



**Davidson County
Health Department
L. Layton Long, R.S., M.S.A.
Health Director**

MEMORANDUM

TO: Davidson County Board of Commissioners

THROUGH: Robert Hyatt, County Manager

FROM: L. Layton Long, Jr.

DATE: December 27, 2006

RE: Animal Ordinance Revisions

At the May 9, 2006 meeting the Commissioners established a committee to review the existing County animal ordinance with specific direction given to address the issue of pet overpopulation within the County. Pet overpopulation is a serious problem for any community and is receiving increasing attention for several reasons including the following:

- Animal shelters are increasingly overburdened with surplus animals.
- Surplus animals place increasingly higher demands on limited personnel resources in animal control.
- Stray animals create nuisances by getting into trash containers, defecating in public areas or on private lawns, chasing and/or killing wildlife and frightening residents.
- Stray animals contribute greatly to the problem of dog bites and attacks which are also a public health issue since these animals are typically not vaccinated against rabies.

Surplus pets are caused primarily by the indiscriminate breeding of cats and dogs. One female cat left to breed can produce between 12-18 kittens annually. The average female dog can produce 12-20 pups annually. These pups and kittens in a short period of time will also be producing similar numbers of offspring. By simple multiplication it is easy to see how quickly animal overpopulation becomes a problem in the community. In Davidson County the number of animals received in recent years is as follows: 7,037 (2004), 7,339 (2005) and final projections for in 2006 indicate the number to be over 7500. The overwhelming majority of these unwanted animals are euthanized each year. While having to destroy these animals is tragic in itself, these numbers also represent costs to the average taxpayer including those that do not own pets and those that have not contributed to the problem by having their pets spayed or neutered.

The committee has drafted ordinance language to address the issue of pet overpopulation in a manner they believe will be effective and is submitting this to the Commissioners as information at this time. The

committee believes the proposed ordinance language will address pet overpopulation without creating increased burdens on animal control officers. The committee derived the initial language of the proposed spay/neuter provisions from the Buncombe County Animal Ordinance. Buncombe County passed a spay/neuter provision in 2004. Since the passage of the spay/neuter requirement Buncombe County has seen a significant reduction in the numbers of animals received into the animal shelter. In FY 2003 prior to the adoption of the ordinance requirement 9737 animals were received into the Buncombe County shelter. In FY 2006, the first full year of the spay/neuter requirement 7911 animals were received; an approximately 19% reduction in total numbers.

This memo will provide a brief explanation of proposed ordinance amendments along with other relevant information.

The members of this committee, in addition to me as chair are as follows:

Artie Burkhart – Citizen (Commissioner Appointment)

Mary Culp – Citizen (Commissioner Appointment)

David Grice – Sheriff

Dr. Mark Hamrick – Veterinarian and Board of Health Member

Also in attendance at the meetings were Debbie Harris who provided minutes and other support to the committee and Commissioner Fred McClure.

Davidson County Animal Ordinance

Proposed Spay and Neuter Provisions

Lines 211- 215

These lines establish that each County resident that owns a dog or cat in the County must have a separate permit for each animal that is to remain unaltered. The term “owner” is defined beginning on line 75 and has not been changed from the original text. The proposed language provides that the spay/neuter requirement apply to any dog or cat over 6 months of age. The 6 month age is based on veterinarian recommendations as the earliest age in which these procedures should be performed.

Lines 216-225

These lines establish exceptions to the requirement for spay/neuter permits. The committee believed that animals exempted under these provisions would not represent any significant risk of unwanted breeding.

Lines 226-228

These lines cover one of the most important aspect of enforcement of the spay/neuter requirement. Under this provision violations of the spay/neuter requirement will only occur if the animal(s) cited is in violation of some other provision of the ordinance. This establishes a passive enforcement mode where animal control officers will only cite a pet owner for a spay/neuter violation if they are actively involved with investigating some other aspect of ordinance enforcement. By establishing the violation in this manner additional time requirements placed on animal control officers to enforce the spay/neuter provision should be very limited if realized at all.

Line 229

Clarifies that each animal will represent a separate offense. This reflects the requirement to have a permit for each animal.

Lines 230-233

Provision establishes a “grace” period of 60 days in which pet owners would only be warned to have their pets spayed or neutered. This is intended as an encouragement to pet owners to have the procedure done while providing sufficient time.

Lines 23-24

Tags as indicated will be issued by animal control at the time a permit is purchased.

Lines 236-245

Establishes where permits can be obtained, the fee, and that the permit is valid for the life of the animal. The fee is set at \$100 dollars for each animal and is slightly higher than the average full cost of a spay/neuter procedure in a veterinarian's office. The intent is to encourage pet owners to have their animals altered rather than actually purchasing a permit. The reduction in the fee for multiple animals was intended to address legitimate animal breeders or hunters that may have multiple animals and desire to breed these animals under controlled circumstances.

Lines 246-252

These lines simply establish criteria on how to verify each animal for which a permit is issued.

Lines 577-579

The language in these lines is another important aspect of the proposed language. Should a pet owner be cited for violation of the spay/neuter provision he/she may have the citation waived if they have the animal(s) spayed/neutered within 60 days. In most instances it will be less costly to the pet owner to have the animal altered rather than pay the fine.