

“Just How Enforceable Is Our Tethering Law Going To Be, Anyway?”

In 2006, Ambuja Rosen, an animal welfare advocate in Ashland, Oregon, collected statistics from 12 communities that limit the tethering of animals:

ELECTRA, TEXAS

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| Population: | 3,000 |
| Enforcement staff: | 1 part-time ACO |
| Law in effect: | At least 15 years |
| I spoke with: | Mickie Mann, ACO. She's worked there 5 years. (940) 495-2131 |
| Law: | Ban on tethering dogs |
| Complaints: | When she first started working there, she got maybe 20 a month. She estimates she now gets 10 calls a month. |
| Space complaints: | She's had about 2 complaints a year about the minimal space requirement for dogs. |
| Compliance: | Probably 80 percent comply with just one warning. She estimates that of the remaining, 20 percent comply after a second warning. She cites people who don't comply, and they've all complied. |
| Her advice: | "If you publicize it in advance, I don't think you'll have a problem enforcing this." |

MAUMELLE, ARKANSAS

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| Population: | 12,000 |
| Enforcement staff: | 2 full-time ACOs |
| Law in effect: | 10 years |
| I spoke with: | James Crockett, (501)851-6219 |
| Law: | Ban on tethering dogs |
| Complaints: | Estimated 2 to 4 a month |
| Compliance: | Law enforcement usually leaves people a copy of the ordinance. In the seven years he's been there, they've never issued a citation. Nothing has gone to court. 100% of people have complied. |

LAURINBURG, NORTH CAROLINA

- Population: 16,000
- Enforcement Staff: 1 full-time ACO
- Laws passed: 1997, 2000
- I spoke with: Elaine Modlin, ACO, (910)291-1706
- Tethering law: In 1997, they allowed up to 8 hours a day of unattended tethering for dogs. This was too hard to enforce because when people denied it, the ACO had to stake it out the 8 hours. Maybe 10 to 20% needed staking out.
- In July 2000, the law switched to 1 hour maximum, and is a lot easier to enforce. Now, if the people have gone to work all day, you know the animal's been chained more than 1 hour.
- Complaints: When the 1 hour law passed, probably 7 or 8 a month. Now an estimated 1 or 2 a month.
- Compliance: She leaves a warning, such a doorhanger, with a copy of the law, at the house. Generally she checks again within 2 weeks. About 10% comply from the warning. When they don't comply, she either extends the grace period, cites them, or impounds (if the animal is in danger or a danger to others). About 50 percent of the people who don't comply with the first warning, do comply if she extends the grace period another month. Probably another 10 percent more comply upon being cited. About 30 to 40 percent won't comply. So she must impound.
- Her advice: "If the police see a violation, they should address that. Some neighbors will never tell the police. So the police must act in these cases to make a difference for these animals."

BIG SPRING, TEXAS

- Population: 25,000
- Enforcement staff: 3 full-time ACOs
- Law passed: 7/24/04
- I spoke with: Marie Wilson, (432)264-2372
- Law: Ban on tethering
- Complaints: less than 50 complaints since the law passed. She may get 1 a week.
- Space complaints: She says, "I can almost guarantee that we don't ever get complaints about the space."
- Compliance rate: Except for people using pit bulls for illegal purposes, such as drug trafficking, "pretty much everyone complies."

DODGE CITY, KANSAS

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| Population: | 30,000 |
| Enforcement staff: | 12 ACO's, 11 full-time, 1 part-time |
| Law passed: | June, 2005 |
| I spoke with: | Glenna Walker, animal shelter director, (620) 225-8180 |
| Law: | 3 hours maximum a day for dogs. No more than 1 hour at a time, with at least three hours break between each hour of chaining. |
| Complaints: | In the first few months, ranged from 10 to 20 a month. In 2006, averaged 10 a month. |
| Space law: | "We might get one or maybe two a month." |
| Compliance rate: | "I'd say 95% have complied with the tethering and space requirements." |
| Advice to you: | "This law has eliminated many other complaints, such as vicious dogs or dogs without water. The reason for this is that many of the tethered dogs were those abused dogs. This law has worked out fantastically. It was easier than I thought it would be when I [initiated] it." |

SCOTLAND COUNTY, NORTH CAROLINA

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| Population: | 36,000 |
| Enforcement staff: | 1 ACO |
| Law in effect: | About a year |
| I spoke with: | Larry Herring, ACO, (910)277-2470 x 432 |
| Tethering law: | 1 hour maximum for dogs |
| Complaints: | From 9/1/05 to 6/30/06, tethering calls averaged an estimated 25 a month. |
| Compliance: | He warns people. There's a 30-day grace period. He visits again after 30 days. Of 422 cases, 385 complied within 30 days. About 10% went to court. All were found guilty. |
| His advice: | "The initial visit can take from 10 to 30 minutes. The next visit takes 5 to 10 minutes. So each complaint takes roughly an hour of staff time, including visits and court time." "It's just about impossible to enforce an eight-hour tethering limit. Even if you took time-lapse photography for eight hours, the person could say, 'I took my dog off for a few minutes. You didn't see it.'" Larry has enforced his county's one-hour limit for a year now. Only two cases have gone to court, and each time Larry won by presenting photos of the animal. "I go by with a |

camera and take a photo that has the time and date imprinted on it," he says. He goes back randomly at different times during the week. "It shows a pattern of the dog being on the chain."

"Don't go with an eight-hour limit," he advises the city of Ashland. "There's no way to enforce that."

BATTLE CREEK, MICHIGAN

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| Population: | 55,000 |
| Enforcement Staff: | 2 full-time ACOs |
| Law passed: | About 2 years ago |
| I spoke with: | Sergeant Edwina Keyser, ACO, (269)966-3322 x1007 |
| Tethering law: | 3 hours maximum a day for dogs. No more than 1 hour at a time, with at least three hours break between each hour of chaining. |
| Compliance: | At least since March when she started working there, no cases have gone to court. Most people comply once they find out about the law. |
| Her advice: | She suggests you issue a warning first. Then if no compliance, issue a citation. If still no compliance, it goes to the city attorney, who may issue a warrant for arrest. |

LAWTON, OKLAHOMA

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| Population: | 100,000 |
| Enforcement staff: | 4 full-time ACOs |
| Law in effect: | At least 13 years |
| I spoke with: | Rose Wilson, superintendent of animal welfare division |
| Tethering law: | ban for dogs |
| Complaints: | Estimated average is 3 to 5 a day. |
| Compliance rate: | 100% of the people comply. |
| Her Advice: | Rose's employee, the only person who takes complaint calls, said, "We get a lot more loose-dog calls than we get tethered-dog calls." He also said that Lawton's tethering complaints may be especially high because of Lawton's culture. He said there's a low degree of responsibility toward companion animals, lower than most areas he's been in. |

TOPEKA, KANSAS

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| Population: | 122,000 |
| Enforcement Staff: | 6 ACOs and 1 manager |
| I spoke with: | Linda Halford, animal control supervisor, (785)368-9484 |
| Tethering law: | 3 hours maximum a day for dogs. No more than 1 hour at a time, with at least three hours break between each hour of chaining. |
| Complaints: | Might average at least one a day. |
| Compliance rate: | Most people comply without a citation. Only a small fraction must have their animals impounded. |
| Comments: | <p>In the beginning, the complaints were the most numerous. All the people who said, "It's about time," were now able to report the animals they'd wanted to report before.</p> <p>"Our ordinance has been in effect for almost two years. It continues to work just fine. If people don't comply, they pay the price." Linda says almost all the calls they get are for round-the-clock tethering. The way most people comply is by building a fence or kennel.</p> <p>No one's wasted the police's time with invalid complaints. "We don't have one documented case where someone complained and the tie-out turned out to be legal," she says.</p> |

BURNABY, BRITISH COLUMBIA

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| Population: | 230,000 |
| Enforcement staff: | 3 full-time ACOs |
| I spoke with: | Mark Takhar, SPCA director, (604)841-6079 |
| Law passed: | March 2006 |
| Tethering law: | 1 hour maximum of unattended tethering for dogs |
| Complaints: | Since the law went into effect in March, has received 29 complaints. |
| Compliance: | They usually give a warning the first time. He gives them 24 hours to comply. Everyone has complied after the first warning and after being educated as to the reasons for the law. |

Letter from Mark Takhar, BCSPCA Burnaby Branch Manager, to Ashland Mayor and Councilors:

September 01, 2006

In the City of Burnaby, a by-law was introduced in March 2006 that placed restrictions on the tethering of dogs. The by-law prohibits keeping a dog tethered while unattended for more than one hour in any day. This includes the owner's residence and on property used for any purpose other than residential use.

The by-law to prohibit the tethering of dogs for extended periods was introduced to increase the welfare of dogs in the City of Burnaby. There has been documented evidence on the effects of long term tethering on dogs. The psychological distress that is caused on these dogs has resulted in maladaptive behaviours.

We expected many challenges to happen when enforcing this by-law. We expected the public to look for alternatives when their current option is not available. One concern that we had was with dogs being placed in pens instead of being tethered. If the animal is kept in a pen instead of being tethered and still not being properly socialized, then we have not addressed the animal welfare concerns of the animal. As a result the same issues of tethered dogs arises.

Fortunately the public has shown compliance with the new by-law. We have been educating the public on the harm of tethering instead of writing them tickets. Using education has been a tactic that has worked well. Most members of the public do not understand the effects of tethering and are open to other suggestions on housing animals.

We do have within our powers to seize an animal that has been tethered for longer than an hour. Fortunately we have not had to go to this extreme as of yet.

The issue of backyard dogs is very extensive and is something that needs to be addressed in our communities. Introducing an anti-tethering by-law is a step in the right direction in addressing these issues. There are many welfare concerns regarding the dogs in our communities, especially the poor socialization of backyard dogs, however, the anti-tethering by-law addresses some of these concerns.

PIMA COUNTY, ARIZONA

Population: 800,000

Enforcement staff: 24 full-time ACOs

Law in effect 15 years

I spoke with: Jose Chavez, field supervisor, (520)743-7550

Tethering law: Ban for all animals except horses. Temporary tethering allowed for horses.

Complaints: Estimated 20 a week. 99% of the complaints are about dogs.

Compliance: He estimates that 90% comply. If the animal is in distress--for example entangled, or in the sun in the middle of summer with no water—and the owner's not home, they impound the animal if he's on a tie-out. They cite the owner when he picks up the animal. If the owner is there when the animal is discovered, he's issued a citation.

WICHITA, KANSAS

Population: 400,000

Enforcement staff: 11 full-time ACOs

Law passed: 2002

316-838-9623

Tethering Law: 3 hours maximum a day for dogs. No more than 1 hour at a time, with at least three hours break between each hour of chaining.

Complaints: Average 60 a month.

Compliance: They post a warning on the door with a copy of the ordinance. They go back in an hour. They cite if the dog is still on the tether. In about 85 to 90% of cases, the people comply before being cited. 10 to 15% get cited. If they repeatedly violate the law, they can be jailed and if no one is available to care for the animal, the animal would be impounded.

Advice: "Be tenacious. Keep checking on the animals. I would definitely require a collar or harness because when people attach the tether directly to the dog's neck, it can cause injuries. Dogs pull on the tether, and the tethers slice their necks. I have so many animals with their little necks cut open."

From www.helpinganimals.com - Dennis Graves, Animal Control Supervisor in Wichita, Kansas:

"Wichita, Kansas, in its effort to address aggression, cruel treatment, and neglect issues, passed tethering restrictions... Wichita's ordinance...has been a very useful tool in our efforts to improve the lives of the dogs in our city... This is a welcome and enforceable tool for the animal control section I oversee... This ordinance has made it possible for our officers to educate pet owners about the importance of interacting with their pets, proper activity, and exercise. It has also give us the ability and 'the teeth' to prosecute those individuals that refuse to comply... "I highly recommend that other jurisdictions consider passing similar ordinances if they have issues with animal neglect, continuous chaining, and illegal dog fighting. Our ordinance has served us well."