

**ANALYSIS OF
KING COUNTY, WA
ANIMAL CONTROL
ORDINANCE 10423**

By: A.L.A.N.

ANIMAL LEGISLATION AWARENESS NETWORK

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A.L.A.N.
Animal Legislation Awareness Network
22429 Echo Lake Rd.
Snohomish, WA 98296 -3960
425-486-5886

PERFORMANCE ANALYSIS OF KING COUNTY ANIMAL CONTROL ORDINANCE 10423

Ordinance 10423 has been used across the country by animal rights activists as the "model law" for accomplishing some of the goals they have specified. The particular goals in this instance were to increase spaying/neutering of pets and to lower euthanasia rates at shelters. Actually, each of those goals are ones that almost all of us could agree with. The disagreement comes with the methods the activists are pushing into law nationwide through what they generally call "responsible breeding ordinances."

Ordinance 10423 was the second such law enacted in the country, right after San Mateo, California, so it is one of the few with a track record. Formulated in 1990 in King County, WA by the Progressive Animal Welfare Society (PAWS) and Kim Sturla of Fund For Animals (FFA) and enacted in July 1992, it has been promoted across the country as a success ever since. Annual Reports issued by the King County Animal Control appear to bear out that label until one reads the reports more closely. Only through careful analysis can the misleading information in the reports be discerned. This report is an attempt to more accurately portray the success or failure of the ordinance.

The main components of the ordinance are as follows:

1. High differential between altered and unaltered license fees (\$10/\$55)
2. Mandatory spaying and neutering
3. Mandatory licensing of all dogs & cats, from 8 weeks of age and up
4. Door to door canvassing for licensing purposes
5. No advertising a pet for sale without the animal's license number.
6. Anyone selling or giving away a dog or cat must notify animal control in writing with the new owner's name, address and telephone number.
7. Number of litters allowed per animal is limited

INTRODUCTION

This analysis will show that, despite King County Animal Control Annual Reports to the contrary, **Ordinance 10423 has accomplished none of the goals its proponents said it would. Successes attributed to the ordinance have proven to be simply a continuation of favorable trends already established before the ordinance was put into place. Conversely, data shows that the ordinance actually had a detrimental affect on prior positive trends. *In all categories except one, performances and gains were better before the ordinance than after.***

At the same time, the ordinance has had serious negative repercussions such as angering citizens who resent what is perceived as a "tax and spend" law accompanied by *unacceptable restrictions and regulations affecting personal freedom.*

Many feel the ordinance has fostered an out of control spending spree as shown by the almost three-fold increase in animal control costs in this decade alone. In 1990, the total cost of animal control was \$1,662,776; in 1997 it was \$3,087,350.

In 1997, taxpayers paid \$1,896,722 out of their own pockets for animal control, over and above total revenue generated. That money came out of the general fund at the expense of budgets for parks and playgrounds and desperately needed social services.

The data shows that the only "success" was the increase in the number of animals adopted. The tragedy is that this could have been accomplished without ever enacting Ordinance 10423.

These are important considerations in these times of tight budgetary constraints for local and state governments. Obviously, any municipality considering similar legislation should very carefully study the financial impact as well as the success or failure of such ordinances in other communities. Communities like King County with such an ordinance already in place must take the time to objectively evaluate its performance, away from the emotion-driven propaganda that passed the law in the first place. While concern for animals is a noble aspiration, it is time for legislators to acknowledge that people are also entitled to consideration. A bad law is a bad law, period. Bad for the people and bad for the animals as well.

In 1990, we had no data available of our own so we were forced to accept the flawed information supplied by the ordinance proponents. This is no longer the case.

We no longer have to guess about the ordinance's performance in King County. We have the statistics and now so do you.

The ordinance is 25 pages long so of course these are only the main points. The county council and the public were sold by emotional blackmail and the activists' promise that 1) the fee differential would force people to sterilize their pets to avoid the higher unaltered license fee, 2) increased sterilization of pets would lead to fewer dogs and cats ending up in animal control, 3) the number of euthanasias would go down faster and 4) the increased income from the higher fees and additional licenses would pay for the added costs of the ordinance.

In regard to the above promises, one thing **the proponents of the ordinance never mentioned was that the euthanasia rate was already down, having plummeted more than 85% from 1980 to 1990 without legislation.** Breeders and true welfare advocates (not animal rights activists) had done a very good job for over ten years, selling the concept of spaying and neutering pets.

The activists came in with their legislation at a time the problem was already close to being under control and had, in fact, almost reached the point of being solved in some areas of the country. **Their use of statistics showing many thousands of animals killed annually at shelters never mentioned that 60% - 70% of those euthanasias were unadoptable animals**----animals euthanized at the owner's request (usually because of the pet's age), or too sick or injured to be adopted or unadoptable because of temperament/behavior problems.

Although we were too uninformed to effectively refute it when the activists first used the phrase in 1990, **we know now that the "overpopulation crisis" was a propaganda red herring.**

Parameters used in this analysis

We used the four years of 1994-1997 as the ordinance years for the following reasons: 1) The ordinance was enacted in July 1992 but no enforcement except some higher license fees could occur until all contracting cities had signed on. This was not completed until a year later. 2) 1993 was the first full year of the ordinance. Setting up a new reporting system and establishing new operating rules resulted in reporting errors and unreliable data for that year. 3) 1994, 1995, 1996, and 1997 were the first full years of enforcement without unusual or one-time influences.

Does a large license differential actually result in increased spay/neuters?

To support that it does, King County details the increase in altered licenses from 31,538 in 1990 to 53,992 in 1997 as well as a decrease in unaltered licenses from 11,286 in 1990 to 4,415 in 1997 . At first glance it appears the figures might actually support it being called a success.

But look again at the years covered in this statement. They include 1990, 1991 and 1992 (1/2), all years prior to full enforcement of the ordinance. It is very poor analysis protocol (but very effective propoganda) to include favorable data from years prior to a period being analyzed *as part of* the period being analyzed. More correctly, the "before" should be compared independently to the "after. With this in mind, when we compare those three years *before* 10423 to the last three *after* 10423, we find the following data.

Dogs:	<u>1990-1992</u>	<u>1995-1997</u>
Altered license increase	5,742	2,997
Unaltered license decrease	3,715	287

Cats:		
Altered license increase	3,190	2,830
Unaltered license decrease	1,369	3

If the numbers of licenses are any indication, it would appear that the people of King County were doing a better job of neutering/spaying before Ord 10423 came along with its expensive and restrictive "solutions".

As to the question of whether the large licensing differential was successful in encouraging neutering and licensing, we have only to look at our target years of 1994 - 1997 for the answer. For those years, the distribution of licenses in all categories remained relatively stable, with little change. If the licensing differential actually did what the activists said it would, each year the juvenile licenses would have been renewed as adult neutered licenses the following year. This did not happen.

Dogs: From 1994 - 1997	Total juvenile licenses issued - 14,574
Altered increase	6,419
Unaltered decrease	(556)
Sr-lifetime decrease	<u>(252)</u>
Net Increase	5,611
	Total juvenile dogs not licensed as adults - 8,963

Cats: From 1994 - 1997	Total juvenile licenses issued - 15,177
Altered increase	4,787
Unaltered increase	8
Sr-lifetime decrease	(518)
Net Increase	4,277
	Total juvenile cats not licensed as adults - 10,900

Statistics show that while people may take advantage of the lower licensing fee for juveniles when caught in the door to door canvassing (with the canvassers having no way to verify the actual age of the animal), **on the next licensing when the juvenile licenses should have converted to adult licenses, a large percentage are not even renewed.** Since the fee differential between juvenile and altered adult is only \$5 (from \$5 to \$10) and would make little impact on an owner's wallet, it is apparent those animals are not being neutered and the owners are simply not willing to pay the high unaltered fee of \$55, preferring instead to take their chances at being caught by animal control.

Do these laws reduce the number of pets euthanized at shelters?

As to whether such laws reduce the number of animals euthanized at shelters, King County points as proof to a 50% reduction from 1990 to 1997. However, once again, such a statement is flawed and misleading, even though numerically correct. King County is again including in its calculations those years **before** Ord 10423 while conveniently ignoring the fact that a program's success or failure must be based on the time frame that program is in effect. 10423 was not in effect in 1990 - 1992 (1/2 year). In fact, **if we once again compare those same three years before the ordinance to the last three years after the ordinance, it becomes evident that the euthanasia rate was dropping faster before 10423 was enacted than it did after.** Once again, it is important to emphasize the performance for 1990-1992 was achieved **without coercive legislation.**

Euthanasias 1990	13,765	1995	7,936
1992	<u>10,510</u>	1997	<u>6,606</u>
Decrease	3,255		1,330
Per year decrease	1,085		443

To directly analyze the effect of the ordinance on euthanasias, we once again go to the years 1994-1997. During that time period, the total number of animals handled by animal control remained stable at approximately 14,400 per year. Please note that the **number of animals entering animal control during those years did not decrease significantly as the ordinance proponents had said it would. In fact, between 1993 and 1994 the number actually increased.**

This is an exact reversal of the trend observed in the years prior to the ordinance when the number of animals entering animal control went from 20,849 in 1990 to 15,969 in 1992 - a reduction of 4,880 animals. The figures for the last three ordinance years are 14,375 in 1995 to 14,353 in 1997 - a reduction of 22 animals. Was the ordinance successful in reducing the number of animals handled by animal control? The figures provide the answer in black and white.

1994 - 1997 euthanasia analysis

What are the influences that affect the number of euthanasias? They are the total number of animals handled, the redemption rate by owners, the number of adoptable vs unadoptable animals and the number of actual adoptions. In looking at our target years of 1994 - 1997, we have already shown that the number of animals entering animal control was relatively stable at 14,300 per year. The number of animals redeemed by owners remained stable at approximately 2,300 per year. The unadoptable animals euthanized remained stable at approximately 6,200 per year.

There were only two significant changes for those years: First, the decrease in the number of healthy animals euthanized and second, the increase in the number of those adopted.

Adoptions 1994 - 1997.....	Increased 2,297
Euthanasia of adoptables 1994 - 1997.....	Decreased 2,236

Because no other numbers changed significantly in that time period, only one conclusion is possible. **Increased adoptions *alone* made the difference in lowering the euthanasia numbers of adoptable dogs and cats.** Ironically, with all its draconian restrictions, fees, and regulations, Ordinance 10423 never addressed the issue of increasing adoptions at shelters as a possible solution to the euthanasia problem.

Another important statistic to look at is that there were 4,000 unadoptable cats euthanized in 1997 compared to 2,000 unadoptable dogs. That 4,000 figure for cats has remained virtually unchanged for all of 1994 - 1997 and, for the most part, represents the disposition of feral (unowned) cats. **We have known for 10 years that feral cats contributed the greatest percentage to the euthanasia rates.....the ordinance proponents knew it also..... but nothing in Ordinance 10423 ever acknowledged or addressed the issue.**

Eight years ago, breeders and other opponents of the ordinance tried to tell the county council that what was needed was to increase adoptions and to address the feral cat issue instead of instituting the draconian measures of an ordinance that would do nothing to solve the problem of animals being killed at shelters. The activists used emotional blackmail and hyperbole to convince council members otherwise and breeders were ignored.

Are voucher programs successful?

King County also offers a spay/neuter voucher program it says is successful. With each unaltered and juvenile license they give a \$25 voucher for application to a spay/neuter by a vet.

From 1994 - 1997	Vouchers issued	22,081
	Vouchers redeemed	1,215

Redemption rate was 5.5%.

What is the financial cost to the county of ordinance 10423?

Our LW4/14/98 Income/Expense Analysis is pretty much self explanatory. However, a few things should be mentioned. In their 1996 Annual Report, King County says "pet licenses issued increased by 52% from 1992 to 1996". While this is a true statement, it is also a grossly misleading one because **no where in any annual report has there ever been any data showing how much that increase cost the county to attain.** It also does not point out that more than 5,000 of those licenses each year generate no income because they are Senior Renewals at no fee.

Then, there are such statements as "canvassing revenues reached nearly \$300,000 with expenses of \$236,000". Again, while such data may be true, it is nonetheless both misleading and self-serving for the purpose of analyzing the financial performance of a program. It is the bottom line that is important in such an analysis, not carefully selected and edited parts.

For instance, comparing 1991 (the last full year before the ordinance) to 1997 (the latest full year after the ordinance) the bottom line shows that:

Annual income increased.....\$ 359,743
Annual expenses increased.....\$1,118,098

Net cost to the county from 1992-1997 (life of Ord 10423).....\$8,397,096.00

Cost to handle animals: 1991 (before ordinance).....\$105.36/animal
1997 (after ordinance).....\$215.10/animal

KING CO. ANIMAL CONTROL INCOME/EXPENSE

DOGS	Fee		1990	1991	1992	1993	1994	1995	1996	1997
	1990-91	1992-97								
Altered	\$ 10.00	\$ 10.00	315,380	327,940	372,800	462,670	475,730	509,950	507,870	539,920
Unaltered	\$ 30.00	\$ 55.00	338,580	326,340	416,405	318,780	273,405	256,610	247,115	242,825
Juvenile	\$ 5.00	\$ 5.00			3,030	15,345	18,840	18,440	18,160	17,430
Sr-Lifetime	\$ 15.00	\$ 20.00	12,555	12,270	20,420	27,200	27,160	20,880	22,940	22,120
Sr-Renew	\$ -	\$ -								
Serv.Anim.	\$ -	\$ -								
			\$666,515	\$666,550	\$812,655	\$823,995	\$795,136	\$807,880	\$796,085	\$822,295
CATS										
Altered	\$ 10.00	\$ 10.00	115,400	129,890	147,300	226,690	262,750	301,670	316,700	329,970
Unaltered	\$ 30.00	\$ 55.00	52,920	32,400	21,725	7,150	10,010	10,615	9,900	10,450
Juvenile	\$ -	\$ 5.00			1,400	12,025	20,245	18,235	18,780	18,625
Sr-Lifetime	\$ 5.00	\$ 12.00	1,445	2,045	7,020	13,692	15,504	8,172	12,384	9,288
Sr-Renew	\$ -	\$ -								
			\$169,765	\$164,335	\$177,445	\$259,557	\$308,509	\$338,692	\$357,764	\$368,333
TOTAL INCOME			\$836,280	\$830,885	\$990,100	\$1,083,552	\$1,103,644	\$1,146,572	\$1,153,849	\$1,190,628
EXPENSES										
Animal Control			1,662,667	1,969,252	1,993,456	1,879,964	2,021,711	2,297,042	2,304,674	2,814,003
Ordinance 10423						220,891	227,232	172,344	279,090	273,347
TOTAL EXPENSE			\$1,662,667	\$1,969,252	\$1,993,456	\$2,416,977	\$2,514,508	\$2,469,386	\$2,583,764	\$3,087,350
NET COST TO COUNTY			\$826,387	\$1,138,367	\$1,003,356	\$1,333,425	\$1,410,864	\$1,322,814	\$1,429,915	\$1,896,722

NET COST TO COUNTY INCREASE FROM 1990 - 1997 \$1,070,335/yr

COST PER ANIMAL \$ 79.75 \$ 105.36 \$ 124.83 \$ 176.69 \$ 172.91 \$ 171.77 \$ 179.13 \$ 215.10

Notes:

1993-first full year enforcement of Ord. 10423
 Ord 10423 enacted July 1992 but income calculated at new rates for full year



Licensing & Regulatory Services Division

ANIMAL CONTROL SECTION

Annual Report

PET STATISTICS

LICENSES ISSUED - DOG	'90	'91	'92	'93	'94	'95	'96	'97
Altered	31,538	32,794	37,280	43,918	47,573	50,995	50,787	53,992
Unaltered	11,286	10,878	7,571	5,298	4,971	4,702	4,493	4,415
Juvenile	0	0	606	3,296	3,768	3,688	3,632	3,486
Senior: New Lifetime	837	818	1,021	1,311	1,358	1,044	1,147	1,106
Senior: Renew (no fee)	0	0	4,189	4,147	4,176	4,527	4,195	4,847
Service Animals	0	0	0	55	65	103	121	97
Total	43,661	44,490	50,667	58,025	61,911	65,059	64,375	67,943

LICENSES ISSUED - CAT	'90	'91	'92	'93	'94	'95	'96	'97
Altered	11,540	12,989	14,730	22,824	28,210	30,167	31,670	32,997
Unaltered	1,764	1,080	395	129	182	193	180	190
Juvenile	0	0	280	3,205	4,049	3,647	3,756	3,725
Senior: New Lifetime	289	409	585	1,214	1,292	681	1,032	774
Senior: Renew (no fee)	0	0	1,514	1,595	2,083	2,535	2,641	2,991
Total	13,593	14,478	17,504	28,967	35,816	37,223	39,279	40,677

Dogs/Cats Combined	'90	'91	'92	'93	'94	'95	'96	'97
Total Licenses Paid	57,254	58,968	62,468	81,195	91,403	95,117	96,679	100,685
Total Licenses Issued	57,254	58,968	68,171	86,992	97,727	102,282	103,654	108,620

Euthanized	'90	'91	'92	'93	'94	'95	'96	'97
Health, Adoptable				2,952	2,535	1,421	1,132	299
Unadoptable				6,080	6,203	6,515	6,485	6,307
All Euthanasias	13,765	11,584	10,510					
Total	13,765	11,584	10,510	9,032	8,738	7,936	7,617	6,606

*1993 first year euthanized animals tracked by adoptability
 *1994 Euthanized, Healthy, Adopt Dogs 775, Cats 1,760
 *1995 Euthanized, Healthy, Adopt Dogs 270, Cats 1,151
 *1996 Euthanized, Healthy, Adopt Dogs 316, Cats 816
 *1997 Euthanized, Healthy, Adopt Dogs 127, Cats 172

Unhealthy Unadoptable Dogs 1,882, Cats 4,321
 Unhealthy Unadoptable Dogs 1,906, Cats 4,609
 Unhealthy Unadoptable Dogs 1,815, Cats 4,670
 Unhealthy Unadoptable Dogs 2,079, Cats 4,228

*adoption
 records
 & statistics*

Disposition of Animals	'90	'91	'92	'93	'94	'95	'96	'97
Adopted	1,525	1,705	1,348	1,802	2,018	2,796	3,316	4,315
Redeemed	1,775	1,763	1,724	1,524	2,214	2,397	2,311	2,215
Euthanized	13,765	11,584	10,510	9,032	8,738	7,936	7,617	6,606
Euthanized - Healthy Adoptable				2,952	3,154	1,421	1,132	299
Euthanized - Unadoptable				6,080	5,584	6,515	6,485	6,307
DOA	3,784	3,638	2,387	1,321	1,572	1,246	1,180	1,217
Total	20,849	18,690	15,969	13,679	14,542	14,375	14,424	14,353

Animals Leaving KCAC Alive	'90	'91	'92	'93	'94	'95	'96	'97
% of Animals	19.34%	23.04%	22.62%	26.91%	32.63%	39.55%	42.48%	50.00%

Spay/Neuter Voucher Program	'90	'91	'92	'93	'94	'95	'96	'97
Vouchers Issued			5153	5427	5654	5469	5,093	5,865
Claimed			212	341	325	299	307	284
Spay Day Surgeries						833		
Feline Fix Surgeries							1,228	860



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