

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
February 21, 2006
2:30 PM

To: Board of Supervisors

From: Municipal Services Agency
Animal Care and Regulation

Subject: Workshop On A Model Animal Overpopulation Ordinance

Contact: Pat Claerbout, Director, (916) 875-5051

Overview

The model Animal Overpopulation Ordinance would increase the license fees for unsterilized dogs and cats, restrict the sale of dogs and cats less than eight weeks of age, and regulate the advertisement to sell dogs and cats. Adoption of a similar ordinance would reduce the number of unwanted dogs and cats entering the shelter, reduce shelter cost associated with the care of these unwanted animals, and reduce the euthanasia of healthy adoptable animals.

Recommendations

- Receive a workshop presentation on a model Animal Overpopulation Ordinance and provide input for development of a similar ordinance for the County of Sacramento
- Direct staff to outreach to community planning advisory councils and community planning councils for input for development of the ordinance.
- Direct staff to return to Board with a Sacramento County Animal Overpopulation Ordinance for Board approval.

Measures/Evaluation

Sacramento County Animal Care and Regulation (AC&R) impounded 17,511 dogs and cats in 2005. Of these 9,962 were euthanized. In addition to the emotional toll of euthanasia, it cost the County \$968,183 to provide housing and food for impounded dogs and cats in 2005. It has long been the goal of the AC&R and County to reduce the number of healthy adoptable animals euthanized. While a decrease in the animal numbers has occurred over the last ten years, the overall reduction is much too low. Approval of an Animal Overpopulation Ordinance will reduce the number of animals entering the shelter, reducing operating cost and reducing the numbers of adoptable animals euthanized.

Fiscal Impact

There would not be any immediate impact to the General Fund.

BACKGROUND

In November 2004 a diverse group of animal welfare professionals met to discuss the need to address the serious animal overpopulation problem occurring in Sacramento County and the surrounding areas. Organizations represented at this first meeting were the Association of Veterinarians for Animal Rights (AVAR), Animal Protection Institute (API), Humane Society of

the United States (HSUS), Sacramento Area Animal Coalition (SAAC), Sacramento City Animal Services, Sacramento Society for the Prevention of Cruelty To Animals (SPCA) and AC&R. Discussions focused on the huge numbers of animals entering the three shelters within Sacramento County with the resulting euthanasia statistics. Also discussed was the extremely large numbers of dogs and cats being bred and advertised for sale in the area and the lack of any incentive for the public to spay and neuter their pets. From this first meeting a plan was initiated to study the pet overpopulation problem in Sacramento County and compare how other cities and counties were dealing with the same problem. The core group was expanded to include other stakeholders including rescue groups, feral cat care takers, dog breeders represented by members of the Sacramento Council of Dog Clubs, cat breeders and interested individuals. Meetings were held monthly reviewing how other communities were dealing with the pet overpopulation problem and how these ordinances might be tailored to work in Sacramento. Following several months of study the following facts emerged:

- Current City/County regulations do nothing to curtail the surplus breeding of cats and dogs.
- There is no incentive to the public to encourage spaying or neutering.
- The breeding of dogs and cats is an unregulated business that has a direct effect on the number of animals euthanized in our shelters and the cost to taxpayers to operate these shelters.
- Dogs that are not spayed or neutered are the greatest threat to public safety and health.
- Unregulated breeding results in the inhumane treatment of animals.
- Unregulated breeding is the major contributing cause of the euthanasia of over 20,000 dogs and cats yearly in the three Sacramento area shelters.
- In communities where steps have been taken to address the pet overpopulation problem, those that have been successful have implemented breeding restrictive ordinances.

With these facts in hand, the group moved forward forming the “ Coalition to Stop Animal Overpopulation” with the goal of presenting to both the County and City of Sacramento a model ordinance that works toward ending the pet overpopulation problem and the corresponding euthanasia of adoptable animals in our shelters.

DISCUSSION

Over the past 12 months the Coalition members have reviewed ordinances from jurisdictions across the country. We found that the majority of jurisdictions are addressing the problem through higher license fees for unsterilized animals and by regulating breeding through a breeding permit system.

As an example, currently in California, the following ordinances are in place:

FEES	UNALTERED LICENSE FEE	YEARLY BREEDING PERMIT FEE
Stanislaus County	\$100.00	\$100.00
Los Angeles County	\$100.00	\$100.00

Across the country, cities such as Austin and San Antonio Texas, Chattanooga Tennessee, Denver Colorado, Ashville North Carolina, Kings County Washington and the state of Maine

have or are in the process of implementing regulations on breeding and the ownership of unaltered animals.

One of the most successful ordinances was passed in Ashville and the County of Buncombe North Carolina. These ordinances require dogs and cats to be spayed or neutered or pay a permit fee of \$200.00 for city residents or \$100.00 for county. Last year the shelter received 1,000 less animals and reduced their euthanasia rate by 14%.

In looking for model ordinances, the enforceability of the ordinance, increased cost associated with enforcement, the need for a simple and straightforward ordinance that the general public could easily understand, and an ordinance that would provide measurable results were considered. Foremost, an ordinance that would immediately address the problem was wanted. During the entire discussion period, one central theme kept resurfacing - to reduce the numbers of animals in shelters and the resulting euthanasia, birth prevention is required. For every animal spayed or neutered fewer animals are born. It is a very simple equation and a problem with a very simple answer.

Educating the public on the pet overpopulation problem has been on-going for years. Millions of dollars are spent yearly on education by animal welfare organizations nationwide. Within Sacramento County the City, County, SPCA and other animal welfare organizations conduct education outreach programs and offer low-cost spay/neuter programs for the public. Education, while an important tool in addressing the problem, is not solely the answer. The very serious social problem of drunk driving and the wearing of seat belts are examples of problems that could not be addressed only through education. Only when strict laws and penalties were put in place were the problems addressed and lives saved. The Coalition has decided it is time to introduce an ordinance that will seriously address the pet overpopulation problem and save the lives of animals. This Ordinance will reduce the numbers of animals entering the shelters and the resulting euthanasia.

The key components of the ordinance are:

Dog and Cat Licenses

All dogs and cats over the age of four months must be sterilized or the owner must obtain an unaltered license. Exceptions would be made for reasons of health, animals belonging to individuals participating in recognized show and field events, and dogs in law enforcement.

The proposed unaltered license fee of \$200.00 combines the fees associated with an unaltered license fee and a breeding permit fee used in other ordinances. The breeding permit process has not been found effective in other jurisdictions. A breeding permit system requires development of a specific program to process and track the permits creating added cost to enforcement of the ordinance.

Advertisement, Sale or Transfer of Animals

This section requires any person selling or giving away a dogs or cat to display the license number of the animal or the license number of the animal which produced the litter in any advertisement and to provide to the buyer the license information.

This section will provide enforcement officers the information to locate sellers not complying with the license section of the ordinance.

On January 30, 2006 there were 277 advertisements in The Sacramento Bee for litters of puppies for sale. The sale price on these dogs ranged from a low of \$220 per pup for Australian Shepherds to \$2,000.00 for English Bull dogs. These ads represent over 1,108 dogs for sale on this one day with a sale value of over \$720,000 (average sale price of \$650). We would estimate of the 277 advertisements, at least 50% of these advertisements are from sellers residing in Sacramento County. If these sellers obtained an unaltered license, as proposed under The Animal Overpopulation Ordinance, over \$27,000 could be generated to offset the operating cost of the shelter. The operating cost is currently being directly affected by unregulated breeding.

Penalties

The penalty section is written as an incentive for pet owners to spay or neuter their pets. Owners found having an unlicensed, unaltered pet would have the option of purchasing the unaltered license or having their pet altered within a specific time frame. The penalty fine is specifically set higher than the cost of surgery to again encourage compliance.

The violation for having an unaltered animal is a basic “fix-it ticket”. Spay or neuter the pet and you have complied. The ticket will be voided when spay or neuter validation is produced within the allotted time frame. This is the same procedure currently in place with license violations. The penalty is not designed to increase revenue but to require the public to act humanely by spaying and neutering their pets.

An important component of the penalty section is that a minimum of 50% of all fees collected pursuant to this section will be placed in a sterilization fund to finance public or private programs for sterilization programs for the low-income.

The Coalition firmly believes that addressing the pet overpopulation problem is a two-prong approach. Strong regulations and the availability of affordable spay neuter services within the communities are necessary. The Coalition has applied for grants and is in conversation with national organizations as the first step in this process. Having a solid ordinance in place solidifies the plan to stop the overpopulation problem and will encourage other national animal welfare organizations to assist the community.

The approval of an Animal Overpopulation Ordinance will send a strong message that the residents of Sacramento County care about the welfare of animals in the communities.

MEASURES/EVALUATION

The success of the ordinance will be measured by the reduction of animals entering the shelter and the resulting drop in euthanasia. The first expected measure of success would be a drop in the numbers of kittens and puppies entering the shelter within the first six months to one year.

The Department has the ability to compile this data from the new shelter software program. The Department will also track the licensing program expecting to see an increase in the number of altered licenses sold.

FINANCIAL ANALYSIS

There is no increased cost associated with approval of a pet overpopulation ordinance. Enforcement of the ordinance will be done by existing animal control officers as they respond to other service calls. A reduction in the number of animals entering the shelter will reduce the kennel program operating cost as it applies to food and medical supplies. In 2005 the kennel operating cost was billed at a rate of \$55.29 per animal will not be seen. Due to the large numbers of animals impounded an exact reduction in budget cost per animal will not be seen. As the number of animals impounded is reduced by 20% or more, a savings would be realized. Currently 7% or 4,799 of all licenses sold are for unaltered animals. Unaltered licenses generate \$143,000 in revenue annually. Selling only 720 unaltered licenses under the proposed ordinance would generate the same revenue. It is anticipated that the number of altered licenses sold under the proposed ordinance would increase. No Reduction in licensing revenue to the department is anticipated.

CONCLUSION

The members of the Coalition have spent over a year drafting the Animal Overpopulation Ordinance. The Coalition firmly believes adoption of the ordinance is the step necessary to move the County of Sacramento to one that values the lives of animals and is truly working toward ending the euthanasia of adoptable animals.

Respectfully submitted,

APPROVED

Pat Claerbout, Director
Department of Animal Care and Regulation

Terry Schutten
County Executive

By: _____
Cheryl Creson, Administrator
Municipal Services Agency

Attachment
Model Ordinance