

**V. THE MINORITY REPORT ALTERNATIVES
TO THE STURLA/NOLAN ORDINANCE**

The Minority Report Alternatives

These are the recommendations that we think will best address the animal surplus problem in San Mateo County. They are grouped into two categories: changes to existing animal control ordinances and programs that do not require ordinance implementation.

Bold-face type indicates areas where there are significant differences between our recommendations and those found in the the Majority Report. The rationales for each suggestion are referenced in parenthesis. The two sources used are the proposals brought forth by the Technical Committee of the Task Force and Rational Solutions. Both are contained in the Addendum section of this report. Rational Solutions was originally brought to the Task Force on June 5, 1991 as an alternative to a proposal authored by the Peninsula Humane Society which had been introduced the previous week. The "breeders' proposal" was revised in July and given a title. Many of the Technical Committee proposals came directly from this document.

A. RECOMMENDED CHANGES TO CURRENT ANIMAL CONTROL OR ZONING LAWS

1. **Eliminate limit laws in the unincorporated area of San Mateo County.**
(*Technical Committee Proposal 4 - 07/03/91*)
(*Rational Solutions Page 4*)
2. **Modify zoning laws to allow for a licensed cattery.**
3. **Add a provision to the animal control ordinance that requires disclosure to buyers and adopters.**
 - **Any business, organization or individual conducting pet oriented activities must make available to its clients, at no charge, information on breed or species characteristics, normal pet care and County laws pertaining to dogs and cats.**
(*Technical Committee Proposal 3 - 06/26/91*)
(*Technical Committee Proposal 15 - 07/24/91*)
(*Rational Solutions Page 3 and 10*)
4. **Modify current animal control licensing ordinance to allow for licensing incentives.**
 - **Allow for a discount on second year license fee for all owners who complete an appropriate training course.**
(*Technical Committee Proposal 12 - 07/17/91*)
 - **Change 3 day holding period to a required 10 day period for licensed animals.**

(Technical Committee Proposal 12 - 07/17/91)

5. **Modify current licensing ordinance to allow for microchip or tattoo alternative.**

- Provides permanent identification for working dogs and show animals.

(Technical Committee Proposal 7 - 07/10/91)

(Rational Solutions Page 4 and 5)

6. **Add to the current animal control ordinance a provision for an education focused breeder certification program. Certificate would define minimum pet breeding standards of responsibility, be accessible to all, and be kept at a low, affordable cost.**

- Elimination of mandatory neuter and spay removes the need for breeder licensing. Clearly, the Board of Supervisors suggested breeder licensing as a way of exempting purpose bred animals from mandatory neuter and spay.

- The data and facts concerning pet population indicate the problem is primarily caused by free roaming and random bred cats. Breeder licensing will not address nor change this population. Such a program would be needless waste of limited county funds for administration and enforcement.

- We are, however, persuaded that a certification program aimed at educating the general pet owner could be beneficial. Persons obtaining a license for an unaltered animal would sign a statement that they had received and read the ethical guidelines for what is expected should an animal be allowed to breed.

- The certification fee should be five dollars. (Added to the license fee: \$20 + \$5 = \$25.) Certification fees should be placed into the Population Trust Fund to be used for neuter and spay subsidy. Since every owner of a licensed unaltered animal will be a participant, the revenue base will be greater than what could be expected for a separate program targeted at identified breeders.

(Technical Committee Proposal 16 - 07/13/91)

7. **Modify current animal control ordinance to raise penalties for multiple impounds, with a differential advantage for licensed, altered animals. Require increasing fines for impounded roaming dogs and cats that will give owners incentives to license as well as spay or neuter their pets. See Chart H.**

(Technical Committee Proposal 2 - 06/26/91)

(Technical Committee Proposal 7 - 07/10/91)

8. **Add to the animal control ordinance, under the prohibited conduct chapter, a provision making it a nuisance to allow a pet cat to roam freely outdoors unless it has been altered. Require owners to be subject to fines that will give an incentive to spay or neuter their outdoor pet cats. Any fees collected should be for the Population Trust Fund.**

9. Add to the animal control ordinance a provision **requiring all animal shelters with on-site spay/neuter clinics to alter all animals 4 months or older prior to adoption.**
 - Eliminate the need for expensive and frequently ignored follow-up and remove any possibility shelter adopted animals will be allowed to reproduce.

(Technical Committee Proposal 1 - 06/26/91)
(Rational Solutions Page 2)
10. Add to the animal control ordinance a provision **requiring all animal welfare agencies to place unsterilized adoptions on a written contract which allows the right of repossession for failure to comply.**
 - Allows enforcement of sterilization requirement.

(Technical Committee Proposal 1 - 06/26/91)
(Rational Solutions Page 2)
11. Add to the animal control ordinance a provision on **malicious release of animals.**
 - Would make it a misdemeanor to intentionally let someone else's animal loose. Would deter such behavior.

(Technical Committee Proposal 17 - 08/07/91)
(Rational Solutions Page 6)
12. Add to the animal control licensing ordinance a provision **for a group discount for individuals and groups doing active rescue work.**
 - Encourages rescue work, and gives a financial break to people who are helping to reduce euthanasia in the private sector.

(Technical Committee Proposal 11 - 07/17/91)
13. Add two definitions to the animal control ordinance for clarification.
 - Define sterilize to include options other than surgical spay/neuter.
 - Define harboring to clarify and allow normal occurrences in animal owners' lives.
14. Repeal the Sturla/Nolan Ordinance.
 - Unconstitutional
 - Unreasonable
 - Unenforceable
 - Inhumane

B. RECOMMENDED PROGRAMS THAT DO NOT REQUIRE ORDINANCE IMPLEMENTATION

1. Recommend that Peninsula Humane Society change some of their policies and procedures.
 - Require shelter accreditation as a condition of County contract.
 - Require better shelter reporting as a condition of County contract.

(Technical Committee Proposal 18 - 08/07/91)

- **Recommend that Peninsula Humane Society develop a more comprehensive adoption approach.**

(Technical Committee Proposal 18 - 08/07/91)

2. **Develop a Responsible Ownership Course with a standardized curriculum.**
This would serve as a "traffic school" option in lieu of fines for some animal control infractions.
(Technical Committee Proposal 15 - 07/24/91)
(Rational Solutions Page 6)
3. **Develop, publish and distribute a "Guide To Animal Services."**
 - **Provide information to the general public on where to obtain animal related services.**(Technical Committee Proposal 15 - 07/24/91)
4. **Develop a cooperative, educationally focused relationship between San Mateo County pet shops and Animal Control.**
 - **Request all pet shops to sell pet dogs and cats with written spay/neuter contracts and to use limited registration or not for breeding stipulations on registration papers when possible.**(Technical Committee Proposal 3 - 06/26/91)
(Rational Solutions Page 3 and 10)
5. **Develop a community education program designed to teach the general public the advantages of buying from a local breeder or adopting from an animal welfare agency.**
 - **Discourage through education, the importation of puppy or kitten mill animals into the County.**
6. **Develop a community wide licensing incentive program with participating veterinarians, obedience schools and other appropriate agencies.**
 - **Provide reasons for people to want to license their animals.**(Technical Committee Proposal 12 - 07/17/91)
(Rational Solutions Page 7 and 8)
7. **Establish by resolution an Animal Population Trust Fund to provide private sector spay/neuter coupons for individuals, dog rescue and neighborhood/feral cat control groups, and financial support for ongoing public education.**
 - **Coupons for neuter/spay available to anyone who requests one.**
 - **Share the burden of low cost spay/neuter between the private sector and animal welfare agencies.**
 - **Appoint an Advisory Committee to make recommendations concerning fund raising and distribution of monies.**
 - **Set up a roll-over interest bearing account with the County Controller's department.**

(Technical Committee Proposal 14 - 07/17/91)

(Technical Committee Proposal 15 - 07/25/91)

(Technical Committee Minutes - 09/04/91)

(Rational Solutions Page 1)

8. **Recommend coordination of local groups working to control feral/neighborhood unowned cat populations.**
 - **Trap (with prior neighborhood notice), neuter and release feral, unowned cats. Euthanize those unlikely to have ongoing provisions for shelter or sustenance, or who are suffering from disease or injuries.**
(Technical Committee Proposal 6 - 07/10/91)
 - **Recommend that studies be conducted on the impact of free-roaming cats on the ecosystem, including the importance of cats in pest and rodent control.**
(Rational Solutions Page 3)

9. **Develop and coordinate a cooperative community public education program.**
 - **Develop an ongoing public information campaign on cat ownership and how cats reproduce.**
(Technical Committee Proposal 15 - 07/24/91)
 - **Develop other private sector public education programs.**

10. **Develop an incentive driven microchip identification program for all animals adopted from Peninsula Humane Society.**
 - **In exchange for paying for the cost of microchip, give adopters a coupon book for discount services solicited from participating veterinarians, groomers, pet store retailers, boarding facilities, pet sitters, etc.**

Impound Fees and Penalties

These fees and penalties would apply to dogs and cats which are impounded for being at large. A differential advantage for licensed, altered animals is incorporated into the grid. These increasing fines for impounded, unaltered roaming dogs and cats will give owners an incentive to spay or neuter their pets.

	Altered	Unaltered	Sterilization
1st Impound:			
Licensed	\$20	\$30	Penalty , refund (1)
Unlicensed	\$40 + license fee	\$60 + license fee	Penalty, refund (1)
2nd Impound:			
Licensed	\$40	\$60	Penalty, refund (1)
Unlicensed	\$80 + license fee	\$120 + license fee	2xPenalty,refund(2)
3rd & Subsequent Impounds:			
Licensed	\$60	\$90	2xPenalty,refund(1)
Unlicensed	\$120	\$180 + license fee	3xPenalty,refund(2)

Refund categories:

- (1) Penalty fee refunded if animal is sterilized OR if owner attends Responsible Owner's School.
- (2) Penalty fee refunded if animal is sterilized AND owner attends Responsible Owner's School.

Impounds are cumulative for three year period - same animal, same owner.

PHS fees for board during impound are an additional \$10/day for dogs and \$7/day for cats.