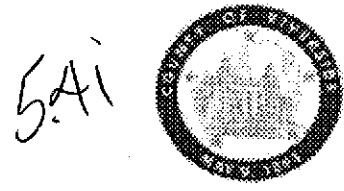


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Community Health Agency/Department of Animal Services

**SUBMITTAL DATE:**

**SUBJECT:** Ordinance No. 630.12 amending Ordinance No. 630.11 for the Department of Animal Services

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Introduce and set for public hearing the adoption of Ordinance No. 630.12 amending Ordinance No. 630.11, an Ordinance of the County of Riverside Relating to Dogs and Cats, to include provisions of mandatory microchipping and mandatory spaying/neutering;
- 2) Authorize the Clerk of the Board to place an advertisement for the public hearing in the appropriate local publications; and
- 3) Upon the close of the Public Hearing, adopt Ordinance No. 630.12.

**BACKGROUND:** It is estimated that there are two million dogs and cats in Riverside County. Consequently, the Department of Animal Services has been overwhelmed with dogs and cats on a daily basis. Many of these pets are either impounded by our Animal Control Officers or presented to the shelters by their owners and citizen Samaritans. (cont'd)

*Robert P. Miller*

Robert Miller, Director of Animal Services

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	N/A	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	08/09

<b>SOURCE OF FUNDS:</b> Contract revenue and department budget	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	

**C.E.O. RECOMMENDATION:**

**APPROVE**  
BY: *Debra Courmoyer*  
Debra Courmoyer

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of the reading, and to use the acronym "REVERSAL" as part of the description of the ordinance, "Riverside County Humane Reduce Euthanasia Vowing Everyone's Responsibility to Save Animals Lives Ordinance", and is set for public hearing on January 13, 2009 at 9:30 a.m.

Ayes: Buster, Tavaglione, Stone, Wilson, and Ashley  
Nays: None  
Absent: None  
Date: December 16, 2008  
xc: CHA/Animal Svcs., COB

Nancy Romero  
Clerk of the Board  
By: *Nancy Romero*  
Deputy

**9.7**

FORM APPROVED COUNTY COUNSEL  
 DATE 12/15/08  
 BY: JIMMY HARA  
 FISCAL FUNCTIONS APPROVED  
 ROBERT E. BYRNE, AUDITOR-CONTROLLER  
 BY: MICHAEL G. ALEXANDER  
 Departmental Concurrence

Policy  Policy   
 Consent  Consent   
 Dept's Recomm.:  
 Per Exec. Ofc.:

## **BACKGROUND (continued):**

The Department estimates that more than 33,000 animals will be housed in County shelters this coming year with an average daily shelter count in excess of 1200 animals. Despite great strides to increase the adoption and redemption rates, there remain very few post-impound strategies capable of dealing with this number of apparently unwanted pets. In February 2006, the Department of Animal Services ("Department") adopted the policy that healthy, adoptable animals will no longer be euthanized. As the County's pet population continues to grow, there is simply not enough shelter space to house this surplus. The Department's solution is to decrease the population of unwanted pets through a multi-pronged approach. The revisions included in Ordinance No. 630.12 include two steps to help achieve this goal:

1. Inclusion of a mandatory identification microchipping provision of all dogs and cats in the unincorporated areas; and
2. Inclusion of a mandatory spaying/neutering provision for all dogs and cats over four months of age, subject to certain exceptions, in the unincorporated areas.

### Mandatory Microchipping

Microchips are positive identification aids that act as essential tools in reuniting lost pets with their families. Unlike dog tags or tattoos, which can become lost, damaged, faded and/or altered, microchips provide a permanent identification system with unique numbers that cannot be changed. Microchipping of animals has largely become a customary practice; millions of dogs, cats, horses, livestock, birds, wildlife, and endangered species have been "chipped." The process is simple and non-surgical. The chip, which is approximately the size of a grain of rice, is injected underneath the skin with a needle. Anesthesia is not required, and even the smallest animals such as fish, puppies, and kittens are safely microchipped.

Of the 18,569 stray dogs that were impounded during the last calendar year, only 2,731 (14%) were reclaimed by their owners. Of the 13,307 stray cats that were impounded in the same timeframe, only 120 (0.9%) were reclaimed by their owners. The most common reason dogs and cats are not reclaimed is due to lack of identification and the inability to contact the owner. Microchips will improve the Department's returned-to-owner rate and lessen euthanasia in County shelters.

Microchipping of pets will also help the Department positively discern and differentiate dogs of the same breed to efficiently enforce state and local law with no risk that the dog at issue has been substituted, including rabies and other vaccinations, and licensing requirements. Microchip identification will also greatly aid the Department's ability to investigate bite cases and animal cruelty cases. The Department has been able to reunite more than 400 distraught owners with their pets through use of microchip identification. Furthermore, it will be an invaluable tool in the Department's goal of reducing the number of impounds into our shelters and increase the percentage of redeemed pets.

### Mandatory Spay/Neuter

Veterinary science has demonstrated the safety and positive health benefits of spaying and neutering, which is especially true if the pet is sterilized before maturity. Pursuant to state law, the Department has sterilized every adopted pet for the last eight years, including puppies and kittens as young as two months, and has had positive results with very few complications relating to this practice.

Of the 19,008 stray and owner-surrendered dogs that were impounded during the last calendar year, 59% were two years or less of age. 1,671 were puppies, younger than two months, and not old enough for adoption. Similarly, of the 14,448 cats impounded in the same timeframe, 78.5 % were younger than two years and 3,219 or 22.3% were less than two months old. Given the age of the animals, it is safe to attribute these significant numbers as the results of the two latest breeding cycles. Accordingly, it is clear that the animals in Riverside County need some type of further management/limitation relating to their unrestrained reproduction. This degree of fecundity can only be lowered by enforcement of a mandatory *spay/neuter provision*.

The spay/neuter provisions shall be secondary enforcement only; accordingly, focus of the spay/neuter requirement is directed at individuals who are likely to contribute to the overpopulation problem. These are individuals who violate existing state or local law relating to animals, including animals at large, bite cases, animal cruelty cases, and noncompliance with citations. The requirement to spay/neuter dogs and cats whose owners and/or custodians fail to comply with the law will greatly help to implement the Department's plan to solve the burdensome unwanted animal surplus in our County.

In addition to the above, the Department also implements a low-cost spay/neuter voucher program called ASAP (Animal Sterilization Assistance Program), formally known as the POPCO program, which serves as a financial incentive toward voluntary spay/neuter. In further efforts, the Department also includes deployment of the Animal Neuter Spay Wellness and Education Resource vehicle, the "ANSWER" on wheels, for *community outreach measures on education of the process and long term benefits of pet sterilization*.

### **IMPLEMENTATION/ENFORCEMENT:**

The ordinance will be enforced when Animal Control Officers check the status of pets they contact during the normal course of their work. A stray dog or cat impounded by the Department will be microchipped and altered prior to being reclaimed by its owner or custodian. An appeal process is prescribed for those owners who may dispute the circumstances or application of this ordinance.

### **FISCAL IMPACT/FINANCING:**

The fiscal impacts of this ordinance will be neutral to positive depending upon the level of initial voluntary compliance. Overall, as the number of intact animals decreases, so too will the absolute number of pets produced from unplanned reproduction decrease, which would over time reduce the funding required to impound, house and care for such animals. The segment of the impounded pet population most capable of marked improvement is that population which is to be "returned to owner." These pets generally are held for fewer days, require less care by Department personal, and generate revenue for the County. Microchip identification will permit these efficiencies.



1           “Class I Kennel. Any building, structure, enclosure, or premises whereupon, or within  
2           which, five (5) to ten (10) dogs, four (4) months of age or older, are kept or maintained. A  
3           Class I Kennel shall not include a Sentry Dog Kennel or an Animal Rescue Operation that  
4           meets the definition and requirements set forth in this ordinance.”

5           “Class II Kennel. Any building, structure, enclosure or premises whereupon, or within  
6           which, eleven (11) to twenty-five (25) dogs, four (4) months of age or older, are kept or  
7           maintained.”

8           “Unaltered and Unspayed. A dog or cat, four (4) months of age or older, that has not been  
9           spayed or neutered. A condition that exists in an animal which permits the producing of  
10          offspring.”

11          Section 3.       The first paragraph of subsection a. of Section 5. of Ordinance No. 630.11  
12          is amended to read as follows:

13                “a.     No person shall operate or maintain a Class I Kennel, Class II Kennel, Class III  
14                Kennel, Class IV Kennel, Sentry Dog Kennel or cattery without first obtaining an  
15                appropriate license from the Department. Such license shall be valid for a period of either  
16                one (1) or two (2) years from the date of issuance. Said license shall be renewed within  
17                thirty (30) days after the date of expiration. Where a kennel license has been issued and is  
18                in effect, the dogs contained in such kennel shall be exempt from the requirements of  
19                individual license tags as provided in Section 2 of this ordinance. The Class I Kennel,  
20                Class II Kennel, Class III Kennel, Class IV Kennel, Sentry Dog Kennel and cattery license  
21                fees, and late fees, shall be as set out below. If an application for a license or renewal of a  
22                license is made more than thirty (30) days after the date such license is required or such  
23                previous license has expired, a late fee of 50% of the applicable fee shall be added.”

24          Section 4.       The following categories are added to subsection a. of Section 5. of  
25          Ordinance No. 630.11 to read as follows:

26                    “Class III (26-40 dogs)

27                    1 year license, Un-Altered* .....	\$500.00
2 year license, Un-Altered* .....	\$700.00
28                    1 year license, Altered* .....	\$350.00
2 year license, Altered* .....	\$500.00

**\*One (1) acre minimum as per Ordinance No. 348**

**COMMENTS:**

- 1. Altered: All dogs are spayed and/or neutered
- 2. Unaltered: One or more dogs are not spayed and/or neutered

**Late Fee: 50% of the applicable fee(s)."**

"Class IV (41+ dogs)

1 year license, Un-Altered*.....	\$750.00
2 year license, Un-Altered*.....	\$900.00
1 year license, Altered*.....	\$500.00
2 year license, Altered*.....	\$650.00

**\*One (1) acre minimum as per Ordinance No. 348**

**COMMENTS:**

- 1. Altered: All dogs are spayed and/or neutered
- 2. Unaltered: One or more dogs are not spayed and/or neutered

**Late Fee: 50% of the applicable fee(s)."**

"Sentry Dog Kennel

1 year license, Un-Altered*+ .....	\$500.00
2 year license, Un-Altered*+ .....	\$750.00
1 year license, Altered*+ .....	\$350.00
2 year license, Altered*+ .....	\$500.00

**\*One (1) acre minimum as per Ordinance No. 348**

**+ Conditional Use Permit required as per Ordinance No. 348**

**COMMENTS:**

- 1. Altered: All dogs are spayed and/or neutered
- 2. Unaltered: One or more dogs are not spayed and/or neutered

**Late Fee: 50% of the applicable fee(s)."**

Section 5. Subsection c. of Section 6. of Ordinance No. 630.11 is amended to read as

follows:

"c. An animal rescuer may keep a maximum of four (4) personal (not for adoption or sale) dogs and nine (9) personal (not for adoption or sale) cats and must include these animals as "personal pets" on the animal rescue permit application."

Section 6. Subsection n. of Section 11. of Ordinance No. 630.11 is amended to read as

follows:

"n. The hourly rate for the recovery of administrative costs associated with the recoupment of enforcement costs, as provided in this Ordinance, shall be \$53.00."



1 B. The Department has received at least two complaints, verified by the  
2 Department, that the owner, custodian, applicant, or licensee has allowed a  
3 dog to be stray or run at large or has otherwise been found to be neglectful  
4 of his or her or other animals;

5 C. The owner, custodian, applicant, or licensee has been previously  
6 cited for violating a state law, county code or other municipal provision  
7 relating to the care and control of animals;

8 D. The unaltered dog has been adjudicated by a court or an agency of  
9 appropriate jurisdiction to be potentially dangerous, dangerous or vicious,  
10 or to be nuisance within the meaning of the Riverside County Ordinances or  
11 under state law;

12 E. Any unaltered dog license held by the applicant has been revoked;

13 F. The license application is discovered to contain a material  
14 misrepresentation or omission of fact.

15 2. Re-application for unaltered dog license:

16 A. When an unaltered dog license is denied, the applicant may re-apply  
17 for a license upon changed circumstances and a showing that the  
18 requirements of this ordinance have been met. The Department shall refund  
19 one-half of the license fee when the application is denied. The applicant shall  
20 pay the full fee upon re-application.

21 B. When an unaltered dog license is revoked, the owner or custodian of  
22 the dog may apply for a new license after a thirty (30) day waiting period  
23 upon showing that the requirements of this ordinance have been met. No part  
24 of an unaltered dog license fee is refundable when a license is revoked and  
25 the applicant shall pay the full fee upon re-application.

26 c. APPEAL OF DENIAL OR REVOCATION OF UNALTERED DOG LICENSE.

27 1. Request for hearing.

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1 A. Notice of intent to deny or revoke. The Department shall mail to the  
2 owner, custodian, licensee, or applicant a written notice of its intent to deny  
3 or revoke the license for an unaltered dog which includes the reason(s) for the  
4 denial or revocation. The owner, custodian, licensee or applicant may request  
5 a hearing to appeal the denial or revocation. The request must be made in  
6 writing within ten (10) days after the notice of intent to deny or revoke is  
7 mailed. Failure to submit a timely written hearing request shall be deemed a  
8 waiver of the right to appeal the license denial or revocation.

9 B. Hearing officer. The hearing shall be conducted by the Animal  
10 Services Director's designee.

11 C. Notice and conduct of hearing. The Department shall mail a written  
12 notice of the date, time, and place for the hearing not less than ten (10) days  
13 before the hearing date. The hearing date shall be no more than thirty (30)  
14 days after the Department's receipt of the request for a hearing. The hearing  
15 will be informal and the rules of evidence will not be strictly observed. The  
16 Department shall mail a written decision to the owner or custodian within ten  
17 (10) days after the hearing. The decision of the hearing officer shall be the  
18 final administrative decision.

19 2. Change in location of dog. If the dog is moved after the Department has  
20 issued a letter of intent to deny or revoke, but has not yet denied or revoked the  
21 license, the owner, custodian, licensee, or applicant must provide the Department  
22 with information as to the dog's whereabouts, including the current owner or  
23 custodian's name, address, and telephone number.

24 d. **TRANSFER, SALE, AND BREEDING OF UNALTERED DOG OR CAT.**

25 1. Offer for sale or transfer of unaltered dog. An owner or custodian who  
26 offers any unaltered dog for sale, trade, or adoption must include a valid unaltered  
27 dog license number with the offer of sale, trade or adoption, or otherwise state and  
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///

1 establish compliance with this section. The unaltered license and microchip numbers  
2 must appear on a document transferring the animal to the new owner.

3 2. Offer for sale or transfer of unaltered cat. An owner or custodian of an  
4 unaltered cat must notify the Department of the name and address of the transferee  
5 within ten days after the transfer. The microchip numbers must appear on a document  
6 transferring the animal to the new owner.

7 e. PENALTIES. Penalties issued for failure to spay or neuter a dog or cat shall be  
8 enforced as set forth below:

9 1. An administrative citation, infraction, or other such authorized penalty may  
10 be issued to an owner or custodian of an unaltered dog or cat for a violation of this  
11 section only when the owner or custodian is concurrently cited for another violation  
12 under state or local law pertaining to the obligations of a person owning or  
13 possessing a dog or cat. Examples of such state law or local ordinance violations  
14 include, but are not limited to, the following: failure to possess a current canine  
15 rabies vaccination of the subject dog; dog or cat at large; failure to license a dog;  
16 leash law violations; kennel or cattery permit violations; tethering violations;  
17 unhealthy or unsanitary conditions; failure to provide adequate care for the subject  
18 dog or cat in violation of the Penal Code; rabies quarantine violations for the subject  
19 dog; operating a business without a license and/or lack of State Tax ID Number;  
20 fighting dog activity in violation of Penal Code section 597.5; animals left  
21 unattended in motor vehicles; potentially dangerous, dangerous or vicious animals;  
22 and noisy animals.

23 2. Should the owner or custodian of an unaltered dog or cat be found in  
24 violation of a state or local law, as stated above, in subsection (1), the owner or  
25 custodian shall be required to spay or neuter the unaltered animal in accordance  
26 with this section.

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1 f. IMPOUNDMENT OF UNALTERED DOG OR CAT

2 1. When an unaltered dog or cat is impounded pursuant to state and/or local  
3 law, in addition to satisfying applicable requirements for the release of the animal,  
4 including but not limited to payment of impound fees pursuant to this Ordinance,  
5 the owner or custodian shall also do one of the following:

6 A. Provide written proof of the dog or cat's prior sterilization, if  
7 conditions cannot or do not make this assessment obvious to Department  
8 personnel;

9 B. Have the dog or cat spayed or neutered by a Department veterinarian  
10 at the expense of the owner or custodian. Such expense may include  
11 additional fees due to extraordinary care required;

12 C. Have the dog or cat spayed or neutered by another California  
13 licensed veterinarian. The owner or custodian may arrange for another  
14 California licensed veterinarian to spay or neuter the animal, and shall pay to  
15 the Department the cost to deliver said animal to the chosen veterinarian. The  
16 cost to deliver the animal shall be based on the Department's hourly rate  
17 established by the Auditor-Controller. The veterinarian shall complete and  
18 return to the Department within ten days, a statement confirming that the dog  
19 or cat has been spayed or neutered or is, in fact, incapable of breeding and  
20 shall release the dog or cat to the owner or custodian only after the spay or  
21 neuter procedure is complete;

22 D. At the discretion of the Director, the dog or cat may be released to  
23 the owner or custodian if he or she signs a statement under penalty of perjury,  
24 representing that the dog or cat will be spayed or neutered and that he or she  
25 will submit a statement within ten (10) days of the release, signed by the  
26 veterinarian, confirming that the dog or cat has been spayed or neutered or is  
27 incapable of breeding; or

28 ///

1 E. If the owner or custodian demonstrates compliance with this  
2 Section.

3 2. Costs of Impoundment.

4 A. The owner or custodian of the unaltered dog or cat shall be  
5 responsible for the costs of impoundment, which shall include daily board  
6 costs, vaccination/medication, and any other diagnostic or therapeutic  
7 applications as provided in this Ordinance.

8 B. The costs of impoundment shall be a lien on the dog or cat, and the  
9 unaltered animal shall not be returned to its owner or custodian until the  
10 costs are paid. If the owner or custodian of an impounded unaltered animal  
11 does not pay the lien against it in full within fourteen (14) days, the animal  
12 shall be deemed abandoned to the Department in accordance with this  
13 Ordinance.

14 g. APPLICATION OF FEES AND FINES COLLECTED. All costs and fines  
15 collected under this part and the fees collected under this Section, subsection (f) shall be  
16 paid to the Department for the purpose of defraying the cost of the implementation and  
17 enforcement of this program.”

18 Section 8. A new Section 14 is added to Ordinance No. 630.11 to read as follows:

19 “Section 14. MANDATORY MICROCHIPPING OF DOGS AND CATS

20 a. All dogs and cats over the age of four months must be implanted with an  
21 identifying microchip. The owner or custodian is required to provide the  
22 microchip number to the Department, and shall notify the Department of  
23 any change of ownership of the dog or cat, or any change of address or  
24 telephone number. Nothing in this section supersedes, eliminates, or alters  
25 the requirements of sections 2, 5, and any other licensing requirements of  
26 this ordinance.

27 b. Exemptions. The mandatory microchipping requirements shall not apply to  
28 any of the following:

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1. A dog or cat with a high likelihood of suffering serious bodily injury, if implanted with the microchip identification, due to the health conditions of the animal. The owner or custodian must obtain written confirmation of that fact from a California licensed Veterinarian. If the dog or cat is able to be safely implanted with an identifying microchip at a later date, that date must be stated in the written confirmation.
2. A dog or cat which would be impaired of its athletic ability or performance if implanted with the microchip identification. The owner or custodian must obtain written confirmation of that fact from a California licensed Veterinarian. If the dog or cat is able to be safely implanted with an identifying microchip at a later date, that date must be stated in the written confirmation.
3. A dog or cat that is kenneled or trained in Riverside County, but is owned by an individual that does not reside in Riverside County. The owner or custodian must keep and maintain the animal in accordance with the applicable laws and ordinances of the jurisdiction in which the owner or custodian of the animal permanently resides, including but not limited to the applicable licensing and rabies vaccination requirements of that jurisdiction.

c. Transfer, sale of dogs and cats.

1. An owner or custodian who offers any dog, over the age of four months, for sale, trade, or adoption must provide the microchip identification number and the valid dog license number with the offer of sale, trade or adoption. The license and microchip numbers must appear on a document

1 transferring the dog to the new owner. The owner or  
2 custodian shall also advise the Department of the name and  
3 address of the new owner or custodian in accordance with  
4 subdivision (a) of this section. An owner or custodian who  
5 offers any dog, over the age of four months, for sale, trade,  
6 or adoption and fails to provide the Department with the  
7 name and address of the new owner, is in violation of this  
8 ordinance and shall be subject to the penalties set forth  
9 herein.

10 2. An owner or custodian who offers any cat, over the age of  
11 four months, for sale, trade, or adoption must provide the  
12 microchip identification number with the offer of sale, trade  
13 or adoption. The microchip numbers must appear on a  
14 document transferring the cat to the new owner. The owner  
15 or custodian shall also advise the Department of the name  
16 and address of the new owner or custodian in accordance  
17 with subdivision (a) of this section. An owner or custodian  
18 who offers any cat, over the age of four months, for sale,  
19 trade, or adoption and fails to provide the Department with  
20 the name and address of the new owner, is in violation of this  
21 ordinance and shall be subject to the penalties set forth  
22 herein.

23 3. When a puppy or kitten under the age of four months  
24 implanted with microchip identification is sold or otherwise  
25 transferred to another person, the owner or custodian shall  
26 advise the Department of the name and address of the new  
27 owner or custodian, and the microchip number of the puppy  
28 or kitten within ten days after the transfer. If it is discovered

1 that an owner or custodian has failed to provide the  
2 Department with the name and address of the new owner and  
3 the microchip number of the puppy or kitten, the owner or  
4 custodian shall be subject to the penalties set forth in this  
5 ordinance.

6 d. When an impounded dog or cat is without microchip identification,  
7 in addition to satisfying applicable requirements for the release of  
8 the animal, including but not limited to payment of impound fees  
9 pursuant to this Ordinance, the owner or custodian shall also do one  
10 of the following:

11 1. Have the dog or cat implanted with a Department microchip  
12 by a Department registered veterinarian technician or  
13 veterinarian or designated personnel at the expense of the  
14 owner or custodian;

15 2. Have the dog or cat implanted with a Department approved  
16 microchip by a California licensed veterinarian. The owner  
17 or custodian may arrange for another California licensed  
18 veterinarian to perform the implant, and shall pay to the  
19 Department the cost to deliver the dog or cat to the chosen  
20 veterinarian. The cost to deliver the dog or cat shall be based  
21 on the Department's hourly rate established by the Riverside  
22 County Auditor-Controller. The veterinarian shall complete  
23 and return to the Department within ten days, a statement  
24 confirming that the microchip has been implanted, provide  
25 the Department with the number and shall release the dog or  
26 cat to the owner or custodian only after the procedure is  
27 complete; or,

28 3. At the discretion of the Director of Animal Services, the dog

1 or cat may be released to the owner or custodian if he or she  
2 signs a statement under penalty of perjury, representing that  
3 the dog or cat will be implanted with a microchip and that he  
4 or she will submit a statement within ten (10) days of the  
5 release, signed by a California licensed veterinarian,  
6 confirming that the dog or cat has been so implanted and  
7 provide the microchip number to the Department or allow  
8 the Department to scan the dog or cat for the microchip to  
9 verify.

10 e. Fees for microchip identification device. The fee for an identifying  
11 microchip device shall be included in the cost of adoption when  
12 adopting a dog or cat from a Riverside County animal shelter. The  
13 fee for an identifying microchip device shall be the amount set forth  
14 in Section 11, subdivision (o) per animal for all other animals. If an  
15 animal has already been implanted with an identifying microchip  
16 device by some other facility, there will be no fee to have the  
17 identification microchip number entered into the Department's  
18 registry as required by subdivision (a) of this section.

19 f. Penalties

- 20 1. An owner or custodian in violation of this section may be  
21 issued an administrative citation, pursuant to the  
22 Administrative Citations and Penalties section set forth in  
23 this Ordinance, for failure to microchip the owner or  
24 custodian's dog or cat.
- 25 2. If an administrative citation is issued for violation of this  
26 Section of this ordinance, persons receiving such  
27 administrative citation, may choose to clear the citation  
28 within ten (10) calendar days, thereby avoiding potentially

1 higher penalty, by demonstrating their compliance with the  
2 mandatory microchipping requirement of subdivision (a) of  
3 this section to the Director and paying an administrative fee  
4 of twenty dollars (\$20.00) to the Department.

5 g. Allocation of fees and fines collected. All costs, fees, and fines  
6 collected under this section shall be paid to the Department for the  
7 purpose of defraying the cost of the implementation and  
8 enforcement of this program and for low cost microchipping  
9 programs administered by the Department.”

10 Section 9. Existing Sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26  
11 are renumbered 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 respectively.

12 Section 10. Renumbered Section 24, which was previously Section 22, of Ordinance  
13 No. 630.11 is amended to read as follows:

14 The references to “Section 22” are changed to “Section 24.”

15 Section 11. This Ordinance shall take effect thirty (30) days after its adoption.  
16

17  
18 BOARD OF SUPERVISORS OF THE COUNTY  
19 OF RIVERSIDE, STATE OF CALIFORNIA

20 By: \_\_\_\_\_  
21 Chairman

22 ATTEST:

23 CLERK OF THE BOARD

24  
25 By: \_\_\_\_\_  
26 Deputy

27 (SEAL)

28 FORM APPROVED COUNTY COUNSEL  
BY: JINNY M. RA 12/5/08  
DATE

TRANSCRIPT of Item No. 3.16 of December 16, 2008

Wilson – Takes us to Item 3.16, and want to remind everyone we're introducing this ordinance. We will have a public hearing at 9:30 a.m. on January 13<sup>th</sup>, so I'll call your name, I'll call two names. Will the second name please come down to the first row and be ready to speak when the first name is finished. So, first is Katie Wider followed by Denise Glass.

Wider – Good morning, my name is Katie Wider. I live in the City of Riverside and for the past 13 years I have been a volunteer in my community primarily in the animal welfare work, and that has included both supporting Riverside County Department of Animal Services Voucher Program and also the Pet Overpopulation Coalition (POPCO). Both programs connect citizens in both counties to affordable spay/neuter. I would like to thank you for support the Voucher Program. It is cost effective and it's humane. In reference to the proposed, or the introduction of this ordinance mandating secondary enforcement of spay/neuter for animals that have been uh, handled by Riverside County Department of Animal Services, and mandating micro-chipping of all dogs and cats in the unincorporated areas, and I'm not sure if that's also secondary enforcement. I would like to uh, make some comments in reference to the micro-chipping proposal. I think it's essential to consider using the resource of community veterinarians. Um, I would also like to comment that the cost um, of subsidized, outside of subsidized micro-chipping which is referred to in the proposed ordinance is actually closer to \$30 for insertion of the chip and \$18 to register the chip. As an individual who has worked a help line for 10 years encouraging people to get their pets spayed and neutered um, this amount of money is clearly outside of the realm for most people. Um, I would also like to comment that on micro-chipping if a registration of the chip is not done, which is not uncommon um, there would be a diminished return. If Riverside County Department of Animal Services is actually proposing mandated micro-chipping for dogs and cats in the unincorporated area, a comparison of the current license compliance and how that would be enforced is appropriate and also the brand of micro-chip needs to be ascertained and supported. I would like to encourage instead of the micro-chipping mandate that Riverside County sets forth a 2009 community agenda promoting more of the vouchers, the answer on wheels and the roll out of a new model involving community vets which was done in our counties by the Riverside um, I'm sorry, the California Veterinary Medical

Association in Mady's fund, and it involved capitated spay/neuter on the part of community veterinarians, and I do have information about that program. Thank you.

Wilson – Thank you very much. Denise Glass will be followed by Jeff and his handwriting's like mine. I think it's Shepherd, or Ship, Ship something. If he would come down to the front row.

Glass – Hello. Um, my name is Denise Glass and I live in Perris, California, and I have um, I participate in dog shows, and I have bred dogs. I have a kennel license, and I also um, volunteer at the Ramona Humane Society one day a week, so I feel like I have a unique perspective on how people are looking at this. Um, I am in favor of it. Um, I see how many animals are put to sleep needlessly, and I do know that this is within the law. Even a breeder, or a dog owner, or a cat owner is operating or owns their pets within the law that the laws are already in place. This will not hurt them. Um, a lot of them, I think, don't know the full uh, wording of some these laws that are proposed, mandatory spay and neuter, things like that, and I think they over-react. Um, I, I totally am in favor of this. Um, I don't really have anything prepared to write. I just found out about this a day or so ago. I just wanted to put in my two cents, so, that's it.

Wilson – Thank you very much.

Wilson – Jeff S. will be followed by Barbara Flanagan.

Shepherd - Good morning, Supervisors. Sorry for the writing. Uh, last name is Shepherd. Um, I have been uh, I am the Executive Director for the Ramona Humane Society, and have been for almost nearly 10 years now. And in these 10 years, I have never seen our intakes grow as, our, our impounds grow as fast as they have in this last year. We're getting a tremendous amount of number, of number of animals in. This year alone up to yesterday, we've gotten in 12,961 animals. This is just way above last year's totals, and when those animals are not micro-chipped, there's no link to get them home. When we have an animal come in that's micro-chipped, I would say about 85% to 90% of those animals have a way home. It gives us a rope that leads to no euthanasia. Um, our um, when, when those animals come in micro-chipped, they do not, excuse me, I'm sorry, when they register these animals. Okay, like, Ms. Wider said a lot of people do not register them, but they are registered to our shelter these micro-chips, or to

any other shelter, so when these micro-chips show up, we have a way of tracking these animals, okay, and maybe to our shelter, but then we can go from there and look up on our documentation, our computer, our adoption papers and locate these owners. And sometimes these owners relinquish these animals right then. However, that is a benefit for the animals, too, because once we get relinquished, we can put these animals up for adoption and get them out of the door right away. I totally support the mandatory micro-chipping. I think getting our animals home is, that's the best way to do it. Um, of those animals that were micro-chipped, so far this year the 12,000 animals plus that we've gotten in, only 817 of those were micro-chipped that went home. I think we can do a lot better with that. We need to find every tool necessary to get these animals out of here. Our euthanasia rate has just gone through the roof. Um, the um, spay and neuter program, voucher program has been a tremendous help. I also am the President of POPCO and I've seen what great work that's helped us, so many people in the community, and perhaps we can come up with a support plan for the micro-chips because they can be expensive, but you've got an impound fee of \$30. Maybe with a micro-chip we can give them a get out of jail free card. The first, the first impound is waived, and, and, and then everybody wins. So, I, I support this. I thank you for your time and wish you guys a best holidays.

Wilson – Thank you, Mr. Shepherd. I think Supervisor Stone has a question.

Shepherd – Yes, sir.

Stone – Yes, my fellow Board members, if you don't know Jeff Shepherd, this is one of the most dedicated, animal protection, caring individual that I've probably ever met. He runs the Ramona Animal Shelter. You'll remember that we purchased the 15 acres next to it where we're building I think a \$12 million new facility that is going to compliment the wonderful work that Jeff and his staff does. Uh, he.

Shepherd – And we're very much looking forward to that partnership.

Stone – And, you've been a true asset to taking care of animals in this very large county, Jeff, and I've always appreciated all of your hard work and your staff's hard work. How many euthanasias do you predict that you're going to be having to do by the end of this year?

Shepherd – I think we're going to hit a record. I think we're going to go over 80% euthanasia rates this year.

Stone – Which is 10,000?

Shepherd – Close to it. Very close to it.

Stone – Close to 10,000 animals are going to be put down because we do not have a home for them.

Shepherd – Right. And also, this year, there's been more purebreds and more small dogs come into our shelter than any other year we've ever had. Right now, I am fostering and I'm only fostering a labadoodle, one of the designer dogs. Uh, a couple turned him in with their small children last week uh, because their home foreclosed. This dog's three years old. In good times, they paid \$1,500 for this dog, and these are the kind of animals that we're seeing in our shelter now. And, and still, not enough homes for them.

Stone – Great. Well, keep up the great work, Jeff, and we look forward to partnering with you on, on the new facility that we're embarking on together.

Shepherd – Looking forward to it. Thank you.

Stone – And, and lastly.

Buster – Further comment.

Shepherd – Oh, I'm sorry.

Wilson – Supervisor Buster.

Buster – No, I just wanted to thank you for coming in and making that first-hand report. It's what we hear from Animal Friends of the Valley, and it's particularly important now that we get the right strategies in place. Even if we can't fully fund them, to drive down these, the future level, present and future levels of unwanted animals. And it, and it seems to me I mean if we get these, these ordinances placed so we get a better handle in micro-

chipping, spay and neutered we begin to set in place these systems, whether or not the cost of, of full subsidized, or vastly subsidized spay and neuter. I'm kind of a incentive, incentivized spay and neuter, would be less overall, I mean, in its effects of driving down the number of unwanted animals than the cost of picking up strays. Going through this, all the, all the work you have to do to determine their ownership, or they have an ownership or not. And then the, the grief, the constant grief of euthanizing these animals whether over the long haul that, that we should do this. And what, what I'm reminded by, I mean it's, it's obviously going to be a major issue, but what I'm reminded of is when we had the public vote here back in the '80's was it? Joe, you'll remember on low cost spay and neuter of putting in, putting that in. It won overwhelmingly here in the County of Riverside. So, the people, and I haven't seen anything to indicate otherwise since then, the people support said kind of good programs and in public investment and reducing these unwanted animals. Isn't that what you see out there when you talk to people?

Shepherd – Oh, definitely. I can say from the last 10 years of my experience that in the last 3 years, I've never had so many tools to work with, and that's what we're asking you for today is just more tools to complete this job with the voucher program, and all the other organizations leave us uh, Department of Animal Services are always out there offering some type of assistance for spay and neuter. There is no reason that you can't get your animal spay and neutered for free in the County of Riverside. There's no reason. It, the resources are available. And I think it's important that we take this step and make the people that aren't listening to us, or that aren't learning from what we're educating to the law where we need to enforce that.

Buster – Thanks.

Wilson – Thank you, Mr. Shepherd.

Shepherd – Thank you.

Wilson – Barbara Flanagan will be followed by Fred Saunders.

Flanagan – Good morning, Supervisors. I'm Barbara Flanagan. I volunteer with Animal Samaritans in the Coachella Valley. I served on the Blue Ribbon Animal Task Force for Riverside County several years ago, and I'm

really happy to see many of our recommendations have been applied. But, I believe that the majority of the citizens of our county would not personally want to witness the thousands of animals put to death here, yet many of these folks are the cause of this appalling tragedy. We consider ourselves to be civilized society yet it is not civilized to bring dogs and cats into the world only to be killed in our shelters, our streets, or starve to death in the desert. At Animal Samaritans, we provide free humane education, free or low cost spay and neutering to the public, yet there are still people that let their animals randomly reproduce. This is the reason we have to have laws, enforceable laws, to end this slaughter of animals waiting in shelters today. Are they waiting for a home, or are they waiting to be euthanized? With the passage of Ordinance 630.12, we can have a defining moment for animals in Riverside County. The future of dogs and cats in our community will be brighter. More will never go to shelters, and those that do will be waiting for forever homes, not euthanasia. Please pass Ordinance 630.12.

I also want to take this opportunity to thank you all for your tireless efforts on behalf of our communities and Happy Holidays. Thank you.

Wilson – Thank you, Barbara. Fred Saunders will be followed by Dr. DeLynn Humphrey. Supervisor Ashley, did you want to make a comment.

Saunders - Good morning, Supervisors. Ladies and gentlemen.

Wilson – Uh, if you'd wait just a second.

Ashley – I'll do it after. While you're, the next person's walking up. I have a phone call. I just dislike the testimony and all.

Saunders – Good morning, Supervisors, ladies and gentlemen. And I'm Fred Saunders. I'm the Executive and uh, Executive Director of Animal Samaritans, Thousand Palms, California. Every year we give many thousands of dollars back to the community in free spay and neuter services, vaccination services, and so forth. This next year it'll total over \$100,000. That's not enough. Every year we see more animals that are entered into public shelters, eventually to be euthanized. This tragedy needlessly ends a life. Increased efforts put into Animal Control including picking up strays, sheltering, and eventually euthanize is an increasing tax burden, and moral tragedy that can certainly be prevented. Every year more than 800,000 cats and dogs enter into the California public shelters. And it's getting worse.

As economics conditions worsen, we see more relinquishments. We see more abandonment of animals. You can see the animals out in the desert wandering the streets and so forth. We see more packs of animals and we see more dog bites happening. Spay and neuter is the only positive prevention for animal overpopulation, and has been supported as recently as year 2007, and in the past with the previous Assembly Bill 1856, Section 1, stating that spay and neutering is the most effective means to control animal overpopulation and needless euthanasia. No. 2 low cost spay and neutering can and must be supported financially and morally. This could be offset by various funds from license, pet owners, funding and city funding and block grants. Micro-chipping them also provides a positive identification that will help return animals to rightful owners, thus reducing already overcrowded shelters. At the same time, the Governor of the State of California is proposing a new tax burden on veterinary services. This may only serve to adver—as an adverse effect on controlling animal overpopulation by discouraging spay and neutering because of additional cost. We urge you to support reasonable and affordable spay and neuter services, and to support mandatory micro-chipping. Thank you.

Wilson – Thank you, Fred. Supervisor Ashley.

Ashley – Yes, this is in the form of testimony. I had a phone call from a constituent in Moreno Valley. It's Donny Borchard who lives at 13780 Rodrick Drive in Moreno Valley. She called and wanted to convey, convey to the Supervisors that she's absolutely for mandatory spaying and neutering of cats and dogs. She's originally from Maryland which does have such a law. She says that there are so few animals at the shelters, that there are waiting lists for people wanting to adopt a pet. So, she strongly urges adoption of this.

Wilson – Thank you. And Dr. Humphrey will be followed by Lindi Biggi.

Humphrey – Good morning. I'm Dr. DeLynn Humphrey. I've been a veterinarian here in Riverside for 20 years now. I was in private practice up until the last year and a half when I went to work for the Department of Animal Services. I primarily work out of the Riverside Animal Shelter. Um, I'm here to speak in favor of the ordinance to amend the uh, the amendment to 630 to, for the mandatory micro-chipping and spay and neutering. Um, I feel that public education and the increased license fees for the unneutered animals just aren't cutting the mustard with getting enough

animals neutered and everything. I work on the spay and neuter bus doing the community outreach programs as well as in the shelter. Um, I try to take care of the sick and injured animals that are housed in the shelter until they can be adopted or euthanized. Uh, it's really, I think difficult for the public and most people to imagine the suffering that these animals endure while they're waiting their fate. They're, we try to keep them comfortable, but due to the crowding and the staff limitations that we have just trying to keep them clean and comfortable and the temperature fluctuations in the shelter and everything that it's extremely stressful for the animals there. The stress is not only on the animals that are waiting in the shelters. It's on the technicians that have to handle the animals and have to euthanize thousands of animals with very minor health or behavioral issues every day. There are more animals on our euthanasia list, and three people working full time, 10 and 11 animals a day can, can put to sleep. Just one after the other, more than, more than can get done daily, and so we even get a backlog sometimes of injured animals. Although we put the injured animals down as soon as we can. Some of them are, have kennel cough and what not. They're waiting for their turn to be euthanized. Um, the cost, of course, is a large factor too, with the recession and the county's resources, it's, I understand over \$100 a day approximately to house each animal if you take in consideration of all the costs which is I guess somewhat less, but similar to the amount of people in prison. So, as far as micro-chipping, it's, it's a great relief, and it even helps the morale of the people in the shelter when we scan an animal and we find a micro-chip, and if we can connect that micro-chip to their owner and call their owner and they can come pick them up, it really brightens everyone's day. Um, we do micro-chipping there five days a week, Tuesday through Saturday and the micro-chips are just \$15, and they include lifetime registration. So, I just want to encourage everyone to pass that ordinance.

Wilson – Thank you very much. Lindi Biggi will be followed by Janet McAfee.

Biggi – Hello and thank you. My name is Lindi Biggi and I live in Palm Desert, California, and thank you for turning off the rain so I could drive here. Um, my qualifications to speak to this subject include the fact that I did own the large 5,000 square foot um, exotic bird store in Oregon. I also financed a 30 acre breeding facility. Um, I've been involved with Animal Samaritans for 12 years. I was a Board of Director. I started their auxiliary, the Angels for Animal Samaritans. I recently accepted the national position on as a Director for Pet Smart charities, and I'm the President of Loving All

Animals which is a California non-profit. I am getting over a cold. Um, I'm glad it was addressed that the micro-chips are \$15, but there again if you ended up having micro-chips for everyone you know, we all know that the price would go down. Last when I was in Italy the, the price of a micro-chip and it's mandatory there, and it's mandatory in Australia, was the equivalent of \$3 American, and I don't know what it is now because that was 5 years ago. Um, I have with loving all animals, I have like 200 people, pet friendly people on my E-Mail list when I did E-Mail a copy of your ordinance to each and every one of them, and I got more than most had the same response. Everybody is supporting it in totality. They feel like I do that this is the start of something really good happening for the animals. And I'd like to read to you, and I just cut it real short 'cause it was kind of long, but this was kind of the essence of most of what I heard. We currently have a perfect heartbreaking example of what happens to a wonderful pet without such a law. We found a shivering Chichilla which we scanned. No micro-chip, no collar, and no way to get him home. This dog is unneutered and might have walked miles searching for a mate. A law such as this being considered would have protected this adorable little fellow from having been out in the street hungry, alone and cold and still without his family. And I'd also like you to give some thought to Katrina. I was very actively involved with all of that, and if we have this huge earthquake that we're supposed to get, management of all these animals without micro-chips will be totally impossible. So, and I'm, with that, I'd also like everybody in this room if you have room in your heart and room in your home to accommodate a homeless pet. Please go adopt one. Thank you.

Wilson – Thank you very much, Lindi. Janet McAfee will be followed by Terry Toussaint.

McAfee – Good morning, members of the Board of Supervisors, ladies and gentlemen. My name is Janet McAfee and I'm a resident of Palm Desert which is right here in Riverside County. And I'm here today because I love animals. Ironically, we're a nation that loves animals and it's ironic that we have so many people in this country who care for their animals, but unfortunately, we have a minority of people that aren't responsible, who don't spay and neuter their pets, who create not only a very serious problem for the animals, but also a fiscal problem for counties and our communities because it's tremendously costly to impound these animals, to house them, to care for them in our public shelters and then certainly that there's the sad cost of euthanasia on top of that. Um, I became involved with animal issues

in a serious manner about a year and a half ago when I discovered a starving dog in a field not too far from the 10 Freeway up um, just off the Washington exit in Palm Desert. Sad to say, the animal was later euthanized. Um, I was amazed that an animal this sweet could still be put to death. I thought we were underway in solving this problem, but the more I discovered um, the more I learned about the statistics, I learned that approximately 50% of the animals that are brought into shelters are eventually euthanized, and many of them are very, very adoptable pets. And as we've also discussed here, many of them belong to people who due to lack of micro-chipping haven't been able to make that connection. So, it certainly is a tragedy. I think all the speakers have spoken to that issue. Um, I'm here just to add another voice, another point of view. Um, I currently serve on the Shelter Animal Life Initiative Committee working with Riverside County Animal Services to alleviate the problem of the intake into the pounds as well as to reduce the euthanasia and increase our adoption. Um, I really want to commend the staff of Riverside County Animal Services. They're doing an incredible job to educate the public, to do adoption outreach. They've got a major foster program going on. But, as you know, it's not enough which is why we must support this ordinance. It's really a wise, very well thought out um, initiative. It's a good first step. It will, it will implement, increased spaying and neutering as well as micro-chipping. These are, to me this is a no-brainer. You know, this is a great first step. I hope that we'll go beyond this measure and do what other counties in our country are doing. I recently attended a convention in Las Vegas sponsored by the Best Friends Animal Sanctuary and it was concerning this whole movement for no more homeless pets, and I learned that some of our counties um, in particular um, Washew County which the seat for Washew County is in Reno, Nevada, and what they're doing up there, they've got some very, very innovative programs going on. They're actually paying people.

Wilson – If you could wrap up your comments.

McAfee – Sure. They're paying people \$5 to bring their pets in and have them neutered, so hopefully with increased revenue we can move beyond and maybe implement some programs like that. Thank you very much.

Wilson - Thank you very much. Terry Toussaint will be followed by Haze Lynn.

Toussaint – Uh, thank you, Supervisors. Uh, I feel a little bit blind sided um, this, that um, I, I did change my schedule to come down here and address you and, I'm, I'm glad I did because I did not know that the public input section would be uh, so vigorous this morning. Uh, my name is Terry Toussaint. I live on the northern edge of Supervisor Ashley's district. My mailing address is Yucaipa. I'm a member of the Kennel Club of Palm Springs, the Orch (?) Empire Dog Club and the Alaskan Malamute Club of America. Want to say that I am quite sympathetic to those that have, have to euthanize dogs. I have had personally three of my own dogs put to sleep in my arms because they could no longer live. Uh, it is a tremendous ordeal; however, I am concerned that elements of this ordinance are a bill of goods that the ordinance will not result in what it purports to deliver. This is evident across the United States from areas that have tried such things and a little bit of research will um, bring to life these areas. And I can certainly help in that later on. Uh, I also see discontinuity here between wanted/unwanted dogs in overpopulation. To me dogs that were once wanted and are being turned in are not a product of overpopulation. If someone wants a pet, they will find that pet somewhere, and usually they don't find them running on the streets. So, I am concerned. I support micro-chipping. My dogs are micro-chipped. I support spay/neuter when it is done on a decision of the owner and their veterinarian. I do not support mandatory of either of these. Um, this will have a personal impact on me because it will put me in fear that one of my dogs who I show and I breed and then spay or neuter when we're done with their uh, they are done in our breeding program, but they remain at home as our beloved pet uh, will be forcibly spayed and neutered if they happen to escape either through my negligence or some other act. That, so this puts me in fear that I will become punished by this ordinance. And finally, and I haven't spoken to the President of the Kennel Club, but Mr. Wilson, Supervisor Wilson especially, Supervisor Ashley, I would like you, I would formally invite you to attend on the first and second days of the new year, the largest dog show in the United States in Indio, California, put on by the Kennel Club of Palm Springs. You would certainly be welcome guests there and I will make personal contact with you a little later, probably via E-Mail. Thank you very much.

Wilson – Thank, thank you very much. Supervisor Stone has a question.

Stone – Sir, before you go. First of all, thank you very much for coming, and certainly, people that breed dogs to show are what I would call to be

very responsible dog owners. Would you support this ordinance if it's enacted in a way that says that the only mandatory spay and neutering would be if there is an enforcement problem with a particular pet. In other words, if somebody is not leashing their dogs, or if somebody lets their dogs go wild, the dog catcher goes out and cites them, then they're required to get spayed and neutered?

Toussaint – My interpretation, Supervisor Stone, on a rough reading of the ordinance is that's what it says now. And I, and I still do not support it.

Stone - So you think, you believe those that are irresponsible with their dogs should still not be required to spay and neuter their pets.

Toussaint – No, sir, I do not. That's not, that's not what I'm saying. I'm saying that the ordinance as written now casts a broad net which also encompasses me as, and of course, I would think that I'm a responsible breeder. Um, a lot of people that, there might be different interpretations. A lot of people think they're responsible breeders, I may not think they are, but this ordinance now as it affects me, and I consider myself a responsible breeder uh, I, I still cannot support it as written because I think it does, it says exactly what you suggested. That's the form it's in now.

Stone – Okay, I'm still having trouble understanding why you disagree because I think most of the breeders are responsible and if uh, you have breeders out there that are breeding not necessarily to show their dogs, but to.

Toussaint – I, I, I tried; I tried to give an example.

Stone – Sell pets, you know.

Toussaint – I, I have had through my error; two of my dogs go out a gate that blew open because I didn't latch it properly. They were returned to me by a neighbor whose comment was, "I've never had two dogs running free. So happy to have someone put a lead on them." But he brought them back to my house. I would now under this ordinance be very concerned that if I made that same mistake, the only thing that could happen under this ordinance was I would go to the Animal Control facility and be delivered a dog uh, be delivered back a dog that had been spayed, and I can no longer use in my breeding or show program.

Wilson – Thank you very much.

Toussaint – Thank you.

Wilson – Supervisor Buster may have a question for you.

Buster – That, I mean that, that's the issue. If your dogs get out, then they can, they can breed if they're unbred and, and so that's what we're saying. There, there inevitably are mistakes, mistakes made and that's what leads to a lot of the unwanted animals, so after that experience, after the costs are forced on the public for your dogs getting out, a mistake or intentional, unintentional, however they got out. Just like my dogs. They love to dig under the fence. When they get out, I realized, boy! I'm responsible for that if they get out.

Toussaint – Yes, I.

Buster – So, I had them spayed and neutered so I can minimize, minimize at least that aspect.

Toussaint – If.

Buster – So, it seems to me that once they get out of your property, and they become a public charge, that's, that's the point at which, at which the larger public good comes into play, so you said you'd be punished for that. I don't think it's a punishment. I think, I think you're, you would be part of the larger public good of getting your animals which are, which got out, spayed and neutered.

Toussaint – I would submit, sir, that at some point most, most people.

Wilson – Please, no applause, please.

Toussaint – Most people somewhere along the way make a mistake and that a capital, this to me is capital punishment for a mistake. Wanting somebody, somebody, somebody upset.

Buster – No, no, it's not, it's not. It's spay and neuter. It's not a capital punishment. The dog is still fully healthy. The dog is a good companion.

Toussaint – To, to a breeding program and a show person, it is capital punishment.

Buster – But, you're, you're able to, you've continued your spay and neuter with, with other animals.

Toussaint – Well, let me go another example then, sir, if I may.

Buster – Right.

Toussaint – Uh, somebody referenced a big one, the earthquake in reference to perhaps to Hurricane Katrina. How would you supply this ordinance? How would you apply this ordinance then to animals that ran free due to some natural disaster?

Buster – I don't know. We haven't faced that thing, but the more, the more animals that, that if they do get out through some means that are spay and neutered, the more we reduce what is a real, everybody says, admits, is a tragedy here in this county. And do you, have you ever had any problem with uh, having enough dogs being bred to conduct your, you know, your breeding operations for show dogs, or whatever your purposes are?

Toussaint – No, sir, I only, I only breed when I personally want something.

Buster – Okay.

Toussaint – Unfortunately, I cannot put in an order for one animal at a time. They usually come in multiples.

Buster – Okay.

Toussaint – And that's when I, that's when I look for responsible families, and we do non-show dogs. We do, we do place on a spay and neuter contract because the purpose of have—the purpose of a dog show is to evaluate breeding stock, and that's why with very few exceptions, a dog that has been spayed or neutered is not eligible to compete in an American Kennel Club Dog Show because they're no longer breeding stock. When our breeding days are over primarily for peace in the family, we do alter our females because that keeps a lot, a lot more peace among the, among the

males. But, until that point, there are breeding stock and for, people make honest mistakes, and for there to be no recourse at all, I, I, I think that element could be looked at.

Buster – All right, thanks.

Wilson – Supervisor Stone.

Stone – Sir, I, I think in the ordinance there is that perfection that you're looking for, and you mentioned a major catastrophe such as an earthquake uh, I'm sure that not just one dog is going to get out, there's going to be hundreds of dogs that are going to get out that we don't have the manpower to go out and cite and figure out who is being responsible and irresponsible and we, and our Director of Animal Services, Mr. Miller, is a responsible guy, a very reasonable guy, but, our County Counsel, Joe Rank, is going to read your provision here that shows you that it's really not the first time that you get in trouble. That we're going to be placing these mandates on you. Joe.

Rank – Well, there are several provisions that I think address some of the issues at least that you're concerned about. First of all, the language of the ordinance says that the unaltered dog license may be revoked, not shall. So, there's a recognition there will be circumstances like catastrophic events, or something else that obviously would change the rules almost immediately. There's a recognition in the ordinance under the revocation that the department has received at least two complaints verified by the department that the owner has allowed a dog to stray or run at large, or found neglectful of his or other animals. Those provisions were put in there to recognize those breeders and those individuals who don't give the necessary attention to their animals to be given that 'may' provision, or that allowance to not have it automatically pull as an unaltered dog, but to have it reviewed on a case by case basis. So, I, I truly believe it's been intended not to do the punitive kinds of measures that I think you're fearing.

Toussaint – I think it was Lyndon Johnson that once said that the law should not be measured on what um, good it can be intend—it is intended to do, but what harm it can do if misapplied. Paraphrase.

Wilson – Thank you very much, Mr. Toussaint.

Toussaint – Thank you. Thank you, Mr. Wilson.

Wilson – Haze Lynn will be followed by Ed Burk.

Lynn – Good morning, Supervisors. I'm Haze Lynn and I'm with Boxer Rescue of Southern California. We house about 100 purebred and mixed breed boxers in our kennel. If you were to come, look through our dogs' paperwork, you will see more than half come from Riverside County. Every week, we either receive a call from one of your shelter workers who have become attached to a sweet dog and knew his time was drawing near for euthanasia simply due to the overcrowding in your shelters. Your shelter employees work so hard having the daunting task to find a rescue like mine to try to save the animal and I emphasize the word 'try' as the clock is always ticking until there is no time left. The shelter employees are the ones who have cared for, fed and loved someone else's discarded animal. That employee then must end that sweet animal's life because of the lack of meaningful legislation that impacts the pet owners' behavior to be responsible. Your shelters and animal rescues work endlessly educating the public about responsible pet ownership. People ignore current regulations because there are no consequences. They indiscriminately let their unaltered animals impregnate another roaming animal. Then some of those same pet owners call us threatening that if rescue does not take on the financial responsibility by taking the unwanted animals that they will be brought to your shelters for your county to then take on the financial burden of housing and euthanasia. This scenario repeats itself over and over hundreds of times a year, and this is why I'm standing here asking for your help. This spay and neuter ordinance that we ask for your support is beyond fair. It simply encourages responsible pet ownership and to stop pushing the overpopulation and financial burden onto the county. Please send a positive message by supporting responsible pet ownership and support this fair ordinance. Save money and save lives. What a win for your county at a time when everyone is facing a fiscal crisis.

Wilson – Thank you. Is Ed Burk present? The second speaker please come down to the front row. Julia Pennington is the next speaker.

Buck – Good morning. My name is Ed Buck with Southern California Golden Retriever Rescue. However, today I'm here more as a small businessman, and a taxpayer. Um, listening to the gentleman who was, had a business breeding, I wonder what other business you could get into where

the state would take care of your overstock and dispose of it for you. Because essentially that's what a lot of the breeders, responsible and not, are asking us taxpayers to do. When they have, excuse me, more dogs than they can sell, where do you think they go? They become a taxpayer burden, and I'm just not willing to subsidize them any more. That's essentially what we are doing. Look at your tax revenues. A single litter produces about \$15,000 for the breeder. I'm willing to bet you that you're not getting your tax revenue from those sales. So many of the breeders out there are asking for cash only. So, this is not exactly the kind of business that is good for the county. This is an incredibly responsible ordinance, and like many of the Supervisors here have said, it's not punitive. You know, if you're not driving drunk, you don't have to worry about the DUI laws. Simple as that. A dog that roams is not only more likely to impregnate another dog. Let's talk about the public safety issue here. 76% according to the CDC of all dog bites are from intact males and half of those are children who get bitten in the face. This is a public safety issue as well as an economic issue. This is a very responsible ordinance. Please, move it through and this will be the first step in saving the county a lot of money. Thank you.

Wilson – Thank you. Julia Pennington will be followed by Whitney Smith.

Pennington – Hi. My name is Julia Pennington. I am the President of A Dog's Life Rescue, and I'm absolutely terrified of speaking in public and the only reason I will do something like this is because you guys have been so courageous to put such an important ordinance forward, so I have to be here to support you guys. Um, we rescue a lot of animals from Animal Control and your shelters, and um, it is with heavy heart though that every time we go into the shelters, we are leaving most of the animals behind. We can't save them all, and that's something that the rescuers are always told, "You can't save them all!" But now it, now we have a step. This is a step where you can actually save them. It's a preventative measure. It deals with the problem before it gets out of hand. It's responsible. It's fair and I think just like your point about the responsible ownership, the people opposing it keep saying wait, you're punishing responsible pet owners. Yet, they say uh, if I'm irresponsible at any point, I don't want to be held accountable for that. I, it just doesn't make sense, that argument, and also for the um, speaker who brought up Katrina, I was very involved with the animals in New Orleans, and um, even to think about it now, the pain that we went through, especially animals that needed immediate medical care. If they were micro-chipped, they would have been saved immediately. I mean we spent over a

year and a half with some of these animals, and fought and worked to return them to their owners. Fortunately, some of them were returned, but many of them I know are still being missed by their owners, and that could have been rectified if they were micro-chipped. So, with great vision, and excitement I think about if you micro-chip every animal here, if you have a disaster, people will be so grateful that you're taking this step now before it's too late, so I applaud you, I thank you, and um, I support the ordinance.

Wilson – And we thank you. You did a great job public speaking.

Pennington – Thank you, shaking.

Wilson – Whitney Smith will be followed by Garry Grant. Is there a Whitney Smith? If not, Garry Grant, you're the last speaker.

Grant – Good morning, Mr. Chair, members of the Board. My name is Garry Grant. I have uh, spent some time in uh, Animal Control as a Commissioner, and uh, made decisions and considerations and offered suggestions. One of the things that strikes me is that uh, the average individual uh, does look after their animals. The people that don't look after their animals are the ones that you're, you're aiming at. So, here we have different nationalities here, and we have a predominant nationality which really doesn't care about animals too much, and do not even have licenses for them. I think your directions are well taken, and they should be, but a law is a strong direction, and I feel that it, it overcomes the rights of the average citizen. I've had animals for years. Never once have I lost an animal. I've got fences, and they don't dig out from under them. I think it's a matter of control, and love and affection for that animal that you need. The problem here is that you're going to establish a law which mandates that people um, chip their animals, and I, I personally think that go after the other people first before you come to that part of the law. The other people are those that violate the law, and as a matter of fact I've never seen the notification of Animal Control to allow the phone number published that you can call to see if your animal is in that area. Animals travel a long way, and they could travel from here to the desert before you knew it. And the thing is there is no communication between Animal Control and the people, the average people. And I feel I represent the average person, and I hate to see laws brought about that commit me and everybody else prior to this starting out with an animal that you have to do this and you have to do that. Think about the animals. I don't know uh, you know, when you, when you

ethanize, or when you uh, take an animal into control like that, they're in, they're in dire straits. If you take their manhood from them, they're in dire straits, but of course, we don't understand that. Most, we don't talk to them, do we? So, thank you very much.

Wilson – Garry, Supervisor Stone may have a question.

Stone – No.

Wilson – No, no, okay. Supervisor, do you have a comment?

Stone – There's no more speakers, correct?

Wilson – We have an additional speaker.

Stone – Go ahead. I'm waiting 'til the end.

Wilson – Laura Atkinson, just.

Atkinson – Good morning, Supervisors. I just wanted to touch briefly on a couple of points in this ordinance that I feel haven't been given complete consideration. One is going to be the cost to the county and the increase in euthanasia that may, not will, but may result. Um, the City of Los Angeles had their rates declined 67% between 2002 and the end of 2007. On February 1<sup>st</sup>, they passed a mandatory spay/neuter law, and so far this year they've seen a 20% increase in dog intakes and a 32% increase in euthanasia. Um, these are actual numbers from a neighboring county. There's no reason to believe that a mandatory spay/neuter law is going to work, and in fact hasn't worked anywhere that's it been passed. Um, somewhere in my notes here in Santa Cruz County they showed a 45% decrease in intake and euthanasia rates when they passed their much lauded mandatory spay/neuter. The rest of California without the punitive mandatory spay/neuter showed a 65% decrease in rates. In my opinion, that's not a success for Santa Cruz County. Um, there are many other examples of where these ordinances have been passed, but they have not been effective, and they have not achieved the goals of the ordinance. And I think rather than adopting this, a lot more study and input needs to go into it. Um, as I was discussing with a fellow exhibitor, the animal rescue communities and those who are supporting this ordinance are in attendance today in great number. Um, those of us who may have more concerns about

it found out about it last night about 4 p.m. I think there needs to be a lot more public input and a lot more study before these ordinances are adopted by Riverside County. Thank you.

Wilson – Thank you very much for your testimony. That concludes our speakers. Supervisor Stone.

Stone – Thank you, Mr. Chair. To speak to the last speaker with respect to having time to speak. Today is just a prelude as we introduce the ordinance. On January 13<sup>th</sup> this is going to be well noticed, and we encourage participation from anyone that is in support of this ordinance or opposed to it, or would like to see potential changes to it. Another speaker said that I was quoting Lyndon Johnson about misapplied laws. Well, if somebody is unfairly treated by any ordinance, whether there is an appeal portion of that ordinance or not, anyone is welcome to come before the Board of Supervisors and complain about an ordinance that inappropriately affects them, and that is open to any citizen on any issue. This message has been massaged and amended and changed many, many times until it finally reached today's agenda. And I want to give Mr. Miller a lot of praise and his staff in putting together an ordinance that I hope uh, will be unanimously supported by this Board. We also had another speaker that claimed that ordinances of this type have not yielded the results that we seek to obtain and what I seek to obtain in support of this ordinance, or an amended form of this ordinance is reducing the thousands of euthanasias that occur in this county every single year. Uh, not only because of killing animals and basically euthanasia is, really can be defined as a comfortable way to kill something. We're killing God's creations. I have four canines of my own that are all neutered. We love them like they're members of our family. One of my staff members went to the Ramona Animal Shelter to take a tour of the facility, and as she was coming into the animal hospital portion of it, there was a cat that was ready to be euthanized, and my staff member was, was asked if she would like to witness the euthanasia of that feline. Of course, she said no, that's not something I think that I can see. But, there are fiscal issues here as well. The county is spending an inordinate amount of money. We have a very large county. Micro-chipping could be very effective, not only during peaceful, normal times in the county, but in the event of a Katrina type of event, we'll be able to bring those pets back to their owners that are displaced by the, by the tragedy. I also like to put names to ordinances because when things get passed and people refer to Ordinance 630.12, I've got to go look in the books if somebody reminds me

what the heck that ordinance was all about. And I try to, as the, as the Board knows and I've driven city councils before me crazy in coming up with acronyms for ordinances, but I came up with one that I hope the Board will endorse for this one here and we're calling it the Riverside County Humane Reversal Ordinance. REVERSAL being Reduce Euthanasia Vowing Everyone's Responsibility to Save Animals in Riverside County. And it is everyone's responsibility whether you're a responsible breeder. Um, whether you are a pet owner, we want to, of course, have pet availability for young and older people to enjoy and love, and the last thing we want to do is put them in a kennel with a 7 day commitment to get them adopted, and if they're not adopted, they succumb to a needle, and then to a process of cremation. This is going to reduce the county expenditure at a time when the county is strapped for services we've invested between the western and eastern portion of this county, \$30 to \$40 million in, in new facilities to take care of these animals. But I believe that we should entertain this ordinance. I welcome public opinion on January 13<sup>th</sup>. That will be well noticed. I believe that there are protections in this ordinance. For those that accidentally have a pet that gets out, we're talking about chronically, irresponsible people that don't take care of pets the way that they should that could potentially cause injury to somebody and also can cause overpopulation of pets, those are the ones that are going to be required by this ordinance to spay and neuter. Those that are responsible will not have to do that. I think the gentleman who brought up the DUI issue. It was a very good analogy, be a responsible pet owner, and this ordinance really will not affect you in any way except that I don't think anybody can make the case that if you sterilize animals to the point where they cannot reproduce how that cannot have a positive effect on our kennels in the long run. Certainly, we're not going to see the, the fiscal benefits of this ordinance tomorrow if we were to pass it today which we're not. Or we're not going to see the fiscal benefits of this ordinance 6 months after it's passed. We're looking a couple of years into the future when many animals that otherwise would not have been spay and neutered are spay and neutered reducing the pet populations and reducing the, the county kennels from acquiring animals that are not wanted, that are lost who strayed that aren't micro-chipped that couldn't be returned to their rightful owners. So, I think this is a good beginning. I welcome public testimony. We want to, we don't want to be unfair to anybody, but I think there are protections in here to take care of responsible pet owners, and all ordinances are not perfect. All laws are not perfect. If this inappropriately affects anybody, they have the right to appeal before the Board of Supervisors and this Board does listen and does reverse

inequities where possible, and I welcome this coming back on January the 13<sup>th</sup>.

Wilson – Thank you. Supervisor Buster.

Buster – Well, new President Obama probably struck the strongest chord with me when he said he was considering adopting a shelter dog for his daughters, and he was only held back because I guess one or, one of his daughters has allergies. So, whether or not he ultimately decides to adopt a shelter dog, I think he's done a real service for the country there by launching into the whole issue of the surplus of animals here being produced – dogs and cats, and now many of my constituents are concerned about horses being actually abandoned because you, people can't pay for their feed and vet bills anymore because of the recession. So, when we see that right here in Riverside in my neighborhood within a half mile where I live, I know of four part-time animal rescuers who just got in the business because they, they see so many of these animals being dumped in our greenbelt area, City of Riverside. And one recent story was one of these neighbors going up and down the street happened to see a nursing female going in and out of a fence where the large citrus packing company is, and she, she's quite a sleuth, she uses a, this is a large pit bull mix mother. And my neighbor actually snuck into this area, too, which is piled high with these citrus bins, and this female had had her puppies that was protecting them back near the wall where the, where the forklifts were not going to immediately move these bins and hidden in the crack back there in the corner shelter these five puppies. Well, now these five puppies have homes fortunately, and the mother has a, has a nice home. But, think of this. This is replicated across the county constantly, every location, and I also when I read the newspaper in, in the morning, and this is, this is across most of the papers all the ads for breeders selling animals. They breed in their backyards, and we know that many of them are not reporting their earnings on it. We know that, that a lot of these animals are not sold, and so on our streets, I understand the figures are that animals that are picked up by Animal Control, 80% of the dogs are not spay and neutered and 90% of the cats are not spay and neutered here in the county. Somebody said why do we need laws? Well, laws do a lot more than just punish people. Laws are community standards and you can see how we've changed around through laws, but through education and probably the other programs, our problems with health through, through smoking. I mean there's going to see change in that. It's because of a combination of factors, but you have to have laws or ordinances as

backstops, and this is what this ordinance is. It's not a primary tool there. In fact it's only invoked, it's only triggered if there is some other indication, strong indication this animal is not being properly cared for – picked up on the streets, escapes, so on and so forth, and there's discretion written into this law as well as our County Counsel pointed out. And this ordinance or law has been under discussion for a long, long time. It's long overdue in fact. In fact it's going to have a hard time showing any immediate results even if we adopt it today because of the pressures of the recession which no doubt have skewed these Los Angeles County figures, too, such that you can't get an accurate measurement now because things have changed. Changed for the worse for animals. So, we need these tools, and I hope if there's any refinements to this, they seem to be rather minor in nature. In fact, I would prefer a much stronger ordinance, but we need to get something started now um, and any experiences of other counties that have passed such ordinances. I mean I understand, and San Mateo County used to have, they had a whole room up there where they had, had a place for litters of puppies, and then they started their comprehensive programs and got into the schools and started teaching kids, kids and their families how to spay and neuter kids. He says now we don't, and this was some years back when I visited that, that institution. We don't have any unwanted puppies, or virtually nil because of our comprehensive efforts. So, it can be done. Counties are reducing this problem to negligible levels, and I want to compliment our Animal Services staff for all their work and I think in crafting an ordinance that really balances the competing and difficult issues involved here with with animals, domestic animals in our county.

Wilson – May I have a motion?

Stone – I'd like to move that we introduce the ordinance as proposed.

Wilson – And set the hearing for .

Stone – January.

Wilson – January 13<sup>th</sup> and would the Clerk make the transcripts available either by tape, or print, and all of you thank you for coming today and speaking, and uh, we will have a hearing on the 13<sup>th</sup>, but we will also have your testimony, so especially those of you driven from the Coachella Valley, we'll have your input on record, so you don't have to come and repeat it again. So, with that, please vote.

Clerk – I didn't hear who seconded. I'm sorry. Thank you. With waiver of the reading. Introduction of Ordinance No. 630.12, an Ordinance of the County of Riverside amending Ordinance 630 relating to Dogs and Cats.

Stone – And can we also use the acronym as a part of the description of the ordinance that we consented to REVERSAL.

Wilson – Reversal. REVERSAL passes by a 5/0 vote.



Alaskan Malamute Club Of America, Inc.

Leneia Rogowski  
Corresponding Secretary  
640 E 50 N  
Hyrum, Utah 84319

December 23, 2008

Riverside County Board of Supervisors  
4080 Lemon St.  
5<sup>th</sup> Floor  
Riverside, CA 92501

Re: Please vote no on mandatory microchip and forced sterilization

Dear Supervisors:

The Alaskan Malamute Club of America (AMCA) has over 850 members from around the country including Riverside County California.

The Alaskan Malamute Club of America opposes the ordinance that was introduced to the Board of Supervisors on December 16, 2008 that requires the mandatory microchipping and forced sterilization of certain dogs and cats.

The sterilization operation is major surgery performed under general anesthesia. It carries short and long term risks to the animal's health and behavior. These may be moderated by certain long term benefits. Only the owner of the animal, in consultation with the animal's veterinarian, should decide whether or not the procedure is performed on an individual animal. The California Veterinary Medical Association (CVMA) opposed forced sterilization when it was proposed under California State bill AB1634.

The Alaskan Malamute Club of America urges you to vote "no" on this ordinance.

  
Leneia Rogowski  
Corresponding Secretary, AMCA

**Romero, Nancy**

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**From:** Wilson, Roy  
**Sent:** Tuesday, December 16, 2008 3:55 PM  
**To:** Romero, Nancy  
**Subject:** Fwd: Riverside County, CA's Consideration of a Mandatory Spay/Neuter and Microchipping Law

For public record on 3.16?

Sent from my iPhone

Begin forwarded message:

**From:** "Gregory, Lynda" <ljgregory@rcbos.org>  
**Date:** December 16, 2008 8:29:12 AM PST  
**To:** "Wilson, Roy" <RWILSON@rcbos.org>  
**Cc:** "DeLara, Leticia" <LDELARA@rcbos.org>  
**Subject:** **FW: Riverside County, CA's Consideration of a Mandatory Spay/Neuter and Microchipping Law**

This one brings up some issues that I don't remember seeing previously.

Lynda Gregory, Legislative Assistant

Riverside County Supervisor Roy Wilson, Fourth District

Palm Desert district office

[www.RivCo4.org](http://www.RivCo4.org)

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**From:** Elizabeth Pensgard [mailto:[bpensgard@yahoo.com](mailto:bpensgard@yahoo.com)]  
**Sent:** Monday, December 15, 2008 9:58 PM  
**To:** District1; District2; District3; District4; District5  
**Subject:** Re: Riverside County, CA's Consideration of a Mandatory Spay/Neuter and Microchipping Law

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December 15, 2008

To:

Chairman Roy Wilson  
Vice-Chairman Jeff Stone  
Supervisor Bob Buster  
Supervisor John Tavaglione  
Supervisor Marion Ashley

Dear Chairman Wilson, Vice-Chairman Stone, and Esteemed Members of the Riverside County Board of Supervisors:

It was of great concern to hear that Riverside County is considering a mandatory spay/neuter (MSN) ordinance with an accompanying mandatory microchipping provision. Spaying/neutering one's pet is a medical decision that should be between a pet owner and their veterinarian. Sterilization should not be mandated by elected officials acting as veterinarians and dispensing what amounts to veterinarian medical advice without a license. In much the same way, the decision to microchip a pet should be left to the pet owner, especially as there are malignant cancer risks associated with microchipping (please see our position statement on mandatory microchipping which is herein enclosed).

Punitive legislation -- in the form of mandatory spay/neuter and differential licensing laws - - is a failed policy as Los Angeles and San Mateo Counties and Louisville, Kentucky have discovered.

The nation's very first mandatory spay/neuter law was passed in San Mateo County, California in 1991. As a result,

- \* Dog euthanasia increased by 126%, and cat euthanasia by 86%.
  - \* Areas of the county not covered by the MSN law saw decreases in dog/cat euthanasia.
  - \* Licensure compliance declined by 35% during this time
- (<http://azanimaladvocates.com/info/MSNfailureeverywhere-1.pdf>).

Los Angeles County's mandatory spay/neuter law, passed in 2000, saw,

- \* A decline in licensing compliance.
- \* The Animal control budget rise 269%, from \$6.7 million to \$18 million.
- \* The City hiring additional Animal Control officers and the purchasing of new trucks and equipment just to enforce the new law (<http://azanimaladvocates.com/info/MSNfailureeverywhere-1.pdf>).

In addition to the counties where mandatory spay/neuter has been an utter failure, recent results indicate that differential licensure for altered versus unaltered pets has also been a failed policy. According to the American Sporting Dog Alliance, when Louisville, Kentucky passed an ordinance that required owners of unsterilized pets to pay higher licensure fees and submit to home inspections, the result was that,

- \* The city shelter, with a capacity for only 80 animals, was flooded with abandoned pets, and now cares for 400-450 animals.
- \* Euthanasia rates rose to 70%.
- \* Revenues from the sale of licenses for unaltered pets fell by 48%, which indicates a substantial lack of compliance.

Clearly "Redemption: The Myth of Pet Overpopulation and the No Kill Revolution in America" author Nathan Winograd's prophetic statement that, "Punitive legislation will only discourage people from caring for homeless pets or drive disadvantaged people "underground," making them even harder to reach and help" has been proven true (112).

You can see that legislation which serves only to punish lower-income pet owners will only alienate them. If driven "underground" as Winograd maintains, then these same lower-income pet owners may also be hesitant to vaccinate their pets as well. They may in effect, then, disappear from off the radar.

The solution is not punitive legislation which has already proven ineffective; the solution is access to more low-cost spay/neuter clinics and better education about spaying and neutering. In this way, the county will have worked with its citizens instead of passing a measure which will only go on to see resistance and the impossibility of enforcement.

For your further consideration, I have herein included Responsible Dog Owners of the Western States' Position Statements on Breed-Specific Legislation and Mandatory Spay/Neuter. If you have any questions please do not hesitate to contact me at [bpensgard@yahoo.com](mailto:bpensgard@yahoo.com) .

Thank you very much for your time.

Respectfully,

B. Pensgard  
Executive Secretary and Illinois Director, Responsible Dog Owners of  
the Western States  
Director, Responsible Dog Owners Group of Illinois

<http://www.povn.com/rdows>  
<http://rdows.wordpress.com>  
<http://groups.yahoo.com/group/UAOA>

<http://www.unitedanimalownersalliance.com>  
<http://groups.yahoo.com/group/RDOWS>

## RESPONSIBLE DOG OWNERS OF THE WESTERN STATES

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Tennessee Director, Gina Cotton, [ginacotton@msn.com](mailto:ginacotton@msn.com)

Texas Director, Alvin Crow, [crobx@austin.rr.com](mailto:crobx@austin.rr.com)

## POSITION STATEMENT ON MANDATORY SPAY/NEUTER

Responsible Dog Owners of the Western States was formed October 15, 1989 to protect the civil, and Constitutional rights, and interests of dog owners. Responsible Dog Owners of the Western States is opposed to any government mandated invasive, or non-invasive surgeries being performed upon privately owned domestic pets. Our opposition is based upon both practical, and upon constitutional reasons. There are health risks involved with any invasive, or non-invasive surgery. The least of which is risk of infection, and there is always the risk of any surgery being fatal.

Spaying/neutering has little or no affect upon a bitch or dog's temperament, in fact the lack of normal hormones may cause mood swings, and unpredictable behavior, and exacerbate a poor temperament. (see attached study Behavioral Assessment of Child-Directed Canine Aggression)

**Legal Standpoint:** Such a mandate is a taking of personal property rights by a governmental body that has usurped ownership, and use rights in the animal from its rightful owner. The United States of America is not a communist collective in which all people, and their goods are properties of the government. RDOWS upholds the domestic animal owner's right to choose whether or not to spay, or to neuter his, or her animal. RDOWS stipulates that an animal's internal, and external genitalia belong to the owner of the animal. RDOWS claims the rights of ownership for all domestic pet owners based upon tens of thousands of years of proven historical ownership, and of the ancient and honorable profession of animal husbandry.

- Responsible Dog Owners of the Western States sees such a mandate as an unconstitutional taking of private property without just compensation, and a violation of the Bill of Rights;
- Amendment IV. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, or the property to be seized
- A violation of Amendment IX. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.
- Lastly. A violation of Amendment XIV, Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

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- ENDOGENOUS GONADAL HORMONE EXPOSURE AND BONE SARCOMA RISK

<http://cebp.aacrjournals.org/cgi/reprint/11/11/1434.pdf>

#### RESPONSIBLE DOG OWNERS OF THE WESTERN STATES

P.O. Box 1406 Newport, WA 99156

Web Site <http://www.povn.com/rdows> E-mail US [rdows@povn.com](mailto:rdows@povn.com)

Blog <http://rdows.wordpress.com> E-mail List <http://groups.yahoo.com/group/rdows>

Cherie Graves, Chairwoman, WA, (509) 447-2821

Judy Chevalier, Assistant to the Chair,

Director at Large, GA, [chevalierbts@yahoo.com](mailto:chevalierbts@yahoo.com)

B. Pensgard, Executive Secretary, Illinois Director, [bpensgard@yahoo.com](mailto:bpensgard@yahoo.com)

Hermine Stover, Media Liaison, Director at Large, CA, [hermine@endangeredspecies.com](mailto:hermine@endangeredspecies.com)

Mary Schaeffer, Finance Director, [finedogs@hotmail.com](mailto:finedogs@hotmail.com)

Arizona Director, John Bowen, [johnalldogs@sprintmail.com](mailto:johnalldogs@sprintmail.com)

California Director, Jan Dykema, [bestuvall@sbcglobal.net](mailto:bestuvall@sbcglobal.net)

Indiana Director, Charles Coffman, [candkcoffman@comcast.net](mailto:candkcoffman@comcast.net)

Iowa Director, Leisa Boysen, [rdows\\_iowa@yahoo.com](mailto:rdows_iowa@yahoo.com)

Mississippi Director, Dan Crutchfield, [farmer1@telepak.net](mailto:farmer1@telepak.net)

Nevada Director, Ken Sondej, [4winds@viawest.net](mailto:4winds@viawest.net)

Tennessee Director, Gina Cotton, [ginacotton@msn.com](mailto:ginacotton@msn.com)

Texas Director, Alvin Crow, [crobx@austin.rr.com](mailto:crobx@austin.rr.com)

#### POSITION STATEMENT ON MANDATORY MICROCHIPPING

Responsible Dog Owners of the Western States opposes any mandated microchipping of privately held domestic pet animals. The choice of whether to, or whether not to microchip should be based upon all available information; and left strictly up to the owner to make for his/her animals. Our research has discovered potential health risks that are posed to domestic pet animals from microchip emplacement. Due to space only two of several findings will be cited:

(1) <http://www.vetpathology.org/cgi/content/abstract/43/4/545>

*Vet Pathol* 43:545-548 (2006) © 2006 American College of Veterinary Pathologists

Fibrosarcoma with Typical Features of Postinjection Sarcoma at Site of Microchip Implant in a Dog: Histologic and Immunohistochemical Study M. Vascellari, E. Melchioni and F.

Mutinelli

Abstract

A 9-year-old, male French Bulldog was examined for a subcutaneous mass located at the site of a microchip implant. Cytologic examination of the mass was suggestive of a malignant mesenchymal neoplasm. Histologically, the mass was confirmed as a high-grade infiltrative fibrosarcoma, with multifocal necrosis and peripheral lymphoid aggregates. By immunohistochemistry, the sample was investigated for vimentin, smooth-muscle actin (SMA), CD3, CD79, and CD18. All the neoplastic cells were positive for vimentin. Scattered cells at the periphery of the lesion were also positive for SMA, highlighting a myofibroblastic phenotype. The lymphoid cells were positive for CD18 and CD3. No aluminum deposits were detected by the aurintricarboxylic acid method. A diagnosis of fibrosarcoma morphologically similar to feline postinjection sarcomas was made. Fibrosarcomas at the site of injections have been reported in dogs and ferrets. Furthermore, neoplastic growth at the site of microchip implant in dog and laboratory rodents has been described.

Key words: Dog; fibrosarcoma; immunohistochemistry; microchip.

Marta Vascellari, Istituto Zooprofilattico Sperimentale delle Venezie, Viale dell'Università 10, 35020 Legnaro (PD) (Italy). E-mail: [mvascellari@izsvenezie.it](mailto:mvascellari@izsvenezie.it)

(2) <http://cat.inist.fr/aModele=afficheN&cpsidt=891987> Tumors in long-term rat studies associated with microchip animal identification devices Tumors surrounding implanted microchip animal identification devices were noted in two separate chronic toxicity/oncogenicity studies using F344 rats. The tumors occurred at a low incidence rate (approximately 1 percent), but did result in the early sacrifice of most affected animals, due to tumor size and occasional metastases. No sex-related trends were noted. All tumors occurred during the second year of the studies, were located in the subcutaneous dorsal thoracic area (the site of microchip implantation) and contained embedded microchip devices. All were mesenchymal in origin and consisted of the following types, listed in order of frequency: malignant schwannoma, fibrosarcoma, anaplastic sarcoma, and histiocytic sarcoma. The following diagnostic techniques were employed: light microscopy, scanning electron microscopy, and immunohistochemistry. The mechanism of carcinogenicity appeared to be that of foreign-body induced tumorigenesis.

(21/09/2000) 2001, vol. 52, no 6, pp. 569-575 (24 ref.), pp. 483-491

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This e-mail and any attachments transmitted with it are confidential and intended solely for the use of the individual or entity to whom it is addressed and is not intended to be forwarded or cross posted in whole or part, without written permission from the Responsible Dog Owners of the Western States and Responsible Dog Owners Group of Illinois. If you have received this e-mail in error please notify the sender and delete the original message.

**Lindi Biggi**

---

**From:** Janice Heller [wheller@dc.rr.com]  
**Sent:** Sunday, December 14, 2008 12:15 PM  
**To:** Lindi Biggi  
**Cc:** Alan Gamble  
**Subject:** Spay & Neuter Law

We currently have a perfect, heartbreaking example of what happens to a wonderful pet without such a Law. Perhaps you can use some of this, Lindi:

This past week a resident in Sun City Palm Desert found a shivering Chihuahua in her yard after dark on a chilly night. She could not keep him with her dog, and she works. The dog was taken to the Main Gate where they would hold him for a while and then have to send him to the County shelter.

The finder phoned the President of the Sun City Pet Lovers Club. My husband and I hurried to the Main Gate to scan the dog with a Universal Scanner. I could not find a microchip so wrapped the dog in a towel and took him home after leaving my name & phone number at the Main Gate. We fell in love with the little rascal. He's a handsome Chi (probably purebred or maybe pedigreed). Unfortunately, he and our Chi-mix are alpha males and before long decided to fight to be top dog.

Fortunately, a friend who has two spayed female Chi's took "Bambi" home with her. A couple of days later he was settled in and relaxed so I rescanned. NO MICROCHIP; NO COLLAR. No way to get him home. Chihuahuas do not do well in a shelter unless it's for small dogs only, and we're considering that option. Such stress might even cause these dear, affectionate dog to become aggressive and therefore unadoptable.

We know this dog is a pet. He does not eat dog food and has obviously been fed "people" food. He will not eat a mixture of the two. He loves to be held, is housebroken and is used to sleeping on the softest furniture he finds - and he knows where to find it. He did not have a "doggie odor" and not have an "outdoor odor" when found. He gets along with other Chi's (females) and with a cat. Everyone who meets him falls in love with him and is rewarded with multiple kisses/licks.

We're holding him for a while in case he belongs in Sun City or was visiting here. We're running an ad in "The Desert Sun," he will be announced on the local radio tomorrow, and I'll be phoning local shelters to find out whether anyone has been looking for him. However, this dog is UNNEUTERED and might have walked miles searching for a mate.

A law such as that being considered would have protected this adorable little fellow from having been out on the street hungry, alone and cold.

(We're searching for the owner and for a potential new owner; however, we can't force the issue of neutering if the owner shows up!)

Thank you, Lindi, for speaking out for all the millions of pets who need help.

Janice Heller

Internal Virus Database is out of date.  
Checked by AVG - <http://www.avg.com>  
Version: 8.0.175 / Virus Database: 270.9.6/1797 - Release Date: 11/18/2008 11:23 AM

Fax: From Lindi Biggi  
73-179 Joshua Tree  
Palm Desert, California 92260

To: Clerk's Office  
951-955-1071  
Re: Riverside County Spay/Neuter & Microchip Ordinance  
Ordinance No 630.12

Hi, I am trying to drive to your meeting, however should road conditions cause me to turn back, I ask that you might ask someone to read this statement on my behalf.

My qualifications to speak on this subject include being a past, owner/operator of a large (5,000 sq. ft) exotic bird pet store in Oregon and also financed the operation of a thirty acre breeding facility. I have been active with many animal welfare organizations since moving to the desert with twelve years of intense involvement at Animal Samaritans, SPCA, serving on the Board of Directors and starting and serving as leader of their auxiliary organization. During this time I was very involved with various facets of the Katrina nightmare and have spent much time and energy learning how we can better serve our companion animals during a disaster. I am currently President and founder of Loving All Animals, a California non-profit organization and also a National Director with PetSmart Charities. I know and love animals and to the bottom of my heart feel this ordinance is the start of something wonderful happening for them.

I have an email list of over two hundred animal lovers and I did forward this proposed ordinance to them and received many messages back, all supporting the passage of this document. Picking one reply from Janice Heller of Sun City which I am attaching and which may be too long to read, in essence it says:

*"We currently have a perfect, heartbreaking example of what happens to a wonderful pet without such a Law. We found a shivering Chihuahua which we scanned - NO MICROCHIP, NO COLLAR, No way to get him home. This dog is unneutered and might have walked miles searching for a mate. A law such as this being considered would have protected this adorable little fellow from having been out on the street hungry, alone and cold."*

*Janice Heller*

I also ask that you give thought to the mess created by Katrina and the fact that we in Riverside County are constantly facing natural disasters with fire and live under threat of a huge earthquake. Microchips are the only method of animal management under natural disaster conditions and the only hope of getting them back to their owners at the earliest possible date.

Respectfully submitted,  
Lindi Biggi



**FRIENDS OF  
COACHELLA VALLEY  
ANIMAL CAMPUS**

December 15, 2008

**Riverside County Board of Supervisors:**

On Tuesday December 16, 2008, the honorable Riverside County Board of Supervisors will consider passing a Spay/Neuter and Micro Chip Ordinance.

I have been involved with animal welfare for the past 28 years. I can't possibly total up the hours I have devoted or the money I spent trying to save as many animals as I possible can over that period.

RANCHO MIRAGE

I have served as Chairman of Board for two different animal charity organizations in the Coachella Valley and have seen the best and the worst of the charitable community.

PALM DESERT

Sadly, little has changed since I first got involved in 1980. Many people have worked hard and dedicated heroic effort to improving the lot of the poor animals that are lost, abandoned, injured and/or homeless. In most cases, if not laughable, the efforts of the charitable organizations in the Coachella Valley have been insignificant.

LA QUINTA

Now, you have a chance to make a stand for prevention. The ordinance in front of you demands that each person become a responsible pet owner. I know that those organizations and individuals that stand to make a profit off animals do not want this ordinance to pass. However, in the overall picture, who benefits by their position. What happens to those animals that are purchased by families and then do not fit in or work out. Our shelters are teeming with animals. The number of animals which are euthanized annually are staggering and show no sign of abating.

INDIAN WELLS

All the good intentions in the World or donated time and money are not going to solve this problem. I strongly urge you to pass this ordinance before you and take the first step toward a real solution.

CATHEDRAL CITY

COACHELLA

Unfortunately, compassion is often dictated by economic prosperity. During these sad economic times this has become more evident. Hopefully, responsible leaders will have the courage to act and move toward a solution that is viable for a problem that appears never ending.

DESERT HOT SPRINGS

I make this plea on behalf of our organization, its Board Members and volunteers.

COUNTY OF RIVERSIDE

Sincerely,

Samuel C. Esposito  
Chairman

P.O. BOX 13816  
PALM DESERT, CA 92255  
(866) 493 PETS

**From:** "Jennie Kelly" <evhistoricalsociety@earthlink.net>  
**Date:** December 29, 2008 10:24:06 AM PST  
**To:** "Roy Wilson" <RWILSON@rcbos.org>  
**Cc:** "Denys Arcuri" <darcuri@rcbos.org>  
**Subject:** mandatory spay/neuter  
**Reply-To:** "Jennie Kelly" <evhistoricalsociety@earthlink.net>

Good morning,

Over the weekend I read the Desert Sun article about the proposed mandatory spay/neuter program for the unincorporated communities of Riverside County. I wanted to add my two cents to the subject.

There is definitely a problem with unaltered dogs being allowed to roam free which often results in more animals. I do believe that mandatory spay/neuter for a second offense is a sensible solution. But pet owners who have unaltered (usually registered) dogs who are kept in fenced yards are not the problem. Requiring mandatory alterations of all dogs in unincorporated communities, in my opinion, results in an infringement of rights for responsible pet owners.

The problem with the large numbers of animals that are euthanized could be greatly reduced by making adoption fees affordable-or free if they really wanted to save the lives of 1000's of animals. My long-standing belief is that you don't mandate the loss of rights of the majority to solve the problems created by the minority. It just isn't the American way!

I hope you'll share this with your fellow Supervisors.

Jennie Kelly

East Valley Historical Society  
North Shore Community Council  
Sea & Desert Interpretive Association  
Desert Alliance for Community Empowerment

760-393-1312 home  
760-774-5843 cell

Riverside County Board of Supervisors  
County Executive Office  
4080 Lemon Street – 4<sup>th</sup> Floor  
Riverside, CA 92501

**RE: Oppose Mandatory Spay/Neuter Ordinance**

Dear Supervisor :

I am writing you today because I am concerned about the proposal before the Board of Supervisors that would require: mandatory spaying/neutering of dogs and cats over six months of age unless the owner qualifies for and purchases an unaltered dog license; sterilization of an animal that is impounded, even on a first offense; and requires all animals to be microchipped. I am a responsible dog owner (and or breeder) and I oppose this legislation.

*I am an active dog show owner and breeder. All of my dogs are microchipped and shown on a regular basis. I have competed in dog shows for quite some time. I produce one to two litters per year with 4 pups being the average. All puppies are placed in a show home or if not are spayed or neutered at 4 months then placed as a pet. All puppies are fully vaccinated and microchipped before leaving my premises. And sold with a very strict contract. These dogs are shown in conformation and obedience. Therefore they must remain in-tack. This new law is unfair and quite against our rights as business owners and producers of high quality dogs. This ruling will do nothing to stop the unlawful breeders-now they simply will not report to the vets, in fact it will most likely prevent animals from receiving the vet care they may need.*

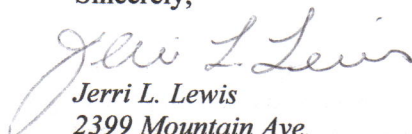
Mandatory spay/neuter is an ineffective solution to animal control problems because it fails to address the heart of the issue—irresponsible ownership. These laws are extremely difficult to enforce and can be evaded by irresponsible animal owners by not licensing their pets. It will hurt responsible breeders like me who raise healthy, well cared-for dogs and work to ensure that these puppies are placed with responsible owners. Passage of this ordinance will make it almost impossible for Riverside County residents to obtain pets locally from responsible breeders.

Responsible owners who are already complying with local animal control laws will be unfairly punished by this new ordinance, while irresponsible owners will continue to make problems for the community and local shelters. Concentrating animal control efforts on dogs whose behavior demonstrates that they are a problem for the community would be a much better use of taxpayer funds.

I also oppose the provisions requiring microchips. Microchips can be expensive and the decision to implant this device should be made by owners and their veterinarians, not the government. Collar tags and tattoos are also reasonable methods of positive identification that can reunite owners with lost animals.

I respectfully ask that you support responsible owners and breeders by opposing the mandatory spay/neuter and mandatory microchipping ordinance.

Sincerely,

  
Jerri L. Lewis  
2399 Mountain Ave.  
Norco, ca. 92860



## AMERICAN KENNEL CLUB<sup>SM</sup>

January 2, 2009

The Honorable Roy Wilson  
Chair, Riverside County Board of Supervisors  
County Executive Office  
4080 Lemon Street - 4<sup>th</sup> Floor  
Riverside, CA 92501

Dear Mr. Chair:

Concerned dog owners and citizens of Riverside County recently contacted the American Kennel Club regarding a proposal that will dramatically affect their ability to own dogs. We respectfully write to you on their behalf.

The American Kennel Club (AKC) was established in 1884 to promote the study, breeding, exhibiting, and advancement of purebred dogs. We now represent over 4,600 dog clubs nationally, including 462 clubs in the state of California. The American Kennel Club supports sound, enforceable, non-discriminatory legislation to govern dog ownership.

We understand that the Riverside County Board of Supervisors will be considering a mandatory spay/neuter ordinance that would require all dogs and cats to be spayed or neutered unless the owner qualifies for and purchases an intact dog license. Additionally, the ordinance would require the sterilization of any animal that was picked up by animal control, even on a first offense. This is unreasonable as even responsible owners can have an animal escape due to a mistake by a meter reader, gardener, friend or relative leaving the gate open. We agree that steps should be taken to address owners who habitually allow their animals to run at-large, but such a severe response is not justified by a single incident. Any animal that was the subject of 2 complaints would also have their intact license revoked. This allows one neighbor who does not like dogs or who has a problem with the owner to force sterilization of an animal without even requiring that the owner be issued a citation.

This issue is one of utmost importance to those who participate in our dog shows and events. In 2008, almost 14,000 responsible dog owners participated in 75 AKC-approved events held in Riverside County. When you take into account what these participants spend on hotel rooms, gasoline, food, souvenirs and entertainment the revenue generated by these events is easily over \$7 million annually. This figure rises further when one adds the additional thousands of dollars AKC clubs spend renting the various venues, and what is spent to bring judges to the area by paying their transportation, hotel, restaurant, and other expenses. Clubs will be reluctant to hold events in an area where an escaped dog would be sterilized on a first offense. Passage of a mandatory spay/neuter ordinance in Riverside County would send a clear message that our events are not welcome in your community.

The AKC opposes the concept of mandatory spay/neuter of purebred dogs. Instead, we support reasonable and enforceable laws that protect the welfare and health of purebred dogs and do not restrict the right of responsible breeders and owners. Mandatory spay/neuter is an ineffective solution to animal control problems because it

fails to address the heart of the issue—irresponsible ownership. These laws are extremely difficult to enforce and can be evaded by irresponsible animal owners who won't licensing their pets. This proposed ordinance will unfairly punish responsible owners who are already complying with local animal control laws, while irresponsible owners continue to make problems for the community and local shelters.

Local responsible breeders should be viewed as assets to their communities. These breeders make serious commitments to their animals by raising healthy, well cared-for dogs and by working to ensure that puppies are placed with responsible owners. These breeders are in a unique position to support new pet owners and exemplify responsible animal ownership. Responsible dog breeders and owners are models for their communities and should not be penalized by being forced to comply with burdensome regulations.

The AKC believes the answer to population issues is strict enforcement of leash and nuisance laws, rather than passage of new burdensome regulation. The key to resolving this issue is to implement and expand the wide range of programs available to educate the public about responsible breeding practices. The AKC and our local clubs would be pleased to assist you in developing public education programs for your community.

The American Kennel Club also opposes mandatory microchipping. As part of our ongoing efforts to promote responsible dog ownership, the AKC encourages dog owners to properly identify their pets. We believe, however, that the final decision about identification—whether by collar, tattoo or microchip—should be made by the owner, not the government. The AKC's Companion Animal Recovery is the largest microchip registry in the world and approximately 70-80% of our recoveries are due to the collar tag, proving that they are an effective way to reunite owners and lost pets.

AKC also has concerns about Riverside County operating a microchip registry. To be effective, a microchip registry should be independent and be open for calls 24 hours a day, 7 days a week, 365 days of the year. It does not seem likely that Riverside County Animal Control is able to take on that responsibility. Microchips are only effective if they are enrolled in a national recovery database. Local databases are neither feasible nor effective because animals do not pay attention to political boundaries. Even within Riverside County those who live in incorporated cities would not be required to obey the county's ordinance so most local pets will not be in the database.

Finally, imposing new requirements and new costs on animal owners in this economy is likely to lead to a decrease in licensing and possibly an increase in relinquishments as residents who are struggling to pay the bills are unable to come up with the funds for expensive surgeries and microchip implantation.

As you and the members of the Riverside County Board of Supervisors consider this matter, the American Kennel Club and your constituent dog owners would be pleased to assist you in developing reasonable animal control regulations designed to ensure that dogs and their owners remain respected members of their communities. We invite you to review our public education programs, and we respectfully urge you not to proceed with this proposal.

Sincerely,



Sarah Sprouse  
Manager, Government Relations

---

**From:** nboden@dc.rr.com [mailto:nboden@dc.rr.com]  
**Sent:** Thursday, January 08, 2009 1:12 PM  
**To:** Wilson, Roy  
**Subject:** Ordinance 630

Dear Supervisor Wilson,

I am a very concerned animal lover. Never has the crisis facing our dog and cat companions been greater. Our shelters are stretched to the limit. Because of the state of the economy, more and more of people's pets are being abandoned. Typically there is no collar ID, no presence of a MICROCHIP and the animal has not been SPAYED or NEUTERED.

I am a long time member of HSUS and am a very active member of both ANIMAL SAMARITANS and LOVING ALL ANIMALS. We are united in our support of ORDINANCE 630. You must vote in favor of this ordinance. It is the only humane thing to do. We are all counting on you!

Sincerely,

Neal Boden

Neal Boden  
Palm Court  
421 W. Mariscal Rd. - Palm Springs, CA 92262  
760-320-4660  
nboden@dc.rr.com

January 6, 2009

Riverside County Board of Supervisors  
Riverside Board of Supervisors  
Tel #951-955-9500  
FAX #951-955-1078  
4080 Lemon Street 4th Floor  
Riverside, California 92501

Dear Riverside County Board of Supervisors,

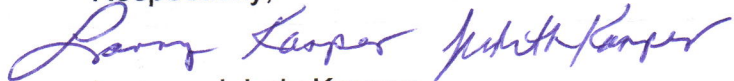
**Opposition to Mandatory Spay/Neuter/Microchip Ordinance**

The Ordinance that the Board of Supervisors is considering is redundant. We already have leash laws on the books, if enforced would eliminate much of the problem without the added expense.

Micro chipping, like spay/neuter is appropriate but need not be legislated. We want to be able to make some decisions about my dogs myself; *it is such a common sense issue*. This type of legislation was defeated at the State level with AB1634. California government at the County, City and State level has become more and more socialistic.

Legislation is being pushed though by special interest groups. The way this ordinance is written, it is a soft sell approach, directed only at offenders whose dogs run at liberty. BUT in a year's time when the special interest groups say this is not enough you are poised just to change up the ordinance to include all dogs for mandatory spay and neuter. We like living in the Inland Empire, but it is becoming less and less inviting as decision making rights are eliminated.

Respectfully,



Larry and Judy Kasper  
Riverside, CA

**Judy Kasper**  
15115 Golden Star Ave  
Riverside, CA 92506-5739

2009-01-087334 9.7 -

Diana L. McCarthy  
1064 Sugarberry Lane  
Corona, CA 92882

Mr. Roy Wilson, Supervisor  
County of Riverside  
County Administrative Center  
4080 Lemon Street, 5<sup>th</sup> Floor  
Riverside, CA 92501

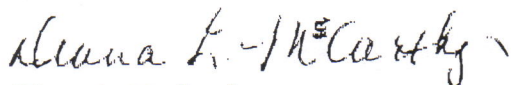
Dear Mr. Wilson,

I am writing to encourage your support of the spay and neuter ordinance and hope that you will vote to enact it when it comes before you for review. I work during the day and cannot attend the meeting on January 13<sup>th</sup>, so I have sent this letter instead.

I am a pet owner and a volunteer for a non-profit dog rescue group. I regularly visit the Riverside and Corona animal shelters to scout for animals that our group can assist. I have seen so many animals over the ten years I've been doing this, and each time it saddens me that there are so many more pets than there are responsible owners. There is a serious pet overpopulation problem in Riverside County. Irresponsible pet owners and breeders contribute to this problem and the current legislative environment in Riverside County makes it too easy for bad people to pass their puppies, kittens and unwanted breeder animals to the public shelters. A mandatory spay and neuter program would help to reduce the number of animals that are "thrown away" each day, encourage and support good breeders and good pet owners.

Thank you for your time and attention.

Sincerely,



Diana L. McCarthy

9.7

**Karen E. Dembrowski**

MEMBER  
CALIFORNIA SOCIETY OF  
CERTIFIED PUBLIC ACCOUNTANTS

CERTIFIED PUBLIC ACCOUNTANT  
18075 VENTURA BOULEVARD  
ENCINO, CALIFORNIA 91316

TELEPHONE  
(818) 345-3106

January 9, 2009

Riverside Board of Supervisors  
4080 Lemon St., 4<sup>th</sup> Floor  
Riverside, CA 92501

Dear Supervisors:

**Please oppose Ordinance #630.12**, the mandatory spay neuter proposal currently under consideration.

Mandatory spay/neuter (MSN) laws do not ensure that overpopulation issues will be resolved.

Many dogs and cats relinquished to shelters are animals that are old, sick, or have behavior issues. These animals will still end up at shelters since the reasons they are left there has nothing to do with breeding or overpopulation.

**Half of the animals that end up in city shelters are feral (unowned) cats.** This ordinance will have no effect on those animals.

**MSN was rejected by the California Senate last year** and is currently the subject of a lawsuit in Los Angeles, where they have encountered major enforcement hurdles.

**Ordinance #630.12 has been revised to now punish those individuals who violate existing state or local law relating to animals.** Sterilization is severe punishment for every possible law infraction, no matter how minor.

**Veterinary procedures should be the decision of pet owners** in consultation with their veterinarian; not the decision of government.

**Ordinance #630.12 will cost Riverside County taxpayers money.** This ordinance will neither reduce the costs to Animals Control, nor decrease the euthanasia rate. As in other cities and towns where MSN laws have been attempted, licensing compliance will decrease and enforcement costs will increase.

**Ordinance #630.12 will not reduce shelter costs.** This is because the greatest percentage of shelter costs are fixed costs covering facilities, administration costs, staffing, and vehicles. Fixed costs will not change under this ordinance.

**Ordinance #630.12 will entail significant enforcement costs.** Many labor hours will be expended by Animal Control officers in chasing down bogus complaints. Animal rights extremists have already expressed interest in seeking out and reporting unaltered pets. Citizens will be subject to unsubstantiated complaints from disgruntled neighbors and ex-spouses. The cost of responding to the projected influx of complaints represents additional costs associated with this ordinance.

**Ordinance #630.12 will increase the shelter population.** Local taxpayers will have to bear the cost to shelter, spay, neuter and euthanize dogs and cats abandoned by those who cannot, or will not, comply with the requirements of this ordinance. Many low-income citizens cannot afford to spay/neuter their pets. Further fear of punishment and fines may lead to the abandonment of animals in streets and parks, adding to undesired reproduction and the nuisance/safety hazard of strays.

**Ordinance #630.12 assumes that any and all animal-related problems are the result of intact animals.** This is patently untrue. Pets bite, scratch, run loose, poop, and dig without their reproductive organs in place. The majority of shelter impounds are the result of owner relinquishments caused by a host of problems including owners being unable to afford their pets; or keep their pets when relocating or divorcing, pets having behavior or medical problems that owners are not able to deal with, etc. None of these outside factors would be affected by this proposal.

**Microchipping** - Pet owners' personal information should not be held by Animal Control. There are national registries who offer a high quality service dedicated to reuniting animals with their owners. Using microchipping as a tool for Animal Control enforcement is a misuse of this technology.

The passage of similar provisions in other cities has not led to greater licensing revenue from pet owners who breed their pets. Such laws have simply pushed pet owners underground and created polarization between pet owners and government. Draconian laws such as this that drive people out of the system undermine the primary purpose of pet licensing: rabies eradication.

Community based approaches, such **VOLUNTARY** spay/neuter outreach for pets, or trap/neuter/return programs for free roaming cats will have the best results. Positive cooperative approaches have proven to be successful in other areas. If this ordinance becomes law, it's enforcement by Riverside Animal Services will destroy any hope of community collaboration in building a volunteer network to provide education, breed rescue, and shelter support from breeders.

Please **oppose** Ordinance #630.12.



Karen Dembrowski  
18075 Ventura Blvd.  
Encino, CA 91316

Jan.8 2009

Dear Riverside Board of Supervisors

Please oppose the mandatory spay neuter proposal currently under consideration.

Mandatory sterilization laws infringe on the right to privacy and on property rights.

Animal owners in consultation with their veterinarians are the appropriate persons to make veterinary medical decisions about their dog or cat.

Mandatory spay/neuter laws do not ensure that over population issues will be resolved for two reasons:

1. It is the irresponsible owners who are the cause of the unwanted puppies and kittens, not the responsible owners. Mandatory spay/ neuter laws will be ignored by the irresponsible owners just as the presently ignore the leash and nuisance laws.
2. Many dogs and cats relinquished to the shelters are animal that are old, sick or have behavior issues. These animals will be ending up at the shelters since the reason they are left has nothing to do with the breeding or over population.

MSN was rejected by the California Assembly last year and is currently the subject of a lawsuit in Los Angeles, where they have encountered major informant hurdles.

They proponents of Mandatory Sterilization laws typically claim that they will save tax payers money. This claim is false. Throughout the last three decades, the numbers of animals impounded and euthanized nationwide declined dramatically. At the same time, animal control cost increased. There is no reason to believe that this proposal would significantly impact animal control costs.

Here are some facts:

With the exception of feral cats and kittens (cats without owners to regulate) the overwhelming majority of shelter animals are not surplus puppies and kittens.

The majority of shelter impounds are the result of owner relinquishments caused by a host of problems including owners being unable to afford their pets or keep their pets when relocating or divorcing, pets having behavior or medical problems that owners are not able to deal with, etc. Since none of these outside factors would be affected by this proposal, animal control cost are unlikely to decline.

Steep declines in shelter impounds in other parts of the country have seldom led to reduced animal control costs.

Grants from non Government groups such as the Maddies Fund [www.maddiefund.org](http://www.maddiefund.org) have policies of not funding government mandated programs.

The passage of similar provisions in other cities has not led to greater licensing revenue from pet owners who breed their pets. Such laws have simply pushed pet owners underground and created polarization between pet owners and government.

Draconian laws that drive people out of the system undermine the primary purpose of pet licensing: rabies eradication.

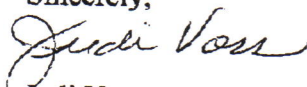
MAN drives many responsible breeders out of practice, thereby reducing the supply of well breed, healthy, home raised puppies and kittens. This makes it likely that they will be replaced by ones in poorer condition. Mexico still has significant problems with rabies as the many other countries that are beginning to supply consumers in the United States.

Others involved in therapy dogs, working dogs, search and rescue and police work generate additional millions for the state's economy.

Many of the people who would be affected by this proposal are the very people who at no taxpayer expensive currently re-home shelter dogs and cats, educate the public about responsible pet ownership, give low cost dog training classes, fund microchip and spay/neuter clinics, etc. The cost of the free services would amount to additional millions if they had to be replaced by the government agencies.

PLEASE OPPOSE MANDATORY SPAY NEUTER

Sincerely,



Judi Voss

Judi Voss

**Romero, Nancy**

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**From:** Gregory, Lynda  
**Sent:** Monday, January 12, 2009 12:38 PM  
**To:** Wilson, Roy  
**Cc:** Romero, Nancy  
**Subject:** Ms. Estelle Dahl, Indio Hills

Supv. Wilson,

Ms. Dahl phoned in opposition to the proposed spay-neuter ordinance, 630.12.

Even with secondary enforcement and a hearing process, Ms. Dahl believes this is too restrictive. She is concerned that purebreds would be required to be altered upon a law violation. If the enforcement is based on a second offense rather than a first, she would be supportive. "People who violate the laws are usually repeat offenders," she explained.

She also pointed out that 4 months is too young to spay a female.

Ms. Dahl has requested that her comments be part of the public record for the hearing tomorrow.

Lynda Gregory, Legislative Assistant  
Riverside County Supervisor Roy Wilson, Fourth District  
Palm Desert district office  
[www.RivCo4.org](http://www.RivCo4.org)