL was supposedly repealed however, the city council posted a new breed ban via a newspaper posting behind the people's backs (no further info provided)

**Humboldt** - City Council members approved a series of sweeping new animal control ordinances that ban ownership of pit bull terriers and rottweilers within city limits. Only those who had properly registered those types of dogs with the city by Dec. 31 will be allowed to keep the animals and restricts ownership of pit bulls and rottweilers, which the city considers "inherently dangerous" and "a significant threat to the public's health, safety and welfare." Even those who have previously registered their dogs face a litany of restrictions, including: □ The dogs must be confined indoors or in a secure pen. □ Dogs are allowed outside those containment areas only if they are restrained by a leash and muzzle. □ Owners must maintain at least \$50,000 in liability insurance for bodily injury or death and have sufficient "beware of dog" signage. □ Dogs must be photographed, and cannot be sold or have their ownership transferred to any other person within the city. □ Any offspring born to a registered pit bull or rottweiler must be removed from the city within six weeks of birth. □ Violators are subject to Humboldt Municipal Court fines of up to \$1,000 and a 30-day jail sentence. **Passed 01/07/08**

**Hutchinson** - city has added some teeth and a little bit of bite to its updated animal control ordinances - specifically the section on dog licensing fees. City found a good compromise in drafting the new ordinance. It allows pet owners to pay a higher fee for choosing not to spay or neuter their pets while offering a financial incentive to the owners of pets who do so. **Effective Jan. 1.**

**Winfield** - new ordinance requiring the licensing of animals which require proof of rabies immunization. Required to either wear the registration tag, or in lieu of that, the owner may provide proof that the animal has been injected with an under-the-skin microchip ID. The number of the chip must be provided at registration time. **Effective 01/01/08**

**Winfield** - new ordinance regarding dog pens will take effect on July 1. The ordinance establishing the law reads as follows: "All dogs are to be confined to the owner's property and not allowed to run free. Confinement can be met by adequately fenced yard, and in situations where the yard is not fenced, the owner shall confine the dog to the home or an adequate outside enclosure. Such enclosure shall be constructed of chain link or other suitable materials with all four sides enclosed. The enclosure shall be of sufficient height to prevent the dog from escaping from the enclosure. The top of the enclosure shall be covered with materials to provide the dog with shade and protection from the elements. The enclosure shall be adequate square footage to provide adequate exercise for the size of the dog confined." **Effective 07/01/08**

**Winfield** - new ordinance restricting the tethering of dogs within the City of Winfield will also take effect on July 1. The ordinance reads as follows: "It shall be unlawful to keep a dog tethered in place for more than one (1) hour at a time. After a break of not less than three (3) hours off the tether, a dog may be tethered again for one (1) hour. A dog may not be tethered more than three (3) hours in any twenty-four (24) hour period." **Effective 07/01/08**

## KENTUCKY

**Frankfort** - Pam Rogers of the Kentucky Humane Society commented that come the first of the year they will in fact be pushing for forfeiture bonds on any animals taken. Irregardless of events, the KHS seems to believe that 'guilty' will be the only option.

**Louisville** - After poring over significant testimony, highlighted by a strong consensus that unaltered dogs are not necessarily more aggressive than altered dogs, the subcommittee, in consultation with Metro Animal Services Director Gilles Meloche, agreed on a number of changes. Among key changes: the revised ordinance still refers to dangerous and potentially dangerous dogs, but removes unaltered dogs from that category. It would allow the MAS director to impose fines on a sliding scale based on income; currently fines are fixed. It would remove restrictions on leash length for all but dangerous or potentially dangerous dogs, which would be limited to four-foot leashes, and it removes the word "permit" from the ordinance. Downard said that was **an important change because permit, unlike the word license, implies that people don't actually own their dogs.** The changes would also become less stringent on people whose licensed dogs get loose; currently those dogs are impounded, but under the proposed changes, the dogs would be returned on the first incident, followed by possible fines for repeat violations. Changes passed committee **12/19/07**. Two lawsuits are still pending.

**Louisville** - **UPDATE:** Progress in Louisville. Due to behind-the-scenes work by some of LKC's most dedicated members, the animal ordinance was changed. The changes, though they do not solve all the problems with the ordinance, do improve it vastly. For example: Unaltered dogs are no longer automatically "at risk." Permits for unaltered dogs have been removed; now all dogs are licensed. Invisible fences are legal for unaltered dogs, and dogs may not be impounded for not having a license on the first offense. The LKC's lawsuit against the city is still moving forward, and their top-rated constitutional attorney believes they have a very good chance of winning. This will set a precedent that can be used to dissuade other cities from passing restrictive laws as in the Louisville 2006 disaster.

**Warren County** - citizens' group has been working for more than a year on a countywide animal control ordinance plans to present its work to Warren Fiscal Court in February. Amending the standards enumerated then included requirements for regular food and water, adequate shelter, shade and living space, and regular veterinary care. The draft ordinance doesn't limit the number of animals that anyone can own, however, should someone have a large number of animals (no number mentioned) capable of breeding, they would need a \$100 kennel license and an inspection. Enforcement of the proposed ordinance would be driven by complaints

## LOUISIANA

**Kinder** - Police Chief Gary Pelican has asked the town council to consider a ban on pit pulls

## MAINE

**Augusta** - LD2010 (HP1394) LR 2754 - "An Act To Ensure Ethical and Humane Dog Breeding in the State" - bill seeks to enact measures designed to address the inhumane breeding standards of so-called "puppy mills" in the State. This bill would outlaw the most egregious dog breeding practices and would establish a Maine humane dog breeding standard. No action in Senate **text available upon request**

## MICHIGAN

**Lansing** - lawmakers recently passed legislation that will significantly strengthen penalties for the most severe cases of animal neglect. The Humane Society of the United States (HSUS) released a statement praising this action. The new law, which will go into effect on April 1, will increase penalties based on the number of animals neglected and the accused's conviction record. For example, someone who is charged with animal cruelty in the neglect of between four and nine animals who has a previous conviction for the charge will face up to two years in prison. Under the new law, those who are charged with abusing 10 or more animals, or who have more than two prior animal cruelty convictions, could face up to four years in prison.

**Hillsdale** - updated animal control ordinance is in the works and the public could see a draft as early as next month. Outdated in terms of fee structures, policies and practices, statutory changes and multiple issues involving the sheriff's department's responsibility for picking up and housing stray dogs. The proposed ordinance language continues to undergo revisions and corrections. Possible first reading at first meeting Jan. 8, with a public hearing Jan. 22.

**Van Buren Township** - new pet ordinance draft will be presented to the Township Safety Committee to change their pet ordinance that will include how many pets a household can have and a possible breed ban. When the proposed pet ordinance was originally discussed last October (at a Planning Commission meeting) a pit bull rescue group was specifically mentioned at the meeting, due to a complaint by a neighbor. At that time, township representatives claimed that this was NOT a breed-specific issue, and that they were not looking to add any breed-specific language to the new pet ordinance. Coincidentally, what was NOT brought up at this meeting - was that the newly proposed pet limit would prevent a local pit bull rescuer from being allowed to obtain a kennel license - simply because the rescuer's property is located within 100 yards of a school, and also located next to a bus stop.

## MINNESOTA

**St. Paul** - proposed legislation by Rep. John Lesch, DFL-St. Paul, intends to outlaw five dog breeds from the state - Pit Bulls, Akitas, Rottweilers, Chow Chows, and wolf hybrids

**Minneapolis** - proposal to expand the definition of dangerous or potentially dangerous animals and to add restrictions on owners of such animals is headed to the City Council for a vote. Although most restrictions mention animals generally, it's aimed mainly at dogs. The amended proposal still makes it harder for some felons to keep a dog that weighs more than 20 pounds or one that's considered dangerous if mistreated. But an amendment limited that to people convicted of violent felonies within the previous 10 years. An unlicensed dog could be seized in some circumstances. Still remaining to be worked out before an expected Jan. 18 council vote is whether a dog is dangerous merely if the person keeping it has items or drugs intended to be used to train the animal for dogfighting

**Proctor** - proposed ordinance to limit the number of dogs (3). A "kennel license" would be required for more than six (6) dogs. **text available upon request**

## MISSOURI

**Independence** - group of residents are pushing for a ban on pit bulls

**Palmyra** - City Council approved beefing up the city's vicious dog ordinance and will require is that any vicious dogs within the city limits as of Dec. 20 be registered with the Palmyra Police Department. That registration must include accurate color photographs and must be done by

Jan. 31. The other part of the ordinance bans any more vicious dogs from being brought into the city limits. Any puppies born to the animals grandfathered in must be moved out within eight weeks of birth. Ordinance defines a vicious dog as one that "without provocation" has bitten or attempted to bite someone, or one that has placed an individual in fear of injury or killed another domestic animal. **Passed 12/18/07**

## NEBRASKA

**South Sioux City** - council members passed the second reading of an ordinance that would "put a leash" on dangerous dogs in their town. If the ordinance passes a third, and final, reading, the new ordinance would require owners of dangerous dogs to muzzle their pets in public. Those owners would also have to pay a \$65 registration fee, put up warning signs on their property, and obtain \$250,000 in liability insurance. Council members made one important change. They amended a section, which previously included two classifications... potentially dangerous dogs, and dangerous dogs. The only dog automatically classified as "dangerous" were pit bulls. Only those owners would have been required to obtain the \$250,000 in insurance. Council voted to remove the "dangerous dogs" classification. Now, "dangerous dogs" aren't separated by breed, but by action. A "dangerous dog" is defined as one that has bitten or attacked someone, has severely injured or killed another domestic animal, or has been trained for dog fighting.

## NEVADA

**Lyon County** - proposed ordinance amendment prohibits acts regarding animal cruelty - ordinance of the code to prohibit certain acts and conditions related to animals. Proposed the amended ordinance, which adds five paragraphs regarding treatment of animals to Title 7, Chapter 1 (Animals and Animal Services), subchapter 5 (prohibited acts and conditions). Paragraphs (M-Q) deal with fighting of animals (instigated or baited), injury and overwork, enclosures and restraints

**North Las Vegas** - Ordinance No 2417; An ordinance of the City of North Las Vegas repealing Title 6 of the North Las Vegas Municipal Code regulating animals and replacing the same with a new Title 6, also relating to animals including new and revised provisions governing the licensing, vaccination, running at large and impoundment of animals as well as regulations concerning exotic and vicious animals, animal cruelty and animal care faculties and providing for other matters properly related thereto: **Passed and Adopted 01/02/08**

**North Las Vegas** - Ordinance No 2418; An ordinance of the City of North Las Vegas amending Title 6 of the North Las Vegas Municipal Code by adding a new chapter (Chapter 16) mandating that all dogs and cats be spayed or neutered except in certain limited circumstances and providing for other matters properly related thereto. **Passed and Adopted 01/02/08**

## NEW HAMPSHIRE

**Concord** - HB 666-FN - AN ACT establishing a license fee for the sale of animal vaccines **text available upon request**

**Concord** - HB1502 - AN ACT relative to disposal of used (vaccination) needles **text available upon request**

**Concord** - SB375 - AN ACT allowing veterinarians to inform town and city clerks about dogs that have been euthanized. **text available upon request**

## NEW JERSEY

**Trenton** - A449 - Permits the rabies inoculation of dogs at pounds or shelters under the direction of certain veterinarians **text available upon request.**

**Trenton** - A902 - An Act concerning the chaining or tethering of animals, and amending R.S.4:22-17 and R.S.4:22-26 Establishes animal cruelty offenses pertaining to chaining or other restraint of animals **text available upon request**

**Trenton** - A899 - An Act concerning animal cruelty offenses, creating a new chapter of and supplementing Title 2C of the New Jersey Statutes, and amending and repealing various sections of statutory law. Recodifies offenses against animals under State criminal code; increases degree of crime for certain offenses **text available upon request**

**Trenton** - A928 - An Act concerning attack animals and supplementing Title 4 of the Revised Statutes **text available upon request.**

**Trenton** - A1173 - Requires dogs licensed out of state that are brought into NJ to be licensed in NJ within 60 days, and raises penalties for violations of law requiring licensing of dogs and of kennels, pet shops, shelters and pounds **text available upon request**

**Trenton** - A1414 - An Act concerning instruction on humane treatment of animals, supplementing chapter 35 of Title 18A of the New Jersey Statutes and repealing N.J.S. 18A:35-4.1. Requires public schools to include instruction on humane treatment of animals as part of the Core Curriculum Content Standards in Comprehensive Health and Physical Education. **text available upon request**

**Trenton** - A1418 - Prohibits use of certain underwriting guidelines by insurers pertaining to guide dogs, service dogs, or hearing assistance dogs harbored on the insured property **text available upon request.**

**Trenton** - A1568 - Requires all cats and dogs released from shelters and pounds be sterilized with certain exceptions; increases certain dog-related fees; dedicates increases to Animal Population Control Fund; establishes new eligibility criteria for State spaying and neutering program **text available upon request.**

**Trenton** - A1591 - Prohibits certain breeding and sales practices; requires persons selling cats or dogs to provide certain information; and provides penalties **text available upon request**

**Trenton** - A1828 - Prohibits sale of any dog by kennel, pet shop or other retail establishment without name, address and phone number of person providing dog thereto; establishes \$500 fine for each violation **no text available**

**Trenton** - S234 - An Act concerning the "Law Against Discrimination" and revising various sections of the statutory law **text available upon request**

**Trenton** - S358 - An Act concerning animal cruelty offenses, creating a new chapter of and supplementing Title 2C of the New Jersey Statutes, and amending and repealing various sections of statutory law. Recodifies offenses against animals under State criminal code; increases degree of crime for certain offenses **text available upon request**

**Trenton** - S363 - Prohibits sale of any dog by kennel, pet shop or other retail establishment without name, address and phone number of person providing dog thereto; establishes \$500 fine for each violation. [text available upon request](#)

**Trenton** - S617 - An Act concerning animal cruelty offenses, creating a new chapter of and supplementing Title 2C of the New Jersey Statutes, and amending and repealing various sections of statutory law. [text available upon request](#).

## **NEW MEXICO**

**Valencia County** - County Commission, without public comment, passed an ordinance, in the schedule of fees - 9.0.08 licensing fees: sterilized dog or cat \$5....intact dog or cat \$25 per animal per year in addition to an intact animal permit fee. 9.0.12 Intact Animal Permits: The fee for persons wishing to maintain an unsterilized animal shall be \$100 per animal for each intact animal they choose to keep. Permits shall be good for one year from the date of issue and the fee shall be in addition to any license fee or applicable impoundment fee. Intact animal permits shall be revoked, and the animal required to be sterilized at the expense of the Owner/Guardian, if the animal is found to be running at large, at any time, within the county's jurisdiction, or it is known that the animal has been bred or allowed to breed. In addition to the use of the term "owner/guardian" throughout the ordinance - nothing regarding the above has been mentioned at the Animal Shelter Advisory Board meetings.

## **NEW YORK**

**Albany** - A1741 (2007) - Authorizes district attorney to petition for posting of security when animal is impounded as result of abuse (reintroduced in 2008) [text available upon request](#)

**Albany** - A1990 (2007) - AN ACT to amend the agriculture and markets law, in relation to the confinement of companion animals in vehicles in extreme temperatures (reintroduced in 2008) [text available upon request](#)

**Albany** - A2610 (2007) - AN ACT to amend the general obligations law, in relation to establishing a cause of action in tort for the wrongful injury to or death of a companion animal (reintroduced in 2008) [text available upon request](#)

**Albany** - A6553 - AN ACT to amend the agriculture and markets law, in relation to the tethering of dogs [text available upon request](#)

**Albany** - A8032 - AN ACT to amend the agriculture and markets law, in relation to the licensing of dogs and to repeal certain provisions of chapter 115 of the laws of 1894, relating to the better protection of lost and strayed animals and for securing the rights of owners thereof, relating to licensing of dogs in certain cities [text available upon request](#)

**Albany** - A8502 - AN ACT to amend the general business law, in relation to prohibiting the sale of dogs born on puppy farms by pet dealers [text available upon request](#)

**Albany** - A9345 - AN ACT to amend the agriculture and markets law, in relation to companion animal hoarding [text available upon request](#)

**Albany** - S0865 (2007) - Authorizes district attorney to petition for posting of security when animal is impounded as result of abuse (reintroduced in 2008) [text available upon request](#)

**Albany** - S1282 - AN ACT to amend the agriculture and markets law, in relation to the confinement of companion animals in vehicles in extreme temperatures **text available upon request**

**Albany** - S2052 - AN ACT to amend the agriculture and markets law, in relation to the tethering of dogs **text available upon request**

**Albany** - S3526 - AN ACT to amend the general obligations law, in relation to establishing a cause of action in tort for the wrongful injury to or death of a companion animal **text available upon request**

**Albany** - S6427 - AN ACT to amend the agriculture and markets law, in relation to companion animal hoarding **text available upon request**

**Albany** - City Council will review a proposal Thursday that addresses prolonged barking, imposes a lease law, and requires cages, fences or other constraints for animals identified as violent. The council will review the concept this week and possibly make changes. The proposal will change the way people will be required to handle their own dogs, and owners of the two singled out breeds, Dobermans and pit bulls, may complain about the measure.

**Town of Westerlo, NY** - was prevented from enacting a series of very restrictive codes concerning dogs & cats. Among other things 3 dogs & cats in any combination would be considered a kennel. A local couple gathered 500 + signatures against the 7 page document. At a Town Hall meeting the proposed codes were declared a dead issue. The local Judge sealed the issue by declaring it as killed.

## **NORTH CAROLINA**

**Henderson County** - County Board of Commissioners approved a new noise ordinance that will go into effect Jan. 1. Under the new ordinance, deputies will issue civil citations, impound barking dogs at the county shelter, and even arrest those responsible for violations. The ordinance says that barking dog will be impounded at the county animal shelter for the second or subsequent violations until the following business day for the shelter. The animal must be reclaimed within five days and fees include a reclaim fee plus an additional fee of \$3 per day for each day the animal is at the shelter **Effective 1/01/08**

**Henderson County** - proposed ordinance would have required pet owners to have their animals spayed or neutered if the animal violated other animal control rules such as running at large or continual barking. That meant the law would be complaint-driven; animal control officers wouldn't be patrolling the county looking for unfixed animals. Commissioners held a public hearing on the proposed ordinance earlier this month, plenty of people turned out to criticize the law as too harsh and unenforceable. Commissioners refused to pass the ordinance and ordered a rewrite.  
**12/19/07**

**Lincoln** - County Commissioners are trying to pass an ordinance that will limit the number of dogs per acre to ten. The new law will only allow families to have one dog for every 0.1 acre of land, all because of a complaint a neighbor made about an animal rescue facility located in a patch of farmland near her home. **Defeated 12/17/07**

## OHIO

**Columbus** - HB366 - To amend sections 955.11 and 955.221 of the Revised Code to remove pit bulls from the definition of "vicious dog" in state law and to authorize the adoption of local ordinances or resolutions that define "dangerous dog" and "vicious dog" more broadly than state law defines those terms . **text available upon request**

**Sandusky** - City Commissioners decided to be specifically non-specific when it comes to dangerous dog laws. Commissioners voted 6-1 in favor of a new animal ordinance that does not include breed-specific language targeting pit bull dogs. **Passed 12/11/07**

## OKLAHOMA

**Oklahoma City** - state Rep. Paul Wesselhoft confirmed this week he would again author legislation to prevent attacks by vicious dogs. He plans to write a proposal which is "non-breed specific." and modeled after similar legislation which passed in Texas. His new proposal could make a dog's "first-bite" a felony. Wesselhoft will introduce his bill when state lawmakers return to the Capitol in February for the 2008 legislative session

**Dribble** - A woman received two tickets after her goats were caught mating and relieving themselves on her own yard. City law said it is illegal for **any** two animals to have sex in public within Dibble city limits. It's also against law for them to relieve themselves in public even if the animal is fenced in on private land.

**Midwest City** - after twenty years on the "books" the city is now enforcing an unconstitutional breed specific ordinance. City is trying to remove two Bull Terriers. Midwest City is a "home-rule charter city," which allows it to pass ordinances that may not be in accordance with state law which currently prohibits cities from enacting breed-specific dog bans. . **text available upon request**

## OREGON

**Milton-Freewater** - City Council proposed amendments to city animal ordinances are meant to strengthen enforcement authority against negligent owners of vicious dogs, code enforcement officer Angie McColley also retooled policy that essentially would ban keeping "livestock" within city limits. City Manager said the "livestock" section likely would be eliminated, keeping the language pertaining to dangerous dogs. Under the new proposal a section defining "potentially dangerous dogs." In the event that a dog commits a vicious act, the owner would be given a final chance to continue keeping the animal. The owner would be required to pay registration fees, have the dog micro-chipped, spay or neuter the dog and create a photo identification of the dog and its owner. It also would mandate the owner secure the animal in a six-sided enclosure and demonstrate proof of having liability insurance for no less than \$100,000.

## PENNSYLVANIA

**Harrisburg** - HB1065 - Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of cruelty to animals. The bill also would disallow use of tow chains for tethers, mandate the tether be one that does not become entangled and is a minimum length. **text available upon request**

**Harrisburg** - proposed revision of the Pennsylvania Animal Cruelty law makes it illegal for anyone to own or possess a dog or puppy with a docked tail, unless the person can prove that the tail was docked by a licensed veterinarian or has filed an affidavit of proof with a county treasurer that the procedure was done before the law goes into effect. This draft legislation will be presented to the Dog Law Advisory Board this week, prior to being published in The Pennsylvania Bulletin and submitted to the state Legislature. The proposed law also would apply to nonresidents of Pennsylvania who are passing through the state, or who participate in field trials, dog shows, performance events or hunting here. Several sporting breeds routinely have their tails docked, following breed standards designed to prevent severe tail injuries while hunting, including Brittanys, German Shorthaired pointers, cocker spaniels, various breeds of terriers and several others. Many other breeds that customarily have their tails docked are as diverse as Australian Shepherds, Miniature Pinschers and Rottweilers. Animal cruelty statutes carry criminal penalties, and in Pennsylvania are enforced by Humane Society officers, county animal control officers and police officers. The proposed legislation also grants power to state dog wardens to enforce all animal cruelty statutes.

**Harrisburg** - Gov. Rendell will unveil expansive legislation next month designed to crack down on bad kennel operators and improve housing conditions and health care for dogs living in the state's 2,600 commercial kennels. A draft copy of the proposals, which include changes to existing statutes and regulations, was provided to the Inquirer by an administration source. Animal welfare advocates say among the most important proposals is one that would mandate the revocation of a license held by an owner convicted of animal cruelty within the last 10 years. Now the Secretary of Agriculture has the discretion to allow those convicted of animal abuse to continue to operate. Another provision would require dogs receive annual veterinary care and bar kennel operators from giving their own rabies shots.

## **SOUTH CAROLINA**

**Beaufort** - City Council passed a ban on dog-tethering this week gives animal control officers discretion in determining whether pets are being treated cruelly, but a county councilman said the city was duped by animal-rights advocates who hid part of the issue. The ordinance eliminated the three- and six-hour limits and simply states, "No animal ... shall be tethered as a primary means of stationary confinement." The new language allows officers to use "circumstantial evidence" to determine if a dog has been chained for a long time. Councilman Bill McBride kept the item off the agenda of the Community Services and Public Safety Committee, which he chairs, saying tethering dogs is not always cruel. The issue must be discussed in the committee before going before the full council.

**Charleston** - County Council decided Thursday (**12/13/07**) to let the Charleston Animal Society charge owners if they want their impounded pets back without being spayed or neutered. It would cost \$200 initially to retrieve an animal intact and then \$1,000 if the pet is impounded a second time within a calendar year. County Council voted 7-0 to initially approve modifying its laws for stray animals so the local shelter can charge fees for impounded pets returned without having the surgery. The fines would apply for any impounded cat or dog. Pet owners would still have the cheaper option of simply having their animal sterilized, which the Charleston Animal Society said typically costs \$40 to \$70.

**Florence** - to begin open discussions regarding "cruelty" laws (Tuesday 01-08-08)

**Richland County** - new proposal to try and protect the public from dangerous dogs. One of the changes may be a restriction on the number of dogs that a person can own. A discussion will take place at the Development and Services Committee meeting on January 29th.

## TENNESSEE

**Dyersburg** - proposed pit bull ban was sent to the public safety committee and FAILED due to lack of support!! On a motion by Walker, however, the council agreed to call a public hearing to receive citizens input regarding the dog ordinance. **FAILED 12/05/07**

**Johnson** - City researching possible pit bull ban with or without a grandfather clause. City Commission will have the final say on the matter. There is no time table yet for discussion.

**Knox County - Knoxville** - State Senator Burchett not able to enact statewide BSL, still wants local MSN. He wants individual county commissions to pass legislation that would make clinics like Ms. Price's required for pit bulls. He admits there's much opposition to breed-specific animal control.

**Mount Juliet** - an official is pushing for stronger laws governing dangerous dogs in the wake of an attack that left two dogs dead. The Wilson County town is among several Nashville-area communities that have looked to strengthen animal control laws in hopes of curtailing attacks as more humans and pets have moved in.

**Somerville - Update on Pit Bull ban** - City administrator Yaun brought to the board's attention the pit bull ordinance the board passed recently. A problem has been discovered with requiring owners of the dogs to have \$100,000 insurance. Yaun told the committee that at this point, the owners have not been able to find anyone who would write the policy. He said he has talked to several companies locally and they are not interested in writing the policy. Yaun was asked to do some more checking and if they can't find insurance, they may have to revisit the ordinance

## TEXAS

**Austin** - HB1411 - new state law that prohibits unreasonable restraints for dogs during the late night hours and during extreme weather should help deter animal cruelty. Owners cannot leave a dog outside and unattended by the use of a restraint that unreasonably limits the dog's movement between the hours of 10 p.m. and 6 a.m. The law further states that in the event of extreme weather including outdoor temperatures that reach below 32 degrees, or a hurricane, tropical storm or tornado warning issued for the jurisdiction by the National Weather Service, a dog cannot be left outside and restrained by a restraint that "unreasonably limits the dog's movement."

**Austin** - City Council could soon hear proposed changes to the laws for dangerous dogs in the community, all in an effort to make owners of dangerous dogs follow the law more closely. Animal Advisory Commission is considering ways to make dangerous dog owners follow the law at their next meeting.

**Copperas Cove** - proposed ordinance prohibits animals and public sporting and recreational events, make molesting animals unlawful and restrict fishing in the city's park ponds to pole and line only. Other additions require locks on fenced yards, pens and kennels and require signage for all yards with an unattended dog and include definition of the term "dangerous animal" expanded to include any unprovoked attack on a person or animal causing bodily injury.

**Dickinson** - City Council decided to postpone enacting an ordinance banning the chaining of dogs, so it could review the language of the law. Council would likely discuss the matter during a work session as soon as late February or March.

**San Antonio** - City leaders embraced proposed changes to the Chapter 5 ordinance today, voting to accept the newly restructured laws. The changes include incentives for sterilization and responsible pet ownership including: □ A restructuring of the license process that includes the use of permanent micro-chips in lieu of traditional metal tags that are easily lost. □ A strengthening of the Dangerous Dog portion of the ordinance and the creation of a new Vicious Dog category. □ Stiffer penalties for those convicted of animal cruelty mirroring tougher state laws. • The creation of permits for excess animals, litters of puppies or kittens, unsterilized dogs and cat colonies. □ Limits and restriction regarding methods an animal can be tethered or tied up. A similar state law went into effect Sept. 1. □ A Trap Neuter Return policy that allows residents to care for feral cats in their neighborhoods. The revisited ordinance DOES NOT include mandatory sterilization for all pets. Instead, sterilization will be required for animals that have been declared dangerous, pets that have been impounded more than once and cats that are housed exclusively outdoors. Residents who own cats or dogs they wish to keep them intact can purchase a permit to do so or keep their animals indoors. Many of the proposed requirements actually allow for exceptions based on special circumstances. Examples include excess animal permits, intact animal permits and medical exceptions for animals unable to be sterilized. In addition, there is an appeals process in place for any citizen denied a permit by the department. The dangerous/vicious portion of the ordinance will go into effect immediately. The litter permit, excess animal permit as well as revised permits for pet shop and grooming businesses go **into effect March 1, 2008**, with implementation of the intact animal permit **delayed until Jan. 1, 2009**. This will allow for the augmentation of local spay/neuter resources.

## **VIRGINIA**

**Richmond** - HB5 Gas chambers; prohibits use thereof for euthanizing companion animals **text available upon request**

**Richmond** - HB40 Gas chambers; prohibits use thereof for animal euthanasia Disposal of animals by means of decompression chamber or gas chamber prohibited. No animal shall be euthanized pursuant to the provisions of this chapter by means of a high altitude decompression chamber or a gas chamber. **text available upon request**

**Richmond** - HB 158: Dumping trash, companion animals, etc., on highway, right-of-way or private property; penalty **text available upon request**

**Richmond** - HB207 - Animal pounds, local; clarifies definition **text available upon request**

**Richmond** - HB217 Tethering of animals; makes certain acts associated therewith Class 3 misdemeanor **text available upon request**

**Richmond** - HB457 Veterinarian & animal licensure; repeals requirement to provide treasurer with rabies vaccination information **text available upon request**

**Richmond** - HB537 - Rabies vaccination certificates; exempts records sent to local treasurers from public access **text available upon request**

**Richmond** - HB538 - Commercial dog breeding operations. Bill would define as a 'commercial breeder' anyone who "any person who breeds dogs as companion animals and who maintains 20 or more unsterilized adult females for the purpose of commercial breeding during any 12-month period." Commercial breeders would be limited to 50 dogs max, would have to be licensed and inspected, keep specific records, facilities would have to meet certain fire safety standards and there would be other restrictions. **text available upon request**

**Richmond** - HB655 - Dangerous dogs; judicial discretion. No dog that has bitten, attacked, or inflicted injury on a person shall be found to be a dangerous dog if the court determines, based on the evidence before it, that the dog is not otherwise dangerous or a threat to the community. **text available upon request**

**Richmond** - HB656 - Animal protection and fighting - Broadens Virginia's anti-dog fighting law to cover any animal. It adds a interesting 'surety bond' provision **text available upon request**

**Richmond** - HB673 Animal welfare standards. Bill changes a number of definitions in § 3.1-796.66 **text available upon request**

**Richmond** - HB690 - Commercial breeding of companion animals basically would require USDA dealers to also get a license from their localities. **text available upon request**

**Richmond** - HB691 - Animal control officers; inspection of breeding facilities **text available upon request**

**Richmond** - HB999 - Bond for abandoned or cruelly treated animals **text available upon request**

**Richmond** - HB1232 - Failure of dealer or pet shop to provide adequate care; overbreeding; penalty **text available upon request**

**Richmond** - HB1289 - Use of gas chambers for animal euthanasia prohibited. No animal shall be euthanized pursuant to the provisions of this chapter by means of a high altitude decompression chamber or a gas chamber **text available upon request**

**Richmond** - HB1331 - Bill completely revises and reorganizes Title 3.1 of the Code of Virginia which, contains the Virginia Comprehensive Animal Laws **text available upon request**

**Richmond** - HJ163 - Establishes a joint subcommittee of the Senate and House of Delegates to "study issues relating to companion animals." The findings (whereas's) at the start include an estimate of 2,784,880 companion animals in VA, that some owners abuse and neglect their animals, that shelters euthanized close to 100,000 out of 230,000 entering animals in 2006, and that violent dogs and dogfighting are addressed in laws **text available upon request**

**Richmond** - SB26 - Racketeer Influenced and Corrupt Organization Act; adds organized dogfighting as qualifying offense **text available upon request**

**Richmond** - SB498 - A BILL to amend and reenact § 3.1-796.77 of the Code of Virginia, relating to prohibiting the use of gas chambers **text available upon request**

**Richmond** - SB592 - A BILL to amend and reenact §§ 3.1-796.113, 3.1-796.122, 3.1-796.124 and 18.2-403.2 of the Code of Virginia and to repeal § 3.1-796.125 of the Code of Virginia, relating to animal protection; penalty. Animal protection and fighting; penalty **text available upon request**

## WASHINGTON

**Grays Harbor County** - proposed barking ordinance [text available upon request](#)

**Tacoma** - City council will discuss changes to the city's animal control ordinance on dangerous dogs and problem pet owners. . Expand the definition of dangerous and potentially dangerous dogs. Unlike some jurisdictions, the rules don't address a particular breed of dog, but list the types of behavior that could cause a dog to be labeled dangerous. They include an unprovoked attack that inflicts "severe injury" or kills a person; an unprovoked attack that kills or injures a domestic animal badly enough that it's euthanized; and keeping a dog for the purpose of fighting. . Requires euthanasia or removal from the city for all dangerous dogs. . Prohibits bringing a dog to Tacoma that has been declared dangerous or potentially dangerous in another jurisdiction. . Creates the designation "problem pet owner." A person who commits three or more animal control violations in a 24-month period could be declared a problem pet owner and forced to surrender all of their animals. . Makes it a civil infraction to sell or give away puppies or kittens born to an unlicensed animal. Owners would be required to include the mother's license number in any published advertisements of puppies or kittens. . Enacts a complete ban on roosters in the city limits, a response to complaints about noise. Hens are allowed. . Make it a violation to improperly license a pet (to license an unaltered animal as an altered pet.) . Make it a crime to create or use counterfeit license tags. . Make it a violation to leave animal waste on public or private property, unless authorized. . Make anyone younger than 18 ineligible to license pets.

## WISCONSIN

**Madison** - SB208 and AB567 - twin bills currently under consideration by the Wisconsin state legislature which are being touted as "puppy mill" legislation - unfortunately, they have gathered considerable support based on that alone. But if you actually read the text, it becomes apparent that they aren't just interested in achieving state oversight of large commercial breeders. Bill also contains a lemon law that applies to everyone in the state of Wisconsin who sells even one puppy - whether they consider themselves a "breeder" or not. If a person sells a pup with a genetic defect or that is sick or injured, the buyer only needs the say of a vet of their choosing and the seller is automatically guilty of a crime, owes the buyer and their vet three times the price of the pup in reimbursement and medical expenses and the state collects a \$3,000 fine. If there are two pups within a year, the fine skyrockets to \$10,000 for the second infraction plus prison time! Try to fight this in court and the seller could owe the buyer and their vet six times the price of the pup, plus lawyer fees. No proof required. No judge. No trial by jury. The breeder is not protected from false charges. [text available upon request](#)

**Madison** - Wisconsin Humane Society Is calling for further legislation to "stop puppy mills" and wants "guardianship" for all dogs. No formal legislation has been introduced to date.

## **OTHER COUNTRIES OF INTEREST**

### **Korea**

**Seoul** - Owners of all pet dogs will have to register with the regional government from next year. They will be also required to attach an identification tag to their pet's neck.

### **Switzerland**

**Zurich** - government wants to make all dog owners in Switzerland liable for damage caused by their pets - regardless of breed. Under a draft law, to be discussed by parliament at a later stage, dog owners would also have to take out mandatory insurance. Bans on dangerous dogs have been imposed or are under discussion in several cantons, but so far there have been no specific nationwide laws on the issue.

### **United Arab Emirates**

**Dubai** - Sixteen breeds of dogs face seizure by Dubai Municipality inspectors if they are found loitering in public places without a leash and a mask. The municipality had issued a notice on November 28 branding as dangerous breeds like Doberman, Rottweiler, Husky, Tosa, Bull Terrier, American Pitt Bull Terrier, American Bull Dog, Miniature Bull Terrier, Argentinean Mastiff, Shar Pei, Old English Bull Dog etc as dangerous. The civic body stated that these dogs were prohibited in residential areas, public places, markets and shopping centers from January 1. The notice cautioned that the municipality would seize the dogs after the lapse of the grace period. The notice had sparked protests from canine lovers. Hisham Fahmi, head of the Veterinary Services Section in Dubai Municipality, said, "These dogs are not allowed in residential apartments. The order has been passed as we were getting a lot of complaints from the people residing in the residential apartments. People going for prayers had complained that these dogs were creating a lot of menace and dirt. Also, there were many cases of dog bites in areas like Jumeirah, Al Barsha, Umm Suqeim and Deira," he said. "If someone in a particular apartment complains about a dog menace, we would be confiscating the dog immediately. The rule has come into effect yesterday. Also, if a dog is taken in a public park or any public place, it should have a mask and a leash. The dog collar should have its registration number and the dog should have been vaccinated. The municipality would be strict if these regulations are not maintained," he added. The official pointed out that people in the villas could keep one dog. "Though we would not be visiting all the apartments for checks right now, complaint would be handled in a strict manner," added Fahmi.