



July 17, 2007,

To Public Safety Committee Members

### Dog Confinement Ordinances

- In September of 2006 U.S. Rep. Thaddeus G. McCotter (R-11th/ Mich.) introduced a resolution encouraging municipalities to adopt and enforce protections against dog bites.
- The Centers for Disease Control has concluded that 800,000 dog bites per year are serious enough to require medical attention.
- Michael Markarian, executive vice president of The HSUS, stated "there are two types of dogs with an increased likelihood to bite—chained dogs and male dogs who have not been neutered."
- The CDC has determined that over 70 percent of dogs involved in attacks are unneutered males.
- In addition, the CDC, the U.S. Department of Agriculture, and the American Veterinary Medical Association have all determined that chaining or tethering creates dogs who are at a significantly greater risk to bite. The practice of chaining dogs for long periods of time is inhumane and poses a risk to the dogs involved, other animals, and the entire community.
- NAFA believes that stopping the practice of inhumane chaining and eliminating tethering of unaltered animals should be a priority for our city to help address dog bites, dangerous dog issues and humane living conditions for dogs.

*We asked that each of you consider the following information and help make a much needed change in our community.*

*Wannda Turner  
Executive Director*

Volunteers for Northeast Arkansans for Animals believe that the improper confinement of dogs in our city poses a threat to the safety of our children (and adults); can cause unsanitary conditions degrading our neighborhoods and is inhumane to the canine citizens of Jonesboro. Therefore we propose that the Public Safety Committee consider creating additional city ordinances as suggested below to create a better Jonesboro for both humans and canines.

WHEREAS, a large number of dogs within the City Limits of Jonesboro, Arkansas have suffered severe injury from being tethered to a fixed location, limited to a small enclosure and neglected; and  
WHEREAS, studies by the Humane Society of the United States and other reputable animal organizations have shown that tethering a dog to a fixed location for extended periods of time inhibits socialization and often results in dogs becoming more territorial and aggressive; and  
WHEREAS, dogs that are unaltered are more likely to be territorial and aggressive;  
WHEREAS, dogs that are improperly transported are a danger to themselves and to the citizens of Jonesboro; and  
WHEREAS, neighborhoods are harmed by the tethering of dogs to a fixed location for extended periods because of the associated concentration of urine and feces within a small area and the damage to the yard.

### **Dog confinement outdoors.**

- a. Access to Water and Shelter. Any person owning or keeping a dog confined outside must provide the dog with access to water and an appropriate dog shelter. The dog shelter must allow the dog to remain dry and protected from the elements. Such shelter shall be fully enclosed on three sides, roofed, and have a solid floor. The entrance to the shelter shall be flexible to allow the dog's entry and exit, and sturdy enough to block entry of wind and rain. The shelter shall be small enough to retain the dog's body heat and large enough to allow the dog to stand and turn comfortably. The enclosure shall be structurally sound and in good repair. Suitable drainage must be provided so that water is not standing in or around the shelter.
- b. Dog pens. Unless otherwise permitted under subsection d, outdoor dog pens shall be located 75 feet from any dwelling other than the person owning or controlling the dog. There shall be at least 150 square feet in such pen for each dog kept therein which is over six months of age.
- c. Tethering. Unless otherwise permitted under subsections d and e, it shall be unlawful for any person to tether, fasten, chain, tie, restrain or cause a dog to be fastened, chained, tied or restrained to houses, trees, fences, garages or other stationary or highly immobile objects by means of a rope, chain, strap or other physical restraint for the purpose of confinement.
- d. Trolley Systems. A trolley system is a method to confine a dog by tethering the dog to a cable that is no less than ten (10) feet in length and elevated four (4) to seven (7) feet off the ground in a manner that allows the tether to move freely along the length of the cable. Only one animal may be attached to each running cable line or trolley system. Unless otherwise permitted under subsection d, it shall be unlawful for any person to confine a dog through the use of a trolley system:
  - (1) For more than 8 consecutive hours or more than 12 total hours in a twenty-four hour period;
  - (2) For a puppy under the age of 3 months to be attached to a running cable line or trolley system for more than one consecutive hour or more than 8 total hours in a twenty-four hour period;
  - (3) For dogs that are not spayed or neutered for any period of time. Unaltered dogs and must be in a completely enclosed yard or housed indoors;
  - (4) That is located within 75 feet from any dwelling other than the person owning or controlling the dog;
  - (5) Any tethering system employed shall not allow the dog or puppy to leave the owner's property or;
  - (6) In a manner that poses harm to the dog including, without limitation:
    - A. The use of a collar or harness that is ill-fitting or constructed of any material other than leather or nylon;

- B. The use of a tether that exceeds 1/5th of the body weight of the dog or 10 lbs total weight; or
- C. The use of a trolley system in an area that contains hazards to the dog or deprives the dog of food, water, or shelter.

e. Permit. The Director of the Jonesboro Animal Control is hereby authorized to issue permits to allow the confinement of a dog in a manner that would otherwise be prohibited by this section. The yearly cost of said permit shall be \$100.00 per animal.

(1) Criteria. No permit shall be issued unless the Director determines that: (i) unusual circumstances warrant confinement of the dog in this manner; (ii) the welfare of the dog will not be harmed by the confinement; and (iii) the neighborhood will not be adversely impacted by the confinement.

(2) Inspection. All permits issued under this subsection shall require consent to both scheduled and unscheduled inspections of the animal and confinement area.

(3) Revocation. The Director shall revoke a permit issued under this subsection if: (i) the holder of the permit is convicted of any offense under local, state, or federal law involving animal cruelty; or (ii) an inspection indicates that the criteria authorizing the permit are no longer met.

f. Nothing in this section shall be construed to prohibit walking dogs with a hand-held leash.

### **Confinement During Transportation.**

(1) When transporting a dog in an open-bed pickup or in any open-bed vehicle, the dog shall be confined in a secured carrier or dog box that provides the dog adequate room to stand, turn around, and stretch out without hindrance and provides adequate ventilation and protection from environmental conditions.

(2) If a dog must be transported in an open-bed vehicle but is too large for a carrier or dog box, the dog shall be restrained by a system of tethering to the vehicle bed in a manner that reasonably restricts the dog to the center of the bed in order to prevent the dog's escape and to minimize the dog's access to the sides of the vehicle bed.

(3) It shall be unlawful for any person to place or confine or allow a dog to be confined in such a manner that it must remain in a motor vehicle, trailer or pet carrier under such conditions for such periods of time as may endanger the health or well-being of the dog due to heat, lack of food or water, or any circumstances which might cause suffering, disability or death.

The following communities have banned or regulated chaining in their animal protection ordinances:

### **Statewide Laws**

California

Connecticut

Virginia

West Virginia

### **Communities that Prohibit Chaining**

Fayetteville, Arkansas

Chatham County, Georgia

Ronoke Rapids, NC

Maumelle, Arkansas

New Orleans, LA

Lawton, Oklahoma

Tuscon, Arizona

Carthage, Missouri

Austin, Texas

Okaloosa, Florida

New Hanover, NC

Big Spring, Texas

Electra, Texas

### **Communities that Limit Chaining by Time**

North Little Rock, AR

Lawrence, Kansas

Wildwood, New Jersey

Los Angeles, CA

Leavenworth, Kansas

Wildwood Crest, NJ

Kern County, CA

Overland Park, Kansas

Canandaigua, NY

San Bernardino, CA

Topeka, Kansas

Albuquerque, NM

Denver, Colorado

Wichita, Kansas

Laurinburg, NC

Dania, Florida

Jefferson County, KY

Scotland County, NC

Ft. Lauderdale, Florida

Louisville, Kentucky

North Royalton, Ohio

Hollywood, Florida

Baker, Louisiana

Bartlesville, OK

Oakland Park, Florida

East Longmeadow, MA

Multnomah County, OR

West Palm Beach, FL

Carroll County, Maryland

Oak Ridge, Tennessee

Orange County, Florida

Battle Creek, Michigan

Northampton County, VA

Pembroke Park, FL

St. Paul, Minnesota

Norfolk, Virginia

DeKalb Cty, Georgia

Creve Coeur, Missouri

Smithfield, Virginia

Bloomington, Indiana

Laurinburg, NC

Virginia Beach, Virginia

Indianapolis, Indiana

Camden, New Jersey

Linn, Wisconsin

Marion, Indiana

Lower Township, NJ

Racine, Wisconsin

Dodge City, Kansas

Ocean City, NJ

Sea Isle City, NJ

### **Communities that Permit Tethering if Other Conditions are Met (including trolleys)**

Fairhope, Alabama

Noblesville, Indiana

Dennis Township, NJ

Little Rock, Arkansas

Terre Haute, Indiana

Catawba County, NC

North Little Rock, Arkansas

Bowling Green, KY

Greenville, NC

Hemet, California

Baton Rouge, LA

Bernalillo County, NM

Freemont, California

Ouichita, Louisiana

Oak Ridge, Tennessee

San Bernardino, CA

St. Charles Parish, LA

Allen, Texas

San Diego, California

Montgomery Cnty, MD

Lubbock, TX

San Francisco, CA

Kansas City, Missouri

Richland Hills, Texas

San Jose, California

Raytown, Missouri

Waco, Texas

DeKalb County, GA

Lincoln, Nebraska

Washington D.C.

Aurora, Illinois