

**SUMMARY OF PUBLIC COMMENTS
PROPOSED AMENDMENTS TO
BERNALILLO COUNTY ANIMAL CONTROL ORDINANCE
WEDNESDAY, JULY 30, 2008, 7 P.M.
WHISPERING PINES SENIOR CENTER**

A public meeting in Commissioner Michael Brasher's district regarding the proposed amendments to the Bernalillo County Animal Control Ordinance was held at Whispering Pines Senior Center, #6 Lark Road, Tijeras, NM at 7 p.m. Approximately 17 people attended. Commissioner Michael Brasher welcomed everyone and introductions were made. He stated that these were just proposed amendments and the final ordinance is considered by the County Commissioners. Animal Control staff do not have vote. Commissioner Brasher provided some comments regarding his views on animals and his previous efforts on the City Council regarding animal control ordinances and shelters. He then introduced the County's Animal Care and Protection Department Director and asked her to provide an overview on the proposed changes, which she did. Commissioner Brasher then facilitated a comment and input session from the attendees. Public comments included the following:

Cruelty - One man addressed the ordinance's cruelty section and stated that he has been docking his own dogs' tails for 25 years. This is done when the puppy is young and it is not cruelty. Another person stated that the requirement that a veterinarian certificate be provided to show the vet did the docking would often not be possible. People may rescue an animal or purchase it with the tail docked already, with no accompanying vet documentation.

Animal Bill of Rights - It was mentioned that at a previous public meeting, the suggestion was made to pass an Animal Bill of Rights. This was vehemently opposed by most of the people in attendance. One woman stated animals are property and she has a problem with a bill of rights. "Don't attribute human characteristics to animals." Another woman agreed that animals are legal property, but they are alive, as opposed to other types of property, and as such have a right to be treated humanely. One man stated animals should be used for what they are bred for. Another person spoke up to say that rights imply responsibilities and animals do not have responsibilities. There should not be a bill of rights. Do not legislate to penalize 94% of people. Another person stated there should be minimum standards of care. One woman said she doesn't believe animals are objects. We are animals' guardians. They cannot speak. We have a duty to care. Animals are covered by current legislation. A person stated that a bill of rights would be a PETA agenda. Another person said how a person treats an animals links to how they treat their families.

Abuse - One man said that he abuses his animals the same way he abuses himself, his horses, and his dogs. He compared abuse to the use of animals and what animals are bred for. He uses his dogs to hunt.

HEART Ordinance – Several people spoke out against the City’s HEART ordinance. One man said Bernalillo County is not Albuquerque. This is not HEART. This is for the unincorporated section of Bernalillo County.

Microchips – People have called Commissioner Brasher about microchipping. Much discussion was held. The AMC in New York City and the teaching college of Colorado State University have found no relation between microchips and cancer. One man who is a hobby breeder said if he were not showing his animals, he would tattoo them, but because he shows them, he microchips them. Several people stated the owner should have the option of what type of permanent identification to use on their pets—tattoos, microchips, or tags on collars, or a combination. A concern was raised asking if microchips are actually read or scanned. The major animal microchip companies charge registration fees and require new owners to re-register animals. One woman has a dog that has three microchips and she’s not sure where the animal would be returned if it were lost. Another woman talked about a microchip that migrated in the animal’s body and she won’t get another microchip for her dog. Another woman talked about a bad greyhound dog microchip experience. People commented that all should have options about permanent identification. Those who don’t follow the law, won’t do any of these anyway. One woman asked why only dogs, cats and ferrets are required in this for license and microchips—why not chinchillas. Chinchillas do not carry rabies. Another person was vehemently opposed to mandatory microchips. She had a more holistic concern – microchips have borderline affordability. Microchips cause considerable extra expense. People all too often don’t register their pets’ microchips. It was mentioned that education is a key component. One person mentioned that HSUS and PETA are here “big time” and instigating laws and problems—butting heads.

Number of Pets – Do not mandate a maximum number of pets. Limit laws are absurd. Can anyone produce a scientific paper saying how many pets an animal can own? Do not limit the number of pets. For example, look at apartments versus rural areas. To mandate the same maximum number for both of these does not make sense. All present opposed laws defining the maximum number of animals allowed.

Mandatory Spay and Neuter – One person stated she has no objection to “solid” breeding. She has problems seeing dogs that have been bred to death. Two people spoke up for spay and neuter calling it “incentify.” They said it is not mandatory. People have a choice to sterilize their pet or to purchase an intact permit. There should be a reduced license fee to “incentify.” A hobby breeder stated it isn’t cheap to breed a litter if it is done the right way. This person does not approve of mandatory spay and neuter. Other people mentioned that just because a person purchases an intact permit does not necessarily mean they are going to breed that animal. One dog owner stated that the owner of the male dog should pay part of the fees. Several people stated that animals may need to remain intact for health purposes. One man stated that at the July 23 public meeting, all people present were in favor of “incentify.” Many people discussed the importance of educating people about the potential benefits of spay and neuter, but said do not mandate it. Many contracts used by hobby breeders when people purchase their

purebred dogs required spay or neuter by a certain age. For example, the Australian terriers hobby breeder requires sterilization at two years of age. Another woman talked about the risk of osteosarcoma and growth plates in animals. In some animals, there should be no alteration until at least nine months of age. Contracts used by one hobby breeder require proof of sterilization from the veterinarian. Another person stated there should be low cost spay and neuter availability for all, not just for low income people. We should spend less on euthanasia than on spay and neuter. Spay or neuter should be offered at lower costs.

Fees – A few people proposed that the fees generated from animal licenses and permits should remain with the department, not go to the County's general fund. Another hobby breeder strongly opposes the proposed requirement that all animals included in a hobby breeder permit be licensed annually. Currently, they are initially licensed and a hobby breeder permit is issued; after that, the records are inspected annually upon re-issuance of the hobby breeder permit and at that time the rabies vaccination records are reviewed. He agreed that the hobby breeder permit fee should go up, but there should not be a requirement to have each dog licensed annually if they are part of the hobby breeder permit. Another person cautioned to be careful about raising fees. It drives people underground. Often, more money is lost after raising fees.

Sale of Live Animals at Pet Stores: The public needs to be educated about responsible breeders and good sources for purchasing pets. Pet stores often utilize puppy mills. The public should be educated on how to choose pets. Don't buy over the internet or in parking lots. A woman involved in animal rescue said it would be great if education worked. Several people stated pet stores should not sell live dogs or cats. Stop the sale of cats and dogs in pet stores. Commissioner Brasher stated he would look into what Albuquerque is doing about this. One person stated his libertarian sensibilities say it is hard to do away with commercial pet stores. Standards should be set and upheld for pet stores.

Chaining – Some people stated there are times that chaining is appropriate. One person had a puppy with heartworm that wasn't supposed to run and it had to be chained. Another person had a large dog that could get over a six foot fence and had to be chained. One man uses his dogs for hunting and chains them. Several people suggested chaining should be on a tether or runner cable with food, water and shelter. The cable should not get tangled, although it was stated that nothing is foolproof. There is a great deal of abuse in the chaining issue. Some collars grow into dogs' necks when chained. Another person stated that this would be a function of neglect, not chaining. Another greyhound owner stated that greyhounds can easily slip their collars. One should look at all potential applications. Malamutes and sled dogs are chained. A person in the East Mountains owns sled dogs. Hunters chain dogs. One woman present abhors chaining. She chained a dog once and will never forgive herself for it. Another person stated that dogs may be working dogs and working dogs may be chained. One man stated that his terriers are used to clear out properties of mice and moles.

Shade for Horses and Livestock – One person brought up the issue that horses and other livestock, on small acreage such as three acres or less, should be provided shade. Another person pointed out that this provision is already in the ordinance under Section 6-39(a)(8).

Possession of Fighting Animals/Paraphernalia – A person who raises game cocks wanted to know if they would be in violation of the fighting animals section since they own game cocks. It was suggested to look at the wording. It is not illegal to possess game cocks. The entire situation is reviewed to see if other paraphernalia and gear is on site also.

Commissioner Brasher asked participants to summarize briefly their main concerns and those were: Entering property legally or illegally to seize animals; A grey area exists between welfare and rights groups – no bill of rights; Number of animals allowed is not linked to anything and there should not be a limitation; Section 6-31 talks about additives and often trainers and hunters use additives, hides and supplements for training; The need for more education on responsible pet ownership exists; Space limits should exist – not number of animals limits; and Shade should be provided for horses on small acreage.

Commissioner Brasher provided his home, work and cell phone numbers for people to contact him. He thanked everyone for attending and participating, stating it was a good meeting. He thanked the Animal Control staff for their part in this. He invited people to attend the future public meetings.