



The Cat Fanciers' Association, Inc.

"World's Largest Registry of Pedigreed Cats"

Back to Basics for Animal Ordinances – Part II

Social Engineering – An Exercise in Futility

In Part I the Cat Fanciers' Association Legislative Group discussed the folly of approaching animal ordinances as a means of funding the functions of animal control agencies. When cities or counties increase the basic fees and fines they find that the action backfires. New or more costly licenses and permits lead to more abandonment of pets, and less compliance as people resist what is simply an unfair pet tax on responsible owners.

Funding animal control through broad-based taxation, as other public health or safety departments such as police and fire are funded, is the more equitable and realistic approach. Animal control departments should be using these tax dollars to concentrate on basic services rather than spreading too thin, and targeting specific areas of need. Working in cooperation with non-profit volunteer organizations that receive their funding from donations and grants, is proving a more complete and reliable way to achieve positive, incentive based programs to reduce problems associated with animals, while fulfilling the basic mission of animal control.

The public no longer will tolerate the old style "dogcatcher", nor a city "pound" that simply warehouses and kills animals. The challenge that jurisdictions face now is how to meet a public's increased expectations, both for removing animal nuisance or danger from the streets and for humane care of the animals once impounded. This can, and is being accomplished without passing laws that a) fail to address core problems and b) set unrealistic and unenforceable standards that are better addressed by education.

The second primary reason that local animal ordinances are being overhauled is due to increased pressure from some animal protection organizations to pass laws that are purely "social engineering" - a misguided attempt to enforce a change in public behavior and attitudes under penalty of law.

Most laws address actions that are inherently bad - murder, robbery, cruelty to animals, for example. Even laws that prohibit less serious "crimes" are clearly in the public interest: i.e., speed limits and laws that require dogs to be leashed when off their property promote public safety.

Prohibition and the retail "Blue Laws" are among the most notorious of the social engineering laws that have failed. These laws, like some of the local animal ordinances now being proposed, had to do with attitudes rather than actions, which, like morality, cannot be legislated.

Based on emotional rhetoric and claims that millions of animals are dying in shelters because of a "pet overpopulation crisis", several local ordinances have surfaced, purportedly to address this issue. Even if true (and the seriousness and causes of surplus animals vary from locale to locale), it is a problem best addressed by education about responsible pet ownership and positive, incentive-based programs that target the root causes of the identified problem. As opposed to core and basic animal control and humane issues, these animal laws would impose standards of conduct on pet owners.

Some jurisdictions have passed ordinances mandating that all pets be neutered or spayed, either as a condition of owning a pet, licensing or of redeeming impounded pets. Supporters of these measures tend to employ vague

rhetoric, outdated data, and exaggerated promises of success. Similarly, other cities and counties are adopting so-called "spay or pay" plans, which involve punitively high license differentials.

Some ordinances are even introduced solely for the shock value and media hype, with little hope of actually being passed, and even less of being enforced. These ordinances have an effect on responsible breeders of pedigreed cats who attempt to abide by law, but they fail to curb any problems created by irresponsible pet owners who allow indiscriminant matings.

While CFA supports and has actively provided educational material to promote voluntary neutering or spaying of pet cats, the most current studies, clearly reveal that "pet overpopulation", which plagued the country especially during the 1980s, is now largely under control. Currently, 87% of all owned cats and 69% of owned dogs are already neutered or spayed. This was accomplished without such coercive ordinances, and to pass them now can only interfere with efforts to cut shelter euthanasia even further. Only by zeroing in on the real causes of homeless animals, as they exist in these early years of the 21st Century can a solution be reached, and "brain trusts" such as the National Council on Pet Population and Policy are providing targeted demographic studies to accomplish that goal.

Ordinances that are written for the purpose of social engineering are not only imposing undue hardship on already overburdened animal control agencies, but are backfiring in predictable ways.

- Montgomery County, MD, for instance, rescinded its breeding license ordinance after its Office of Legislative Oversight pronounced it a failure in the stated objective of increasing neuter/spay procedures, and blamed it as the direct cause of a 50% drop in licensing compliance.
- Fort Worth, TX abandoned its neuter/spay differential because of similar reasons, plus a significant decrease in rabies vaccinations and accompanying increase in cases of rabies in the city.
- Earliest figures from Los Angeles, CA, are revealing that dog license compliance is plummeting following that city's punitive "spay or pay" ordinance. People seeking responsible home breeders - the best source of home-raised purebred puppies and pedigreed kittens - will have to look outside the city to find them, at greater cost and inconvenience.

On the other hand, cities like San Francisco, CA, and others across the country, are making good use of community collaborative efforts that meld the programs of volunteer organizations to those of city services. When the animal control, rescue groups, feral cat groups and others work together, tremendous progress can be made to address the entire animal population and any associated problems. These are seeing measurable success both in controlling identified animal problems and in reducing the cost to the governing jurisdictions. Orange Co., FL teamed up with the people working with feral cats, and through a Trap-Neuter-Return program they reduced complaints and impoundments and euthanasia, thus cost to the county's taxpayers. San Jose, CA initiated a voucher program for free neutering and spaying, which reduced costs to animal control by reducing intakes and euthanasia.

Animal Control should concern itself with the basics. It should be adequately funded by a broad-based tax to meet its obligations of protecting its citizens from nuisance and dangers associated with stray dogs. Cities should make that basic mission clear in their ordinances and should provide the support animal control needs to accomplish that goal. Often this means instructing law enforcement agencies and municipal courts to take infractions seriously by issuing and serving the warrants that give teeth to citations.

City animal control agencies should also meet accepted standards of humane care of the animals in their charge, and provide support for programs that increase adoptions and reclaims by owners, working with responsible humane organizations and rescue groups rather than at cross purposes.

To correspond with the CFA Legislative Committee, please email Legislation@CFA.org