

CLARK COUNTY ANIMAL ADVISORY COMMITTEE

MINUTES

Parks & Community Services Administration Building
2601 East Sunset Road, Administration Conference Room
Las Vegas, Nevada 89120
December 8, 2003
6:30 p.m.

MEMBERS PRESENT: HENDERSON, DAVID
HOFF, KARIN
KRISKO, SUSAN
MARCH, DEBRA

1. Call to order

The meeting was called to order at 6:30 p.m.

2. Approval of agenda

A motion to approve the agenda was made and seconded.

3. Approval of October 6, 2003 Minutes

A motion to approve the Minutes was made and seconded.

4. Possible changes to Ordinance Title 10 Chapter 24 regarding tethering of animals

SUSAN KRISKO – Recently an Animal Control cruelty case was dismissed because the judge could not find cruelty with an animal tied up in the summer with no food and no water. Judges think it is hard to define. The person was found guilty of other charges but acquitted of the cruelty charge. Subcommittee tried to go on e-mail, lots of info provided but not a lot of discussion. Instead of 24 hours a day, use code sections approved in different jurisdictions and give a square footage requirement and make it a requirement that the animal be harnessed rather than tied or tethered around the neck. Avoid dog becoming entangled and have access to food, water and shelter. People can still do it, but add some consideration for animal's well being.

JOE BOTEILHO – Once this gets through this Committee, the Board of County Commissioners would have to hold a public hearing to change the ordinance. It will have to be fairly well written. The biggest problem is enforcement and having personnel to do it. Animal Control is at maximum capacity now and we will need at least 2 or 3 people for this. As it is not currently in the code, it will make restrictions on tying animals and make it unlawful. If we get the personnel, we will enforce it. We put together an exotic ordinance and it has been sitting for 2 years because of manpower.

DEBRA MARCH appreciates that no animal should be left tethered but she has concerns about people who do not have the benefit of a yard. Does that preclude dog ownership if they do not have a fence? There should be specific criteria that define what is appropriate and what is not appropriate. County resources limit us.

SUSAN KRISKO pointed out that cruelty is used over and over in codes and she wrote it this way to deal with other animals that are not dogs.

JOE BOTEILHO believes it should be in restraint and submitted as a new standard to tethering. It will come down to manpower issue. The question is will the community accept it when it comes before the Board? It will cause more complaints. We receive complaints now when an animal is behind a fence. They will complain it is on a chain. Officer will have to go out and measure the chain and arc of distance, square it and multiply to get square footage to see if 150 square feet. Then weigh dog and rope, if question, and figure out what 1/8 of body weight would be to be enforceable. Specifics such as this were used before for pet shops. Two officers have to go in and take a roller and roll from tip of nose to base of tail to get square footage. Each complaint will become a long and lengthy investigation – due diligence if you want to be able to prosecute.

KARIN HOFF wants to avoid having an officer go out on a call and not have any criteria. Will this get us successful prosecutions? SUSAN KRISKO believes it will get more convictions. The USDA said 24 hours a day, 7 days a week is cruel. Manpower will always be an issue. Does that mean we turn away and say it is okay.

When it comes down to the final analysis for Animal Control, the decisions will be based on what is most important thing to get done. As it is, something is going to have to drop off the bottom - barking dogs, dead animals in street. We will have to drop something.

PUBLIC COMMENT

KEN SONDEJ has not seen the USDA report. Is it feasible to adopt that and to make it stick? SUSAN KRISKO noted the USDA did not give parameters. It just said it was cruel. This is a compromise to aid those who have no means to take animals inside.

MYRA GLASSMAN would like to go for a no tethering law. If a dog is not allowed in the house, they shouldn't have a dog. If it is going outdoors tethered for an hour, go out and spend time with the dog. If we are going to use this modification, language errors to address on line 2, missing "tp\o". Line 6, should be unfettered or unhampered not unheeded. Animals deserve attention.

DEBRA MARCH would hate to see an animal put down rather than adopted out due to the lack of a yard. Limit the time period for tethering.

JUDITH RUIZ - A dog as a companion animal is totally missed by taking the attitude that tethering is okay. Animal Control officers may not want this because they do not believe it is wrong to tether an

animal on extended basis. She is in favor of Susan's proposal.

KEN SONDEI – If someone has an apartment, we try to keep them confined to a smaller animal that is more an apartment type. You put a big dog in an apartment that will be confined and uncomfortable, it maybe better that the dog be put to sleep. We try to fit the animal to the lifestyle of person.

SUSAN KRISKO – one of the reasons this comes up is because of what a dog is. Purchasing a dog, and throwing it out in the backyard is not what a dog is.

DR. HENDERSON opposes tethering and would like to pursue that. This ordinance doesn't address public safety. A 90 lb. pit bull staked out in a yard on chain, tethered with no other means of restraint is acceptable. 24/7 is not acceptable. He would rather see an animal put down than exist in that type of environment. Harness would be much safer for animal and for the general public. An animal is less likely to pull out of that. In an apartment complex where children have to walk through and there is nasty aggressive dog, there is no way for the public to know where the property line is.

KARIN HOFF believes outlawing tethered totally is doomed. Too many constituents would be against it. If it is the right thing, we need to do it (GLASSMAN) we can always go back to the drawing board. We need to give them the opportunity to look at arguments to outlaw tethering altogether. Certainly enough materials from USDA and other humane societies which all oppose tethering. Believes it should go before the commission and make argument.

DR. HENDERSON sees two problems. We don't think it is going to fly because it will be so controversial. Maybe put it out for public discussion and comment and see how many people are opposed and why? Animal Control already has to set priorities – no law is 100 percent enforceable. Is it going to become a hardship on Animal Control because complaints go up exponentially?

JOE BOTEILHO - If you can't prove an animal in the sun with no water is cruel, we will not be able to prove an animal tethered on any length of chain is cruel. If you want to make it a restraint, that's fine. Go before the Board. A lot of people will come out. From our standpoint we will enforce any laws. Spent 2 years at a regional front on the exotic ordinance and it has gone nowhere. It was wasted time. We need personnel to get it done. We are talking about quality of life issues to the public – dogs barking, dog feces in yard, dead animals – these are things we are talking about not handling. Currently Animal Control is running at staffing levels that are 15 years behind.

SUSAN KRISKO believes the wording should stay the same as she has laid it out. As for the personnel issue, she would like to see Board take a pro-active stance on personnel for Animal Control. There are ordinances on the book that determine how many judges there are per people in community. She would like an ordinance that ties number of people in community to number of officers.

DEBRA MARCH – look at child welfare and their ratios. We have a responsibility to the constituency as well as to the animals, to weigh all aspects. If we are not addressing children, how are we going to get them to address animals? SUSAN KRISKO – at least with a child, police go out. Under the current sheriff, they do not respond to any animal calls.

DR. GLASSMAN agrees there are lots of needs in the community but since this is Animal Advisory Committee, part of your job is to advocate for welfare of the animals and part of that is that there be enough officers to solve animal problems.

KARIN HOFF - our job is to give the County Commissioners advice on how to handle animal control issues. We would be foolish to recommend something they could not support. We have to have a plan that is arguable. Animal Control is understaffed and it is a good idea to approach some way. On the table now is a separate definition of tethering which can provide enhancement for prosecution. Joe may be right that it would provide more staffing. Not clear on whether it should be separate or further define cruelty to animals. She would defer to Susan as to what works in court. Must try something. No tethering will not sell. Take a moderate step that will help somewhere.

SUSAN KRISKO would rather go for no tethering and see what kind of response. If there is no support for that, then modify.

DR. HENDERSON - bring back and call for more testimony and address public safety.

MYRA GLASSMAN talked with Metro officers informally and anecdotally most of the tethered dogs are the vicious dogs being kept by gang members. Are these the people we are really worried about? We are more concerned about public opposition that isn't there. We need to have public input here before going to BCC but we are imagining a lot of terrible opposition. It is clean, not open to some judge's interpretation. Public like simplicity

JOE BOTEILHO if you want public input, publicize it, put it out through the media. Advertise and have next meeting and see what happens. It should be in a restraint area. If it is cruelty, the animal has to be held indefinitely and have to meet provisions in state law regarding cruelty. Also, it will be a burden on District Attorney's office. SUSAN KRISKO believes it should be in cruelty. It has more priority in cruelty than restraint. KARIN HOFF likes publicity and we have to look at what the public would support. If it were a priority for community, the BCC would go for it. It is important in advertising to emphasize the public safety aspect so people show up.

JOE BOTEILHO – From an animal standpoint, research shows animals tied have aggression and socialization problems. It would probably be better under 10.16. Make it a dangerous animal issue going from standpoint of cutting back on dangerous animals.

KARIN HOFF properly advertised public hearing and see best way to present to BCC. JOE BOTEILHO – you should figure out where it lies before input from public. Will it be public safety, cruelty, etc. Have a broader discussion with enough flash points to gather a broad spectrum of people. Animal Control would arrange for publicity through the public information officer. Put out a news release offering points. It would be a good idea for someone from Committee to be spokesman. KARIN HOFF will do that with direct discussion with people who have expertise.

DEBRA MARCH would like to see citizens as well as advocacy groups. KARIN HOFF – time line on this. We are looking at a March date (per JOE BOTEILHO). Press release would probably go out

in February. DR. HENDERSON motions for press release and hearings.

5. Information-sharing by Committee Members

Spay/neuter vouchers will go out January 5, 2004 at community centers, family resource centers and senior centers. \$25,000 will go to the general public and \$10,000 to seniors/family resource centers.

Western Veterinary Conference will be having community animal health program issues relating to public health and humane issues to educate veterinarians. You can go and see everything from anesthesia to zoo management.

6. Comments by the General Public

HAROLD VASCO, Heaven Can Wait Sanctuary, started a new program called Ground Zero, going to less fortunate areas where they believe 10 percent of the areas cause 70 percent of the problems. Knock on doors and spay and neuter the animals. They have done about 2,500 animals. We have a dear residents letter. We threw a block party and did 4 trailer parks at once last Saturday. We are giving them awareness. They don't know there is a way where we can get them homes and prevent litters every cycle. People have dignity and are happy. Veterinarian comes out in mobile clinic – healthy animals. They all get vaccines and we try to help out. They know that they will not be reproducing if they are letting them out. We will be escalating program. Great groups in this city. Hoping numbers will be more, hoping to do 1,000 dogs and 3,000 cats. Our adoptions come from the ground zero area. At the end of next year hopefully numbers will be better. The program works and if we get public funding, we can cure problem in 10 years.

7. Set date, time and agenda of next meeting

The next meeting will be scheduled after the BCC selects members for the Committee at its Board meeting in January 2004.

8. Adjournment

The meeting was adjourned at 7:58 p.m.