

The Dallas Morning News (Texas)

November 2, 2007 Friday

## **Irving council approves ban on unattended tethered dogs: Owners of unattended, chained pets to receive Class C misdemeanors**

BYLINE: Brandon Formby, The Dallas Morning News

SECTION: STATE AND REGIONAL NEWS

LENGTH: 582 words

Nov. 2--The Irving City Council unanimously approved an ordinance Thursday night that bans tethering unattended dogs any time, any place. The new city law is believed to be the first of its kind in North Texas.

Irving's ordinance goes beyond a state law that went into effect in September that limits the time dog owners can tether their pets to between 6 a.m. and 10 p.m.

"We've chosen as a community to make ours a little stricter," said Fred Sanderson, Irving's animal services manager.

Mr. Sanderson said the law is aligned with a growing national movement of dog lovers and lawmakers who believe tethering dogs can make them more aggressive.

Dale and Kristi McKenzie, whose 8-year-old son, Shane, was attacked by a tethered dog in March, were among a dozen residents who supported the ordinance. Shane has undergone eight surgeries to repair his carotid artery after a tethered Akita mix jumped him when he went into its yard to retrieve a basketball.

"Children have no fear," Mrs. McKenzie told council members Thursday. "They love everything."

Supporters of anti-tethering laws say tethering creates a negative emotional and psychological environment for animals that are social by nature. They also say tethered dogs are more likely to attack because they are more aggressive and territorial.

On Thursday, several of the ordinance's supporters told the council that dog owners should be responsible enough to create a secure environment for their animals without relying on tethering.

But opponents of anti-tethering laws, including the American Kennel Club, say they unfairly punish responsible pet owners who tether dogs to train them and to keep them in unfenced yards.

Irving resident Robert Lamon and his wife told the council the ordinance goes too far. They said that if they didn't tether their 80-pound mixed-breed dog, she would dig under or jump over their fence. Mr. Lamon said the council was putting an undue burden on many owners and could lead to more dogs running loose.

"How many dogs are you prepared to euthanize because the people can't afford to keep them now?" Mr. Lamon said.

Irving's new law prohibits tying dogs up and leaving them unattended. Owners are allowed to tether a when they are present if necessary to protect the animal or another person. Owners also may tie up a dog on their property if they are present and the pet is more than 15 feet from the edge of a public street or sidewalk. Dogs also may be tethered in a designated dog park as long as their owners are present.

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The law does not apply to hand-held leashes or restraints. Dogs can be tethered during veterinary treatments, grooming, training or law enforcement activities.

Mr. Sanderson said that though the law goes into effect immediately, animal control officers plan to spread the word before they begin handing out Class C misdemeanor citations Jan. 1.

"We need to give the public a chance to get educated," Mr. Sanderson said.

Irving's municipal court is expected to set an amount for the fine that comes with a citation. The court can assess up to \$2,000 on Class C misdemeanors.

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Richmond Times - Dispatch (Virginia)

Distributed by McClatchy-Tribune Business News

October 23, 2007 Tuesday

## **Richmond council OKs dog ordinance: Leaving dog tethered for more than 1 hour punishable by fines**

BYLINE: Michael Martz, Richmond Times-Dispatch, Va.

SECTION: STATE AND REGIONAL NEWS

LENGTH: 618 words

Oct. 23---City Hall

It looked like a chain from a tow truck.

But the clanking metal chain that Jenny Jones slowly lifted into view last night for a startled Richmond City Council had been wrapped around the neck of a 33-pound dog.

Jones, who is manager of the Richmond Division of Animal Care and Control, sees up to five cases a month of dogs who have been chained so long that the metal is embedded in their necks.

"Consider the neighbors of these poor, tormented dogs," she said.

The council considered. And then it acted, passing an ordinance that makes it punishable by fines and jail time to leave a dog tethered for more than an hour a day.

The ordinance passed 7-0, with Councilwomen Delores L. McQuinn and Ellen F. Robertson abstaining. Both said they were concerned about the potential consequences of moving too fast to crack down on people who chain or tether their dogs outside.

McQuinn worried about an 80-year-old East End resident who keeps a dog for security but can't afford to fence her backyard. "What happens to her now?" asked the councilwoman, who represents the 7th District.

Adrian Preston's grandmother is in the same predicament. Preston, a South Richmond resident, asked for more time before putting the ordinance into effect.

"It's not that I don't care about dogs," he said after the vote. "It's the people who don't have fences. I was hoping this would get postponed for a while."

But the ordinance had overwhelming public backing last night, with almost 20 people urging its passage and at least as many sitting in the audience in support.

"The public is frightened of aggressive dogs," said Robin R. Starr, president and chief executive officer of the Richmond SPCA. "And they are disgusted and dismayed by animal abuse."

The testimony included vivid accounts of attacks by dogs that had been chained for long periods of time and then gotten free. They heard of police officers bitten, children mauled and bicyclists chased.

Claire Ward recounted her terrifying encounter with a pit bull terrier that mauled her and killed her Cardigan Welsh corgi, Barney, last spring.

"The only thing I could do was throw my body on it and watch my dog die," Ward said tearfully.

The ordinance would make it unlawful for owners to fail to give their dogs adequate space, as defined by state law, or to tether them for more than one hour cumulatively in a 24-hour period.

A first offense would be a Class 3 misdemeanor, punishable by a fine of up to \$500. A second offense would be a Class 2 misdemeanor, with a fine of up to \$1,000 and jail up to six months. A third offense or more would be a Class 1 misdemeanor, with a fine of up to \$2,500 and 12 months in jail.

The prospect of stiff penalties worried Robertson, who said she supports the bill but fears what might happen if people try to avoid prosecution.

"What if they let these dogs off their chains tomorrow? she asked. "What if these dogs are just left free, and we have not prepared ourselves for the consequences?"

Advocates say leaving the animals in chains just makes the danger greater to the public.

"My concern is not just for the dogs and their deprivation," trainer Marie Tripton said. "My concern is for the people who encounter these dogs."

Contact Michael Martz at (804) 649-6964 or mmartz@timesdispatch.com

## Tying up a dog for more than three hours now illegal in Alachua County

By Rachael Anne Ryals  
Herald Staff Writer

[www.highspringsherald.com](http://www.highspringsherald.com)

November 21, 2007 - Chaining a dog in the yard all day is not only animal cruelty but also is a threat to public safety because chained dogs are more likely to bite, an expert told the Alachua County Commission last Tuesday.

The Commission unanimously voted to ban the chaining or tethering of dogs for more than three hours in a 24-hour period. Dogs on a running or trolley-system of being chained are still allowed because the dogs can move more freely.

Alachua County Animal Services Director Ray Sim brought a 32-pound chain that had been used to chain or "tether" a dog in a yard. Sim said the heavy chain was not the norm, but not that unusual either.

Photos also were shown of chained dogs without access to food, water or shelter.

One photo showed a chained dog laying dead on the ground.

Other communities in Florida, including Okaloosa County, Dania Beach, the city of Hollywood and Orange County, have bans or limitations on the chaining of dogs, Sim said.

In fact, Alachua County joins an even larger number of communities that are outlawing or severely limiting the chaining of dogs, said Adam Goldfarb, issues specialist for the Humane Society of the United States.

"The last year or so has been a huge boom for chaining ordinances not just at the local level but at the state level as well," Goldfarb said.

The ordinances around the country very greatly, from an outright ban of chaining to a limited amount of time a dog can be chained, Goldfarb said.

"Ideally, we would love to see an end to unsupervised chaining, but reducing it to a period of time is a step in the right direction," he said.

The main problem with having a chained dog is the lack of socialization, Goldfarb said. Dogs are social animals who need attention, a reason that Goldfarb said keeping a dog on a running chain all day long is not that much better than a stationary chain.

"Unfortunately, that really does not get to the heart of the problem," he said. "The major problem is the isolation, the lack of socialization."

But if a dog must be on a chain, Goldfarb said, the owners should go outside and run and play with the dog.

Goldfarb also said that owners should be certain that they use a flat, properly fitting buckled collar. Never use a choke or training collar on a chained dog. Also, owners should use swivels on both ends of the chain so that the chain is less likely to get tangled.

The Alachua County ordinance requires that the length of the chain be at least three times the length of the animal, from head to back, excluding the tail. Also, the chain must weigh less than one-eighth the weight of the dog.

Some possible concerns with the law, Sim told the Commission, include: A possible increase in loose dogs because not everyone can afford to fence in their yard, the possibility that more animals may be hit by cars and questions about enforcing the new law.

"We recognize that there are many reasons why this tethering of an animal may be convenient for people to do," Sim said. "But it is inhumane, and we do feel that it does cause increased aggression and results in increased bites."

The Commission recommended that the county staff work to educate the public about the new law concerning the chaining of dogs and why it is important.

Goldfarb said that experts are learning more about dogs every day and that is leading to safer communities and happier animals.

"For those communities who have passed these laws," he said, "there has been a reduction in animal cruelty cases as well as animal bites."

## Athens-Clarke outlaws tethers

By Blake Aued | onlineathens.com | Story updated at 9:05 AM on Wednesday, November 7, 2007

The Athens-Clarke Commission took the county's animal control law off the chain Tuesday, voting to ban tethering animals to objects.

The new law requires all dogs and other animals to be housed in an enclosure, such as a fenced-in area with a dog-house, and no longer allows owners to chain or tether their pets to inanimate objects like trees.

The law came in response to complaints from animal-rights activists and Athens-Clarke Animal Control officers, who said some dog owners kept their dogs chained outside without adequate access to food or water.

Such dogs often are neglected, injured and become aggressive and antisocial, but there is nothing police can do because the owners aren't breaking any law, they said.

"Barking dogs, aggressive dogs, et cetera, are more often than not tethered dogs," Commissioner David Lynn said.

Lynn joined six other commissioners in voting for the new law. Commissioners Doug Lowry, George Maxwell and Harry Sims opposed it.

Many people who chain or tether their dogs outside aren't abusing or neglecting them, Sims said. He questioned why the law is needed.

"I had someone ask me, did a commissioner have a friend in the fencing business who needed work," he said.

Some pet owners may not be able to afford to buy a fence or cage to keep their animals in, Maxwell said.

"Some people love their animals, but are not in a financial position to afford a fence, neither a pen," he said.

Commissioners had said they intended to hold the ordinance so they could better define what type of enclosure is required, and consider whether to allow animals to be kept on trolleys or runs that allow them more mobility. But County Attorney Bill Berryman wrote a new version of the law requiring an "adequate exercise area" along with covered, sanitary shelter.

"Adequate exercise area" is not defined, so police, animal control officers and judges have too much leeway to interpret what it means, Lowry said. There is no need to rush the law, he said.

"I don't agree with passing a law and saying we'll just let law enforcement people enforce it however they want to," he said.

The law isn't perfect, but no law ever will be, said Commissioner Elton Dodson, chairman of the commission's Legislative Review Committee that crafted the ordinance over the summer. He defended it during a testy exchange with Lowry.

"We haven't rushed this," Dodson said. "That's ludicrous. It's crazy. It's absurd."

The Cincinnati Enquirer (Ohio)

November 3, 2007 Saturday  
Final Edition

## **Chains-of-pain ban urged**

BYLINE: Janice Morse jmorse@enquirer.com

SECTION: METRO; Pg. 1B

LENGTH: 897 words

Third case of dog-tether charge prompts call for new laws

For at least the third time this year, a dog has been seriously hurt in Butler County from being left chained up too long.

Disgusted by the trend, animal advocates are unleashing pleas for local officials to enact laws restricting how long - if at all - dogs can be tethered to a stake, tree or other stationary point.

They argue that people who neglect animals often have no qualms about hurting people, too - and that mistreated animals become so miserable that they might lash out and attack passersby, even children.

"We're just saying, 'Give the dog some kind of quality life,' so they won't be a danger to their community," said Leland Gordon, executive director of the Animal Friends Humane Society in Butler County. "I don't know of anyone who will admit it's OK to have a dog tied up 24/7."

A number of communities nationwide have passed bans or restrictions on dog-chaining.

HelpingAnimals.com, a Web site sponsored by People for the Ethical Treatment of Animals, cites 14 communities than ban chaining, including Little Rock, Ark., and 50 more from Los Angeles to New Orleans to Racine, Wis., that limit how long dogs can be chained.

Another Web site, dogsdeservebetter.com, cites dozens of communities with chaining restrictions, including Indianapolis and Louisville.

In Butler County, the debate re-emerged Friday when Gordon discussed the case of Lucky.

That's a dog that officials say suffered significant injury from long-term chaining. The dog's owner faces two misdemeanor criminal charges, and signed papers relinquishing custody of the animal to the society, which is seeking someone to adopt Lucky.

In April, Middletown became the first local city to enact an ordinance forbidding dogs from being chained to stationary objects. This town requires dogs to be put in pens or hooked onto clotheslines or cable "runs" that allow the animals to be mobile. Dogs also cannot be restrained for more than 12 hours within a 24-hour period.

In the first six months since the Middletown law's enactment, animal control officer Liz Lucas has issued warnings to 100 people. Only about six of those were prosecuted. Everyone else fixed the problems cited.

"For a lot of people, their mentality is that dogs can be chained up for however long you want - just ignore them and forget about them . . . it's a mind-set," she said. "Once you explain, it gets through to most people. It's re-education."

Some restrictions can be reasonable, said Lisa Peterson, spokeswoman for the American Kennel Club. But her group opposes outright bans on stationary tethering.

\For some owners, a chain secured to a stake in the ground might be the only affordable and practical option their living situation permits, she said. Those dog owners shouldn't be punished for "some irresponsible dog owners who use tethering incorrectly," Peterson said.

Also, some question whether tether-specific laws are needed when existing anti-cruelty laws can apply.

"Sometimes, it's obvious that they (the dogs) have been there for a very, very long time," said Boone County Sheriff's Sgt. Cayne Brown. Situations where it is clear that the animal was deprived of food, water or shelter would violate cruelty laws, he said.

Lucky's case, which happened in Lemon Township, near Monroe, joins two previous Butler County cases. Dogs that were renamed China and Hope were found with their tethers - one a chain, the other a cable - embedded in their necks, leading to animal cruelty convictions of their owners. Lucky's owner, identified as Woodford Weybright, couldn't be reached for comment.

According to a report from the dog warden's office, a neighbor feared that Lucky's loud whimpering was the result of a beating. When officers arrived Monday, they found "the dog was unable to lie down, had no water, (no) food and was unable to get to shed for shelter."

Two officers spent 10 minutes untangling the dog. The tether had rubbed Lucky's neck raw, but had not become embedded. The animal also was underweight, flea-infested and "had ulcers in both lower cheeks with swelling on top of (his) snout," the report says.

Shari Riggs, an Ohio representative for Dogs Deserve Better, says, "The embedding in the neck happens much more frequently than people think. I see it regularly. This happens, surprisingly, from people that are well-off and well-educated to those who aren't so well-off or so well-educated."

Gordon said Hamilton City Council is weighing his proposal to enact a similar, but more lenient law than Middletown's. He is planning presentations to other local leaders.

While any dog on a chain should have access to shade, food and water, Liberty Township Trustee David Kern said, "I don't think it's inordinately cruel to tether or restrain an animal, whether it's a horse, a cow or a dog. I would not be in favor of banning the chaining of dogs."

Kern also said he is skeptical of reforms backed by PETA.

"PETA is an extremist group that is detrimental to our nation," he said.

#### ONLINE

To see a list of communities that have restricted dog-chaining, go to [www.helpinganimals.com](http://www.helpinganimals.com)

The Enquirer / Tony Jones

Two kinds of collars shown by Lt. Julie Holmes, a Butler County Dog Warden/Humane Officer are among those sometimes used in long-term tethering. Michelle Wenning from Animal Friends Humane Society in Trenton holds Lucky, that officials say was hurt by chaining.

LOAD-DATE: November 6, 2007

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

JOURNAL-CODE: cin