



Municipal Pet Policy Toolkit



THE HUMANE SOCIETY
OF THE UNITED STATES

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Introduction

A strong foundation of animal management policies is essential for creating and sustaining humane communities. These policies should balance public health and safety with animal welfare needs, enabling harmonious coexistence. State laws and local ordinances can be specifically tailored to suit a community's unique needs, such as setting a baseline level for standard of care, prescribing community norms and creating funding streams.

Laws cannot exist in a vacuum; enforcement must be met with proactive community support. With pets in more than 63 million American households, policies should reflect the important role of companion animals in our society. When pet owners provide less than optimal care, it often stems from issues of inequality and societal barriers that are out of their control, such as poverty, lack of information or unavailability of resources. The amount of money people spend on their pets is often not indicative of how much they care for them. With millions of animals entering the shelter system each year and a significant percentage being

euthanized for lack of a home, it is crucial to build flexibility into policies with the goal of keeping pets with their families, saving scarce resources for those animals who truly have no other place to go.

Municipal leaders should consider animals while making decisions on public health and safety issues, public works and disaster preparedness. Policies should incorporate enforceable standards of care to maintain animal welfare goals, without being overly strict and/or punitive. Municipalities and states should address animal-related issues not only in the law, but also in the budget—if certain standards are to be met, funding is necessary.

Keep in mind that there is no one-size-fits-all policy. Rather, every community should evaluate its unique needs through a holistic lens and implement realistic and reasonable rules based on what will work there, not somewhere else. That said, successful policies tend to share a few features. Specifically, they are:

- ✓ **Feasible.** Laws need to be realistic given the community's resources. Give thought to the time, effort and money the municipality will need to execute the policy and balance it with other community priorities. Do you want to provide reduced-cost spay/neuter for all residents? Or require annual inspections for all shelters and rescue groups? Great! But where will funding for surgeries or inspectors come from? Find a resourceful way to generate a consistent funding stream and officials should be willing to make it happen.
- ✓ **Enforceable.** Enforceability issues often appear in policies that may conflict with state or federal law. For example, a regulation that grants law enforcement unfettered access to an organization's foster homes may not pass muster with constitutional search and seizure protections. Policies must also be enforceable from a practical perspective. For example, a tethering law that is based on time limits can be tricky because enforcement officers rarely have blocks of time available to verify that a dog has been tied beyond a designated time limit.
- ✓ **Non-punitive.** Requiring strict adherence to policies without allowing for flexibility depending on the circumstances carries the risk of unfairly penalizing people and punishing animals (or even harming them). Instead of creating a situation that removes animals from good homes (such as pet limit laws) or prevents pets from being reunited with their families (such as mandatory shelter reclamation fees), we can craft laws that support communities and provide the necessary resources that allow families to make healthy choices for their pets.
- ✓ **Relevant.** Policies should be carefully drafted to ensure the anticipated outcome will be achieved. For example, mandatory spay/neuter will not increase sterilization rates if the problem in the community is lack of access to services, and cat licensing will not decrease a community cat population because there are no owners to obey the law. Make sure the policy language is crafted in a way that will actually produce a desirable solution to a given problem.

We encourage advocates and officials to critically examine whether new laws or changes to existing laws are truly the best way to achieve the desired outcome. A change in policy might seem a quick fix to a complicated problem, yet often a community is better served by a solution outside the legal system. Perhaps a low cost spay/neuter program would do a better job of addressing unsterilized animals in your community than a legal mandate on spay/neuter. Other times new laws are not necessary because there is already a provision in the code, and it just needs to be enforced. For example, communities do not need to enact a pet limit if enforcing the existing cruelty ordinance solves the problem. We encourage you to think outside the box when working to strengthen your community and always ask the question: Is that law really necessary?

In addition, like many other aspects in life, the best defense is a good offense. That is, the most effective way to keep the community safe from animal bites, disease or basic care issues is through proactive outreach. It is helpful when law enforcement and animal control weave themselves into the fabric of the community and have multiple touch points with residents and animals long before any problems arise. Proactive measures can often accomplish much more than legislative fixes, and are always needed to ensure appropriate enforcement of any regulation.

For times that you decide a regulation, law or ordinance is the best way to achieve your goals, visit [Steps to Pass a Local Ordinance at *humanesociety.org/action/toolkit*](https://humanesociety.org/action/toolkit).

The following set of recommendations is intended to help you craft thoughtful policies for common animal management issues. Use the summary checkpoints to ensure your policies are as effective as possible—you should be able to answer yes to these questions when applicable.



1. The basics: Pet-keeping policies

To create a strong animal management foundation for your community, establish baseline standards for animal care and work with advocates and organizations to provide the resources and infrastructure that will enable community members to adhere to them. For example, make spay/neuter accessible, create a pet food bank and provide resources to build fences. Building a robust base will substantially eliminate the need for enforcement down the line. Most people love their pets and do their best to care for them. With more than 144 million pets living in homes, 95% of owners consider their pets to be part of their family. Only 4-6% of animals in a community enter the shelter and rescue system each year. There are exceptions—intentional cruelty, indifference and practical factors that create problems for people and pets—but when we start with the understanding that most people take good care of their pets and want to continue doing so, the exceptions and problems become more manageable.

The HSUS recommends that communities assess and address the need for animal management policies for dogs and cats separately. Managing both species is important and they each have distinct challenges and solutions. Cat issues cannot be solved with dog solutions and vice-versa.

Humane care: The best way to set acceptable care standards in your community is through strengthening state cruelty laws and defining humane care at the state level to require that animals receive all Five Freedoms (freedom from hunger and thirst, freedom from pain, freedom from the elements, freedom from stress and freedom to express normal behaviors). Local ordinances can specify what that would look like in your community's unique environment. For example, state law may require proper shelter for animals kept outdoors, but local ordinances can get more granular, stipulating the details of what constitutes proper shelter. Standards for adequate food, water, air, light, space, sanitation, veterinary care, shelter/protection

from elements and others can be more clearly defined by ordinances that apply the appropriate standards to the particulars of each community.

These laws and regulations allow a community to set legal minimum standards for animal care, and they can be a strong asset for animal control agencies investigating animal cruelty and neglect. Local ordinances are also frequently used to supplement state anti-cruelty statutes by prescribing additional criminal and civil penalties and accounting for animal care and neglect problems that may be unique to the local community. For example, regulations for tethering a dog outside without protection in the middle of the summer might be handled differently in Houston, TX, than they would be in Portland, ME—and the same could be said for the middle of winter!

- ✓ **Does your policy establish minimum standards of care for pets?**
- ✓ **Does your policy establish enforceable penalties for animal cruelty?**

Pet limits: Generally speaking, setting a maximum pet limit permitted in each household is not an effective way to prevent hoarding, neglect or cruelty. There is no scientific evidence supporting a “magic” number of pets in a household that guarantees quality care. Instead, these laws create a significant enforcement burden for law enforcement with little gained. Setting an arbitrary limit unduly penalizes people who are able to provide a good home for multiple pets, may result in unnecessary removal of animals from their homes, increases the burden on an already strained shelter system and creates a false sense of security that all compliant owners are providing adequate care, as frequently happens when welfare agents become busier counting heads than looking at body scores (i.e., an animal’s condition). Moreover, if the definition of an “owner” is overly broad, these policies can negatively affect community (feral and stray) cat caregivers. A better approach is to have strong cruelty laws in place that apply regardless of the number of animals present.

- ✓ **Does your policy avoid placing arbitrary restrictions on the number of pets that may be kept in a single household?**



Pets in cars: Nothing else galvanizes the public to act quite like the issue of pets in hot cars. Every year there are tragic stories about pets dying or suffering severe organ damage from being left in a car when the owner thought the errand would only take a minute or did not realize how hot the indoor environment of the car would become. State and local regulations authorizing first responders and Good Samaritans to act without fear of criminal or civil liability if certain conditions apply can help strike a balance between protecting pets and vigilantism gone amok. Regulations to prevent injury to pets being transported in cars can also be included, such as addressing unrestrained dogs in the back of pickup trucks.

This issue also presents a great opportunity to get the community involved in using methods other than the legislative process to solve a problem. For example, community advocates can encourage commercial businesses to hang signs reminding shoppers not to leave their pets in the car and work with rest stops and welcome centers to provide pet-friendly zones so that those traveling with pets aren’t stuck in an impossible situation that jeopardizes their animals’ lives.

- ✓ **Does your policy enable members of the public to help pets in dangerous situations?**
- ✓ **Does your policy prohibit animals from being left in dangerous situations, such as hot cars?**
- ✓ **Does your policy prohibit dangerous means of securing animals in a moving vehicle?**

Prohibiting wild and exotic animals as pets: Non-domesticated/wild (animals that have not been raised, bred and genetically adapted over a period of centuries to live with humans) and exotic (animal species that aren't native to the owner's locale) animals pose a great risk to public health and safety, domesticated animals and the local ecosystem. They can also cause serious property destruction. Wild and exotic animals suffer immensely from neglectful and poor conditions common in the pet trade. Many people lack the knowledge, facilities and resources necessary to provide wild and exotic animals with the care, housing and diet that are unique to each species.

- ✓ **Does your policy prevent people from keeping inappropriate animals as pets?**

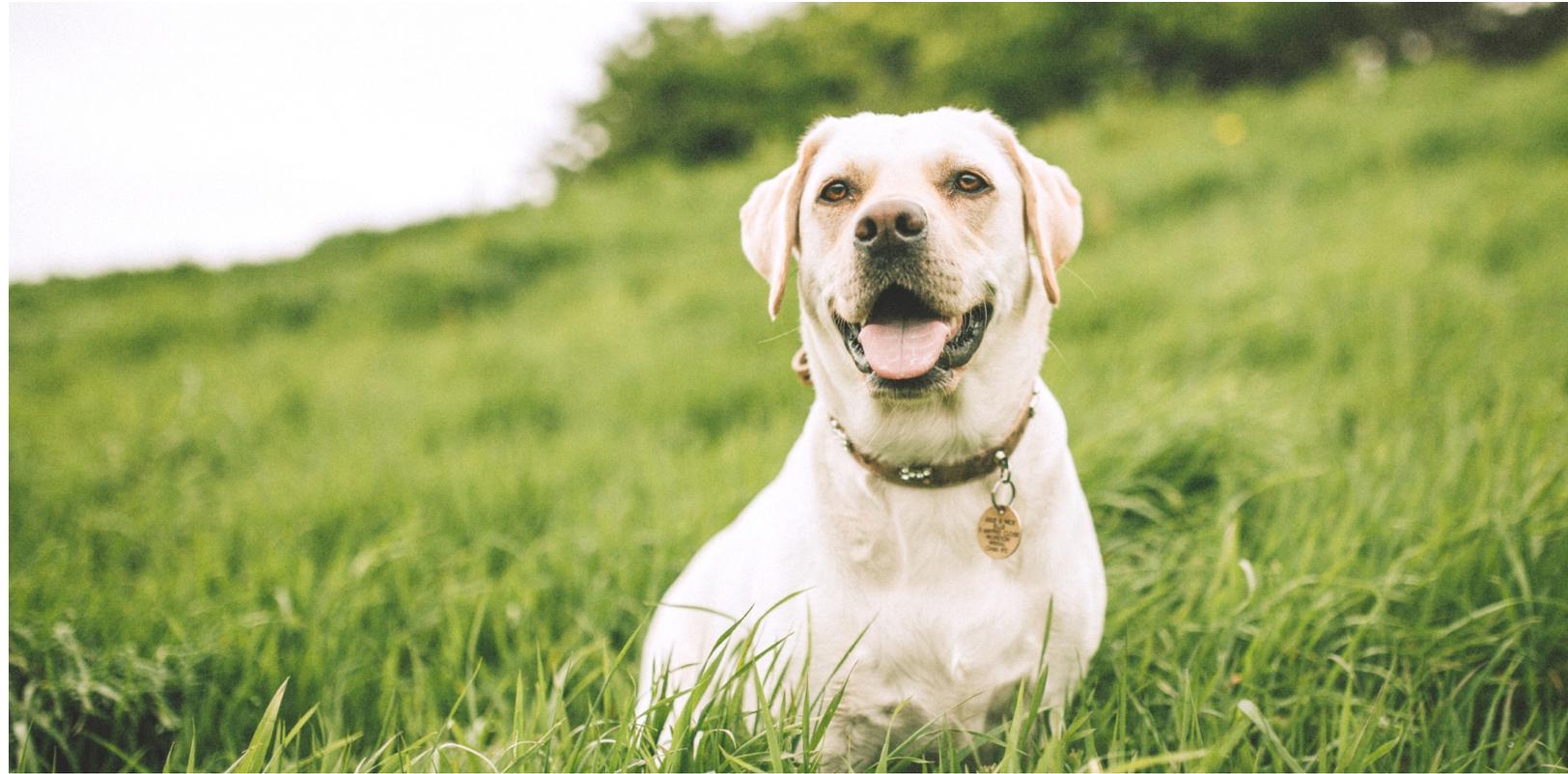
Appropriate abandonment policies: Abandonment statutes are often included to address the intentional lack of care and dumping of pets by owners or those with custody of an animal. However, most of them also unintentionally include the trap-neuter-return (TNR) process for taking care of community cats. This is

because most abandonment policies were written before the widespread use of TNR and did not consider that caring for community cats could be a benefit to both the animals and the community.

Abandonment statutes need to be clearly drafted to provide law enforcement with enforceable provisions that define what actually constitutes abandonment. To avoid infringing on TNR, include a simple exemption indicating that returning unowned cats to a colony through TNR is not considered abandonment, and include exemptions to the relevant definitions (such as owner, keeper or harbinger), to avoid accidentally criminalizing caretakers or subjecting feral cats to owned-cat provisions (such as visible identification, licensing, etc.).

- ✓ **Does your policy include a clear and enforceable definition of what abandonment is?**
- ✓ **Does your policy clarify that TNR is not abandonment and that caretakers are not considered the owners of the cats?**





2. Managing dogs

Policies to address roaming dogs and chaining should focus on the basics of leash and safe confinement laws as a useful approach for instituting humane standards, establishing social norms and preventing problems before they occur.

Regulations, programs and services should apply to all dogs, rather than focusing on certain breeds. Ensuring that all households with dogs (including those in underserved communities) are subject to the same rules and have the same access to support services goes a long way towards building a sound infrastructure and making a positive impact in a community.

Leash/at-large laws: Preventing owned dogs from roaming freely is important because loose dogs pose a risk to public safety (dog bites, car accidents, etc.), other animals and themselves. To minimize these risks,

policies should prevent dogs from running at large while also reuniting violators with their pets and taking proactive measures to prevent further violations. Restraint laws generally require owners to adequately and safely confine/restrain pets both on and off their property. It can be useful to connect with organizations that help people obtain the necessary resources to contain their animals, such as leashes, collars and fences, in order to proactively assure compliance.

Attempting to control free-roaming cats with the same type of leash laws developed for loose dogs has not proven to be effective; as such, the HSUS recommends that the issue of cats at large be addressed separately. It is important to balance the desire to prevent animals from being at large with the reality that fines for noncompliance may prohibit some residents from being able to reclaim their dog. Having a flexible policy that

allows fees to be waived if pet owners are able to demonstrate that they have corrected the issue that allowed the dog to get loose can help reunite pets and their families.

- ✓ **Do your policies apply equally to all dogs regardless of their breed?**
- ✓ **Does your policy prevent dogs from running at large?**
- ✓ **Does your policy help reunite loose dogs with their owners and take steps to prevent further violations?**
- ✓ **Does your policy address at-large cats separately from at-large dogs?**

Chaining/tethering laws: Constant tethering is bad for both dogs and people. Dogs are naturally social animals who need interaction with people and/or other animals, and long-term restraint often severely damages their physical and psychological well-being. Importantly, tethering is a major contributing factor for serious dog bites and attacks. Dogs feel naturally protective of their territory; when confronted with a perceived threat, they respond according to their fight-or-flight instinct. A tied dog, unable to take flight, often resorts to fight, attacking any unfamiliar animal or person who wanders into his territory.

While the HSUS supports efforts to ensure that dogs are not continuously tethered, we recognize that people tether their dogs for a variety of reasons, including well-intentioned efforts to comply with leash laws and to keep their dogs from running off, and many people are unaware of the harm it can cause. As such, it is important to inform pet owners about the dangers of tethering and assist them with solving the underlying problem that initially led to the tethering. For example, if the dog is an escape artist, perhaps helping the owner build a fence and obtain spay/neuter services will eliminate the tether permanently.

As advocates, it is crucial for us to always look for positive, constructive ways to enable owners to unchain their dogs. As a result, owners will be more likely to keep their current dogs untethered, keep future dogs

untethered and spread the word to others they know who may tether their dogs, while reserving the scarce resources of animal welfare organizations for serious cases of cruelty and neglect.

If the community is considering a tethering ordinance, remember that there is no one-size-fits-all tethering policy. The proposed legislation must be a good fit for the community, given available resources and realistic prospects for enforcement. For more information on tethering laws, as well as model ordinance language, please visit humanesociety.org/tethering.

- ✓ **Does your policy effectively restrict or ban the practice of tethering?**
- ✓ **Does your policy outline realistic enforcement mechanisms?**

Breed-specific legislation (BSL): The HSUS opposes laws and ordinances aimed at prohibiting dog ownership or regulating dog management based solely on a dog's breed, type or size (which is often used as a proxy for breed). Breed-specific policies do not enhance public safety or reduce dog bite incidents, and they ignore the scope of the problem. Rather, such laws, regulations and ordinances are costly and difficult to enforce, and they unnecessarily harm families, dogs and communities.

Breed bans are based on the factually wrong assumption that breed is predictive of whether a dog may be dangerous, yet experts have repeatedly found that no breed is more likely to bite than another. The research on this issue is clear: Dogs are individuals and no single breed of dog is inherently dangerous. Moreover, breed bans based on a dog's physical appearance can be difficult to enforce; studies show that even animal experts cannot accurately identify a dog's breed based on his physical features.

There is no data documented to support the effectiveness of breed-specific policies, and no jurisdiction with breed-specific policies has ever been able to demonstrate an increase in public safety or a significant reduction in population of the banned dog breeds. Additionally, various state and federal protections require exceptions for service and

assistance animals, making it impossible to legislate away a breed or type of dog. Your policy should be breed-neutral and not include any breed-specific language. See humanesociety.org/bsp for more information, and explore our toolkit for repealing BSL-related policies at animalsheltering.org/bsltoolkit.

- ✓ **Do your policies apply equally to all dogs, regardless of their breed?**

Dangerous dogs: Dangerous dog policies can be tricky. It's worth taking the time to construct them carefully to ensure they are effective, humane and enforceable.

Keep in mind that no law can prevent dog bites! Dangerous dog policies are crucial to have in place when a bite incident has occurred to prevent future bites, but they are not a deterrent, and most people do not know they exist until they are involved in an incident. The best way to prevent dog bites is with proactive services that ensure that all dog owners have access to veterinary care, spay/neuter resources, dog training and socialization and other similar services. Note that "access," in this case, refers not only to funds but to non-monetary resources, such as transportation, carriers, leashes, pharmacies, etc.

With the stakes so high, it is critical to create a breed-neutral process that provides a roadmap for a court of law to determine whether a dog should be declared dangerous or potentially dangerous without unnecessarily removing dogs from their homes.

Requirements for dogs declared dangerous should not be overly harsh and should still allow dogs to be dogs (e.g., no over-muzzling or using harmful restraints). For dogs with a bite history, we recommend policies that require them to be altered, to receive appropriate training and to always be supervised.

The best way to prevent dog bites is through proactive outreach across all sectors of the community. Communities should examine the strength and reach of basic policies, such as leash and proper restraint laws; create a funding stream to ensure that spay/neuter resources are readily available; and target chaining/tethering as a high-risk activity that correlates to dog bites and attacks.

- ✓ **Does your policy outline a process to declare dogs dangerous?**
- ✓ **Does your policy outline fair and reasonable restrictions and/or requirements placed on dogs declared dangerous?**
- ✓ **Does your policy remain breed-neutral?**

Dog licensing: Dog licensing can be a useful tool that helps municipalities reunite lost pets with their owners, ensures that pets receive vaccinations against diseases and provides a funding mechanism for other animal-management uses, such as a spay/neuter fund. However, dog licensing compliance rates are abysmally low across the nation. To be effective, a municipality will have to commit significant resources to marketing and enforcing the licensing program. The HSUS generally supports dog licensing policies, with one important caveat: They should not be used as a punitive measure against pet owners or to separate pets from their families simply because of non-compliance. Several communities, like Austin, TX, and Durham, NC, have done away with dog licensing without any negative impact. Think about what works in your community and don't be afraid to try different models.

- ✓ **Does your policy exist to reunite pets with their owners?**
- ✓ **Does your policy avoid overly punitive measures for owners unable to comply with the licensing requirement?**
- ✓ **Is the revenue received from licensing or other fees used to fund other animal-management initiatives for the community?**



3. Cat-friendly communities (for cats, wildlife and people)

Cats are the most popular pet in the country, with around 80 million living in homes and another 30-40 million unowned community cats in our backyards and alleys. Cat policies should be designed to protect public safety, protect cats and provide animal control agencies with effective, proactive and humane tools to best manage owned and unowned cat populations. To prevent situations that result in more cats being surrendered, abandoned and euthanized, it's particularly critical to craft cat policies with the aim of keeping owned cats in their homes, while allowing for active and humane management of unowned cats to reduce their numbers.

Cat licensing/owned cat laws: Cat licensing is generally not the best use of municipal resources. It is time-consuming, opposed by many cat-owners, difficult to enforce and not very effective in reuniting cats with their owners. Since managing community cats is a

complex issue, it is important to ascribe different policies to unowned cats, because policies directed at owned cats can unintentionally create barriers to effective and humane community cat management. Owned cat policies that should be considered are microchipping and visible identification requirements, at-large provisions and stray holds to allow for owner reunification. Exempting community cats (identified by an ear-tip) from policies directed at owned cats serves to protect those cats and encourages caretakers to participate in TNR programs.

- ✓ **Does your policy avoid placing unrealistic restrictions on cats and their caretakers or owners?**
- ✓ **Is the revenue received from licensing or other fees used to fund other animal-management initiatives for the community?**

Community cat laws: Do not try to restrict an activity that is actually good for your community! The HSUS supports laws that are pro-cat, pro-TNR and pro-community-cat-caretaker. We recommend policies that explicitly legalize TNR and provide community cat caretakers with exemptions from other pet owner regulations (such as licensing requirements).

Definitions are a key component to effective community cat laws. We use the term “community cat” as an umbrella for unowned feral and stray cats, who range in their level of sociability. Community cats and owned cats are all “domestic” or “domesticated” cats, and definitions that imply feral cats are “wild” or “non-domesticated” are inaccurate and potentially dangerous. Policies that attempt to convey ownership of community cats onto their caretakers are ineffective in reducing populations of unowned cats. You should exempt caretakers from the definition of owner or create a separate definition for caretakers. Other definitions to consider in relation to community cats include trap-neuter-return (make sure not to use “release,” which can be interpreted as relocation), abandonment (which should exempt TNR) and ear-tip.

The goal of TNR is to humanely reduce, and eventually eliminate, the number of community cats in a defined area, along with the nuisance behaviors, wildlife predation and public health concerns associated with them. Studies have shown a decline in shelter intake and euthanasia when targeted TNR programs are used to manage community cat populations.

While “back-door” strategies to allow for community cat management (that is, interpretations of policy language that let shelters participate in TNR without explicitly allowing it) may get the job done, we recommend that government agencies commit to fully legalizing non-lethal community cat management tools to ensure that future generations of municipal management and animal control agencies continue to use them. Any community that wants to reap the benefits of TNR should also encourage ongoing management and recognize that feeding bans are incompatible with an effective population control program. While this may seem obvious to those in the

sheltering field, policy-makers may see it as a way to resolve conflict.

We also advise against implementing overly restrictive caregiver and TNR-related language. Many municipalities will prescribe how, when and what can be done, including registration systems for caretakers, strict guidelines for how many cats can be in a colony and other “hoops” that people caring for unowned cats have to jump through in order to be legal or protected by the policy. This very often backfires, because caring citizens want to see the cats cared for, but don’t consider themselves owners of the cats and are not willing or able to meet onerous requirements above and beyond anything they do for their owned cats. Using permissive and flexible language that supports non-lethal approaches is best.

Rather than attempting to hold all caretakers accountable, include a specific mitigation/nuisance section so that the community can appropriately address real problems, such as a cat roaming where he is not wanted or a caregiver truly causing an issue (e.g., leaving out garbage, metal food cans and old food, which attract wildlife and can cause a rodent infestation). Provide a clear process for resolving complaints, allowing caretakers to be part of the solution and to build good relations among neighbors (rather than pitting them against each other).

The HSUS also recommends clearing your ordinance of barriers to return-to-field (also known as shelter-neuter-return) programs, so that your municipal shelter and animal control agency can participate directly in population management efforts for community cats. Policies that enable return-to-field include amendments to stray hold periods for healthy strays and already ear-tipped cats so that those cats can be returned to where they were found (after appropriate vetting).

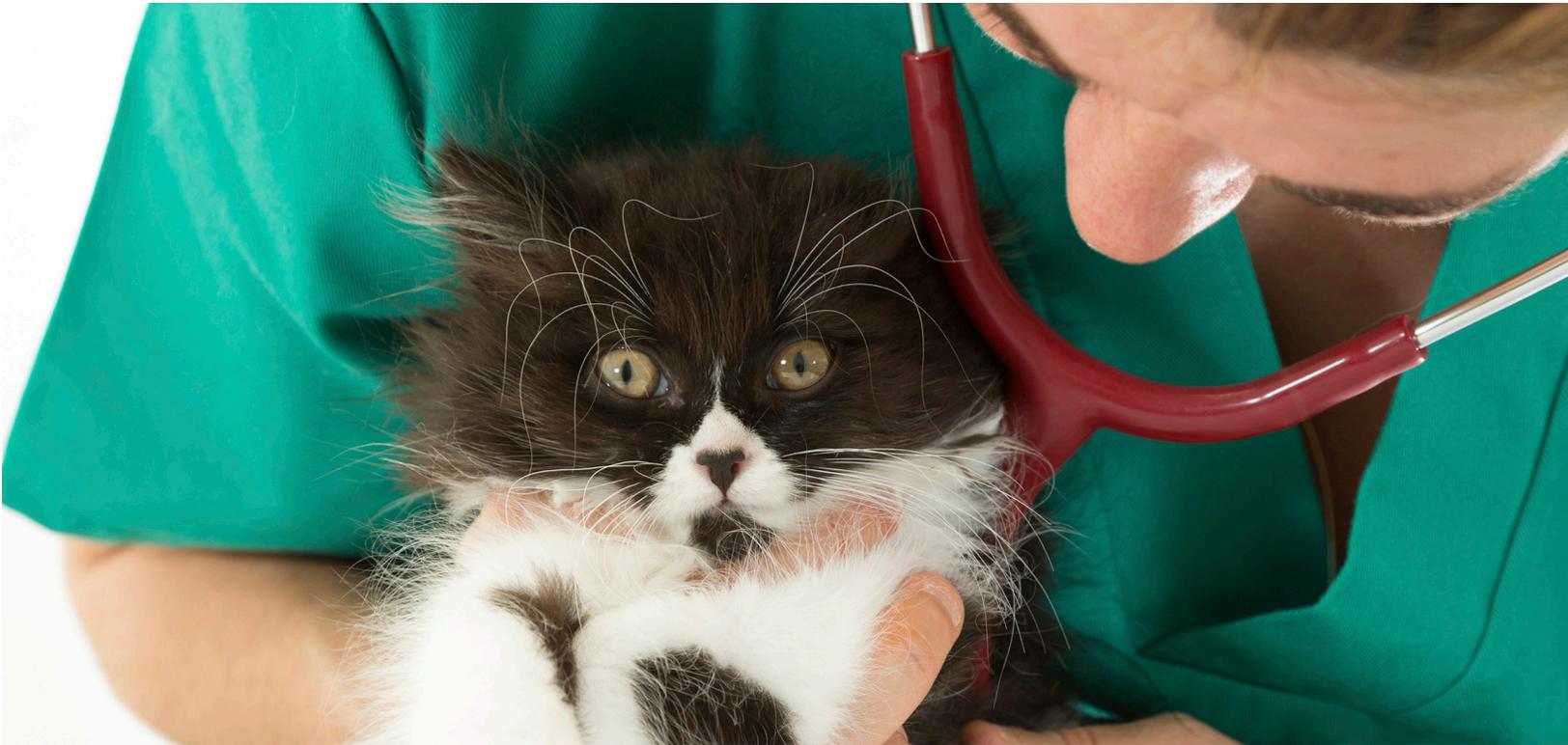
In some communities, the issue of TNR and community cats has become embroiled in counterproductive debate between cat advocates and wildlife conservationists. If this is the case in your community, taking a step back to establish a stakeholder working group may be advisable. While not always needed, a

legislatively established group with clear parameters, goals and timeline may be able to move the discussion to a productive place. Much common ground exists among stakeholders who all ultimately want the same thing: a reduction in the number of unowned cats living in the landscape.

For more information on recommended community cat laws, visit animalsheltering.org/communitycatsguide and animalsheltering.org/laws-oughta-be.

- ✓ Is your policy focused on humanely reducing the unowned cat population?
- ✓ Does your policy adequately exempt community cats from owned pet regulations?
- ✓ Does your policy explicitly legalize TNR and allow for ongoing management of cat colonies?
- ✓ Does your policy avoid overly restricting community cat caretakers and the practice of TNR?
- ✓ Does your policy enable return-to-field programs?





4. Access to veterinary care

Veterinary care from traditional for-profit veterinary practices (including critical services such as vaccinations and spay/neuter) is out of reach for the millions of pets living in poverty, as well as millions more who are living paycheck to paycheck. Municipalities can help increase access to veterinary care for these pets by ensuring that local policies do not impose extra barriers on nonprofit veterinary and sheltering organizations that want to provide services in the community.

Means testing: It can be tempting to support means testing (limiting discounted and free veterinary services to only those who can demonstrate financial need). However, means testing fails because it does not identify all those individuals and families incapable of paying for-profit veterinary care prices, ultimately harming pets who slip through the cracks.

Although there are an estimated 23 million pets living in poverty (defined as a family of four earning up to \$23,550 annually), there are millions more living in homes that struggle to make ends meet. When families

are forced to make cuts in their household budgets, they may consider veterinary care to be a “luxury” expense that they can postpone. To bar them from accessing low-cost or free services is to deny veterinary care basics to millions of pets. Moreover, requiring means testing to determine patient eligibility places an undue administrative burden on already financially strapped nonprofit services. In short, means testing creates unnecessary barriers to helping all pets receive essential veterinary care. You can learn more about the HSUS position on access to veterinary care at animalsheltering.org/vetaccess.

- ✓ **Does your policy avoid creating unnecessary barriers to veterinary access?**
- ✓ **Does your policy avoid requiring individuals to demonstrate financial need in order to access veterinary care?**
- ✓ **Does your policy avoid placing burdensome requirements on providers of low-cost veterinary services?**



5. Spay/neuter laws

Spaying and neutering intact animals is a crucial component of implementing a comprehensive plan to reduce pet homelessness in a community. The right policies can play an important role in providing access to spay/neuter services for all pet owners.

No mandatory sterilization of owned pets: It may seem a little contradictory, but the HSUS does not support laws that require sterilization of owned pets. Nationally, about 91% of pets are sterilized, yet in underserved neighborhoods, approximately 87% of pets are unaltered. Through our Pets for Life program, we know that when people in underserved communities are provided with access to spay/neuter resources (such as cost assistance and transportation), the percentage of altered pets in the community skyrockets to 89%—nearly identical to the national rate. This tells us that most pet owners, regardless of nationality, religion or other factors, are not ideologically opposed to altering their pets.

As such, mandating that owners alter their pets is self-defeating as it only serves to penalize people who do not have resources, and it can even remove pets from families who love them. Instead, we recommend that municipalities support an infrastructure that incentivizes the procedure and provides all community members access to spay/neuter services. For more information on our Pets for Life program, visit humanesociety.org/issues/keeping-pets-life.

It should also be noted that mandatory spay/neuter laws do nothing to address community cats. These cats are unowned—meaning there is no owner to hold accountable. As mentioned previously, piling requirements onto well-meaning caretakers will serve to drive them underground or cause them to provide less care for these cats, not more.

- ✓ Does your policy avoid burdensome requirements on pet owners who don't have the resources to comply?
- ✓ Does your policy remain breed-neutral?

Spay/neuter funding: The HSUS supports legislative efforts to create funding streams for spay/neuter programs, especially those providing services and subsidies to underserved populations of pet owners and community cat caregivers. Cost is the primary barrier to spay/neuter services for individuals as well as for animal welfare organizations. Several states have enacted laws to implement low-cost spay/neuter programs. While every state is different, the general framework is a funding mechanism in collaboration with a grant-making or voucher program. Essentially, this avenue uses existing state revenue sources to fund low-cost spay/neuter programs at animal hospitals, shelters and other clinics.

Some ideas for funding options include spay/neuter license plates; income tax checkoffs; dog license, rabies and pet food surcharges; differential licensing; and infraction fines associated with animal-related offenses. Spay/neuter subsidy funds have proven to be effective in the states where they exist. We strongly recommend that any new efforts to create a publicly funded spay/neuter subsidy include strategic marketing plans to raise awareness and participation, as well as considerations for the administration of funds.

New funding opportunities have led to the creation of innovative programs in many states. As an example, Maryland has developed a successful and comprehensive spay/neuter funding program; visit mda.maryland.gov/spay_neuter_program for details.

Studies have also shown a decline in shelter intake when targeted TNR programs are used to manage community cat populations. It is critical to make funds available to address the 30-40 million community cats in the U.S.. Sterilization programs for these un-owned cats benefit wildlife, cats, animal sheltering and control programs and communities as a whole. For more information, please review these spay/neuter resources at animalsheltering.org/programs/spayneuter.

- ✓ **Does your policy provide resources to help pet owners overcome barriers to spaying or neutering their pets?**
- ✓ **Does your policy allow for resources to be allocated towards TNR/community cat efforts?**





6. Housing

Lack of appropriate or available housing is by far the No. 1 reason pets lose their homes. Putting in place smart policies can have a dramatic effect on keeping families together, easing the strain on the shelter system, increasing public safety and providing housing operators with a reliable revenue stream.

No arbitrary policies: The HSUS supports policies that work to keep pets in their homes by preventing private and public housing operators from using arbitrary factors—such as breed, size and number limits—to restrict pets, as well as implementing other policies that encourage housing operators to view pets as essential members of the family. Most current “pet-friendly” housing policies include arbitrary criteria that exclude the majority of pet owners. These outdated, unnecessary pet policies are based on old ideas that have been proven to be false and no longer carry weight in the practical field of animal management. Consequently, these onerous and baseless pet restrictions cost many families their beloved pets

and strain an already over-burdened shelter system, diverting scarce resources from the animals who truly have no home.

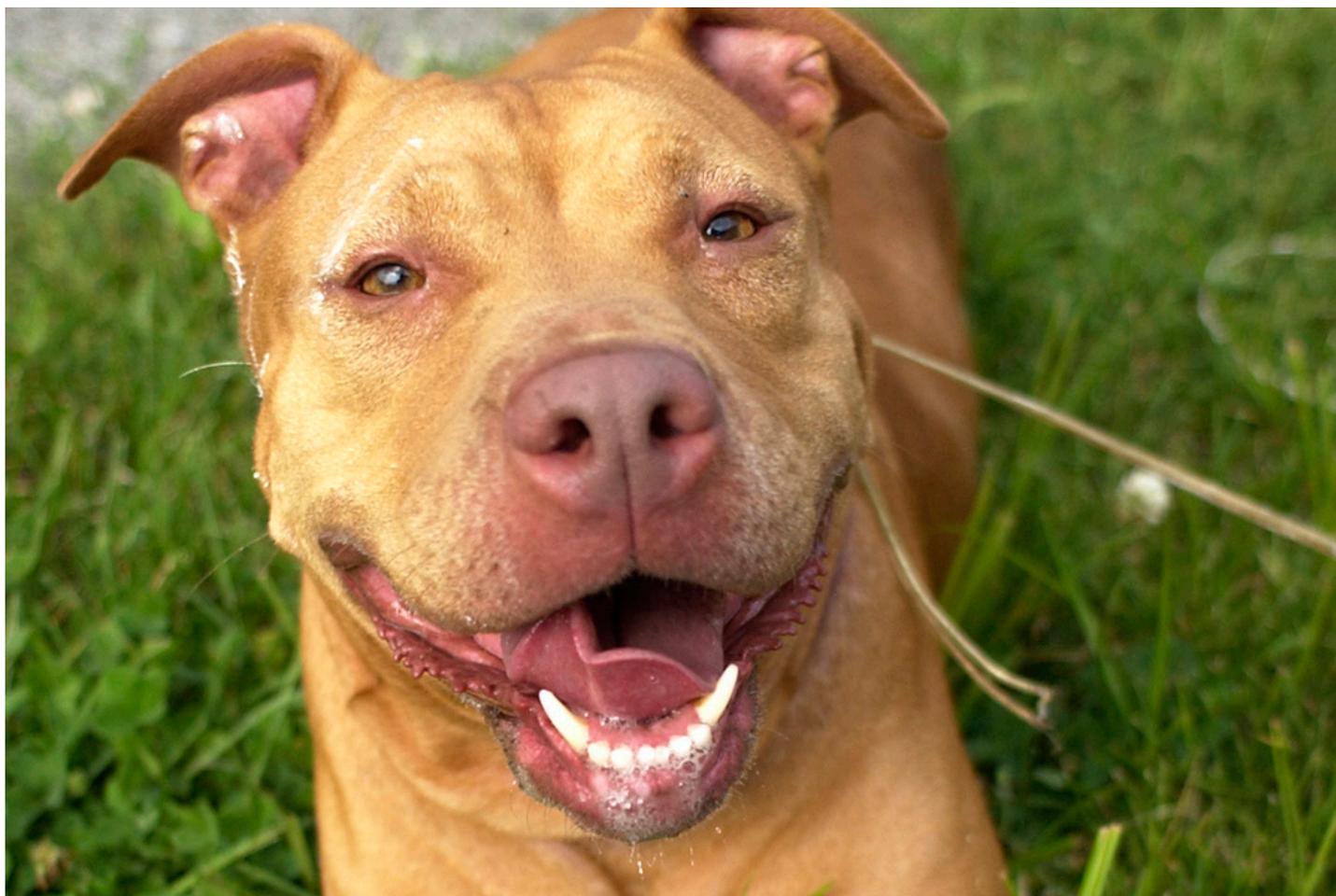
Additionally, federal protections available to individuals living with a disability prohibit landlords from excluding a dog based solely on his breed. With one in five Americans living with a disability, many households may be eligible for fair housing accommodations. Because dogs of all breeds and sizes have to be accommodated, it is considerably easier and less risky for housing managers to put in place practical breed-neutral pet policies from the beginning than it will be to carve out exceptions. You can learn more about implementing smart housing policies at humanesociety.org/petsarewelcome and learn how to make a positive change in your community at animalsheltering.org/pawadvocateguide.

No selective enforcement or harmful policies: The HSUS also recommends implementing policies that protect tenants from selective enforcement of pet rules as well as from policies that can physically harm the pet. For example, New York City has enacted what is essentially a waiver of any “no pets” clause in a lease if a tenant openly keeps a pet for at least three months and the landlord doesn’t commence a legal proceeding to enforce the “no pets” clause. In addition, while public housing agencies are prohibited from requiring that tenants “debark” their dogs (have their vocal cords removed), we encourage municipalities and states to prohibit all housing operators from requiring that tenants remove their dogs’ vocal cords or declaw their cats. Both procedures are cruel, inhumane and ineffective in resolving the problem, as they often cause significant behavior and medical problems for the animal. California has enacted a statewide law prohibiting landlords from requiring declawing or

debarking and many municipalities in California prohibit declawing for any reason other than tightly defined therapeutic issues.

Shelters and rescues should also ensure that their adoption policies do not reinforce bad housing policies. Check out animalsheltering.org/adopterswelcome for more information on adoption policies.

- ✓ **Does your policy prevent housing operators from implementing breed or size restrictions?**
- ✓ **Does your policy protect tenants from property managers who selectively enforce a “no pets” clause?**
- ✓ **Does your policy protect pets from inhumane, painful and ineffective procedures such as debarking and declawing?**





7. Animal shelters and rescue groups

While every shelter and rescue group operates independently and there is no universal model for running animal welfare organizations, there are tools available to help groups ensure that they are conducting their operations in the most humane and effective manner possible. The Association of Shelter Veterinarians' Guidelines for Standards of Care is the best available tool to help every type and size of animal care organization maximize both the quality of life provided for the animals in their care and the lifesaving capacity of their organization as a whole. (Rescue groups have an additional resource to help them maximize their operations; you can read more at animalsheltering.org/rescuebestpractices.) Not only should individual shelters, rescues, sanctuaries and other care groups consult these resources regularly to ensure they are following best practices, but all laws and policies affecting welfare group practices should ensure that any practices identified as “unacceptable” are eliminated and practices identified as “ideal” or “best” are encouraged or even mandated.

- ✓ **Does your policy prohibit “unacceptable” practices and encourage “ideal” and “best” practices found in the Association of Shelter Veterinarians’ guidelines?**

Shelter/rescue group reform: In general, regulations for shelters and rescue groups should be legislated at a state level, particularly with foster-based rescue groups that often have foster homes spanning large geographic areas.

Successful shelter/rescue group reform is best achieved when all stakeholders (including public and private shelters, rescue groups and advocates) in a community come to the table to discuss concerns and find meaningful solutions. Recent stakeholder efforts, like those undertaken in California, demonstrate that when professionals across all spectrums of the animal welfare community come together, they can generate recommendations that dramatically challenge the status quo and push the envelope in terms of sheltering

expectations and approaches in order to increase lifesaving capacity. Moreover, because the recommendations come from within and not an outside body, community members are significantly more likely to accept the new standards and feel empowered to make positive changes.

A couple of ideas that a stakeholder group can use to evaluate and raise the standard of care provided by all shelters and rescue groups in the community include:

- Codifying the Five Freedoms and enabling law enforcement to inspect premises only when presented with a valid complaint (to balance the significant problems associated with requiring inspection of every foster home).
 - Requiring that all animal welfare organizations submit certain data (such as data collected in Shelter Animals Count on shelteranimalscount.org) on a regular basis.
 - Creating a pledge for transparency to which all members of the community can voluntarily commit.
- ✓ **Does your policy encourage stakeholder efforts to improve lifesaving opportunities?**

Gas chambers: When shelters find themselves in the position of having to euthanize an animal, it is incumbent upon them to ensure that the death is as humane as possible. The HSUS and all other national animal welfare organizations agree that direct injection of approved euthanasia drugs (referred to as euthanasia by injection), by which the animal quickly loses consciousness without experiencing pain or distress, is the most humane method of euthanasia currently available. Lesser alternatives like carbon monoxide (CO) or carbon dioxide (CO₂) gas chambers, which can virtually never provide a stress- and pain-free death, must never be used in shelter settings. For more on the HSUS's work to end gas chambers, visit humanesociety.org/gaschambers.

- ✓ **Does your policy ban the use of gas chambers (both CO and CO₂) as a form of euthanasia?**

Spay/neuter prior to adoption/release: Although the HSUS does not support mandatory spay/neuter for individuals (see p. 9), we are in favor of requiring shelters, rescue groups and other placement organizations to ensure that animals are altered before adoption or, in the case of community cats in a TNR or return-to-field program, before their return to their community home. Shelters, rescue groups and other animal welfare organizations have an obligation to ensure that animals adopted or otherwise placed from their community do not continue to contribute to overpopulation problems. Animals as young as two months old and weighing two pounds can be safely altered, so there are very few situations in which an animal could not be altered before placement. This requirement should not impact an organization's ability to move animals through the system as quickly as possible—groups that do not have the infrastructure in place to alter animals prior to adoption can employ alternate, creative methods, like delivering adopted animals to local veterinarians after adoption but before release to their new family. Similarly, this should not become an excuse to euthanize animals if spay/neuter infrastructure or funding are insufficient; providing high-quality animal services is an essential government function, and adequate funding and time to accomplish spay/neuter prior to adoption or release is a critical component of that function.

- ✓ **Does your policy require adopted animals to be altered prior to being placed in their new home?**

Data keeping and reporting: Every animal welfare group has an obligation to be transparent, in terms of keeping and sharing data about its animal population. Without data, groups are not only unable to tell their story, which would allow them to elicit community support for their lifesaving work, but they are also unable to examine their intakes and outcomes and ensure they are providing the most effective lifesaving programs and services possible.

The HSUS has actively participated in the creation of Shelter Animals Count, the first-ever national database designed to create standardized reporting and definitions for shelter statistics including intake, adoptions, return-to-owner, return-to-field, transfers,

euthanasia and shelter deaths, in order to increase live outcomes and lifesaving opportunities. The HSUS strongly supports legislation that requires shelters and rescue groups to report their data, particularly through the Shelter Animals Count database.

✓ **Does your policy require that shelters and rescue groups report their data annually?**

Hold periods and stray animal intake: The HSUS supports policies that increase lifesaving outcomes for homeless animals while also promoting the best chances for lost pets to be reunified with their families. This is a tricky balancing act. From a shelter management perspective, shorter hold periods are preferred because the longer any animal remains in a shelter, the greater his chance of succumbing to disease, and the greater the chance that the shelter will face chronic overcrowding and other problems. Shorter hold periods allow shelters to move animals through to adoption (or return-to-field programs for healthy, unadoptable cats) faster. However, hold periods are designed to ensure that animals have every chance at reunification with their families, and shortening hold periods can impede those reunifications, or worse, give shelters the ability to euthanize animals more quickly.

The best way to approach changes in hold periods and stray animal intake is to study how they are currently affecting a community's shelter population: Are the overwhelming majority of lost pets being reunited within the first day or two of impound? If so, lengthy holds are unnecessary. Are significant numbers of animals reclaimed after the current holding period expires? Then longer periods may be advisable.

The HSUS strongly recommends that stakeholders form a group to examine the issue before proceeding with any proposed hold period changes. The goal should be to share length-of-stay data and develop best recommendations based on statistics for stray animals with and without identification, owner-surrendered animals and even specific populations of animals. For example, groups like community cats and litters of puppies and kittens can typically be moved immediately

to lifesaving outcomes without any hold period, since they are rarely, if ever, reclaimed by owners. Communities should also consider making a distinction between hold periods designed to move animals more quickly towards lifesaving outcomes (such as return-to-field programs and adoptions) versus euthanasia, and they should expressly specify that animals cannot be euthanized any earlier than a specified hold period, unless a veterinarian determines it is necessary to relieve suffering.

Do not be afraid to let the community help you with this task. Stray animal intake policies should not compel residents to turn over found animals to shelters or animal control centers. Instead, enabling finders to submit found-animal reports while using their own community networks to reunite stray animals with their owners reduces the costs to shelters to take in and house many lost pets during stray holds. This in turn opens up space for other animals in need and increases shelters' overall lifesaving capacity.

✓ **Does your policy establish hold periods based on community data that maximizes reunifying lost pets with their families and other lifesaving outcomes?**

✓ **Does your policy allow community members to use their own resources to reunite stray animals with their owners?**

Pound seizure: The HSUS opposes pound seizure, which is the practice of using shelter animals for research, except under a very narrow set of circumstances. Animal shelters cannot operate effectively without the confidence of the communities they serve and must be seen by the public as a safe haven for lost, stray and abandoned animals. The relinquishment of impounded companion animals from public and private shelters to facilities that use live animals for research, testing or educational purposes is a betrayal of public trust and the implicit contract established between humans and companion animals. You can find out more about the HSUS position on pound seizure at humanesociety.org/sheltertransfer.



8. Related resources

If you would like to find current animal management policies that adhere to the principles described in this toolkit, visit animalsheltering.org/policytoolkit. Please note that many ordinances contain a mix of good and not-so-good language. We note good language and recommend that you review the parts that are helpful and tailor them to meet the unique needs of your community.

For more information on topics discussed in this toolkit, visit these related resources:

- Passing a Tethering Ordinance toolkit: humansociety.org/tethering
- Repealing Breed-Specific Legislation toolkit: animalsheltering.org/bsltoolkit
- Managing Community Cats: A guide for municipal leaders: animalsheltering.org/communitycatsguide

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