



THE CAT FANCIERS' ASSOCIATION, INC.

World's Largest Registry of Pedigreed Cats

Legislation - What's Hot

*By Joan Miller, CFA Legislative Information Liaison
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Mandatory Spay Neuter - Ventura County, California.

The hearing was on Tuesday December 10, 2013. For weeks a small group of dog and cat fanciers communicated through daily emails. We wanted to stop the County of Ventura from passing, on second reading, a mandatory spay/neuter (MSN) ordinance similar to what was enacted by the City of Los Angeles several years ago. In spite of sloppy language, as well as being punitive and expensive, after 3 -1/2 hours of testimony the ordinance passed by a 4 to 1 vote of the County Board of supervisors. Only Chairman Peter Foy had any real understanding of how intrusive this legislation was.

The ordinance, which affects the unincorporated parts of the County, includes some outright ridiculous exemptions. Breeders who register their dogs, AND CATS, with the American Kennel Club, AND are an AKC "Breeder of Merit", will be able to breed in the unincorporated County. Everyone else must obtain a permit allowing them to "whelp" one litter per year/per animal costing \$100.00 for each intact animal 4 months of age. A person will be given 60 days from the time the animal reaches 4 months of age to comply. In addition there is only one litter allowed per household in a year without special permission from the Administration of Ventura County Animal Services (VCAS).

In spite of several alerts to the CFA Southwest Region list and forwards to the TICA lists we only had a few cat breeders respond and attend the hearing. Supervisor Steve Bennett, the Ordinance primary Champion, intends to push this ordinance in every city in the County. I want to thank those cat fanciers who did come to the hearing and especially those who were willing to speak out - I was a speaker along with Peter Keys, Dennis Giannoni, Mary Thorsness and Sandy West. I believe we made all the necessary points regarding cat issues.

Supervisor Bennett early on said he wanted to know if the ordinance will be effective and details concerning ways in which it would impact breeders. Dog and cat fanciers attempted to answer these two questions. We immediately stated that cat fanciers could not be exempted. We stated why MSN leads to more pet relinquishments, cat abandonment and how pregnant un-owned cats who produce litters in people's back yards will be ignored out of fear of penalties. Reasons given for breeders finding the ordinance intrusive were mainly that they did not want government inspectors coming into their homes and bedrooms. Some objected to the cost of the permit being unfair taxation. We gave examples of programs that have worked in other communities saving Counties money and leading to less intakes and euthanasia.

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Dog fanciers covered the list of national organizations that oppose MSN. They spoke about drops in dog licensing and avoidance of rabies vaccination. They emphasized the concern for intrusive animal control inspection that would be allowed when one had a permit. There was testimony that some breeds are predisposed to cancer when altered too young. Bennett countered that a person can have an exemption if they provide a statement from a veterinarian that the animal's health would be at risk and this would cost only an office visit. A clear point was made that breeders were concerned that the exemptions in the ordinance could be removed at a later time by another Board of Supervisors and that there was no sunset clause. They reported that the local newspaper poll showed that over 70% of community respondents were opposed to the ordinance, and they showed a graph demonstrating that dog intakes and euthanasia has gone down steadily with education and without coercive legislation.

In spite of the sound opposition statements, most of the Supervisors preferred to listen to Dr. Novi a veterinarian who works closely with Animal services and offers low cost spay/neuter services especially in Oxnard where they do surgeries for \$10. He said they needed a "tool" and the ordinance would mean the county could be "no-kill" by 2017.

The day before the hearing Peter Keys and I visited the offices of three Supervisors and talked with their aides providing CFA folders full of information, including copies of the CFA letter sent by George Eigenhauser several days before, and lots of back-up materials including photos of pedigreed cats and copies of testimony. We left folders with the Chief Deputy Clerk of the Board for the other two Supervisors who had offices out of town.

We were confident at the beginning of the hearing that reason and data would prevail. Unfortunately, though we claimed many jurisdictions had escalating costs for enforcement and showed increases or else little further improvement in animal intakes and euthanasia after passing MSN, it is not possible to prove conclusively that MSN is responsible for positive or negative changes in shelter data. Most communities have other programs initiated concurrent with their ordinance making it difficult to know exactly what is responsible for a gradual drop in shelter animals.

In the end Bennett convinced all of the Supervisors, except for the Chair, that doing "something was better than doing nothing" and that this was a good "tool" and a step toward "no-kill". All of the rhetoric was very familiar and reminiscent of San Mateo in 1991. He said ordinances are rarely perfect and if several years down the road they review the situation they can always make changes.

Lessons learned:

- We need to have fanciers willing to become involved with the shelters and willing to be on the Animal Commission or at least attend open meetings. The first hearing on this ordinance caught both AKC and CFA completely by surprise.
- We need to have meetings with the key political supporters and with the person in charge of Animal Services before a first hearing if possible, as well as meeting with the aides of all County Supervisors or City Council members. Three minutes of testimony is not enough to get our opposition clearly understood.

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- We must show empathy for the euthanasia of cats and dogs and display our interest in providing more reasonable alternatives.
- This ordinance had no indication that there was any particular animal rights activist origin. This was a case of language copied from Los Angeles and poor understanding on the part of the County Council. The shelter concocted the idea and brought it to Bennett who is on the Ventura County Animal Commission. They included not only the breeder permit but a pet store ban on selling any dogs, cats and rabbits, except those from shelters and rescue groups, similar to other ordinances recently proposed in California. There is no commercial retail selling of animals in stores in the unincorporated parts of Ventura County, but they want to prevent these pet stores.

Cat fanciers seem motivated to reach out to Donna Gillespy, from the VCAS shelter. She admitted at the hearing that she was responsible for the error in not having any exemptions for cat breeders. After the hearing several of us spoke with her and she is willing to work with cat fanciers to make changes.

I believe we need to get ready for a similar ordinance in Oxnard and the City of Ventura next and hope cat fanciers will contact the CFA Legislative Group at legislation@cfa.org if you hear anything about pending ordinances.