



## Ventura County Coalition of Labor, Agriculture and Business

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November 20, 2013

Ventura County Board of Supervisors  
Attn: Clerk of the Board of Supervisors  
Hall of Administration, 4th Floor  
800 S. Victoria Avenue, L#1920  
Ventura, CA 93009

**RE: Comments to the Board of Supervisors – Please Circulate  
Proposed revision to the VCAS Ordinance scheduled for 12-10-13**

CoLAB, Ventura County has reviewed the revisions to the Ventura County Animal Services (VCAS) Ordinance Code and are opposed to three of the proposed provisions: 1) mandatory spay/neuter of all puppies/kittens at 4 months of age, 2) breeding permits costing \$100 per animal per year (litter) requiring consent for inspection of private residences and 3) ban on sales of commercially bred dogs and cats in the unincorporated areas.

In general, we are opposed to new ordinances that while “well meaning”, cannot be realistically enforced given the resources and practices of the agency, do not solve the problem and will lead to selective enforcement, a potential loss of public trust, and other unintended consequences.

The staff report of 11-5-13 is interesting in what is NOT included, specifically a full analysis of a similar spay/neuter program adopted by the City of Los Angeles in 2008. We understand that this program has been less than effective and therefore do not understand why this same program is being pushed by the Interim Director of VCAS, Donna Gillesby, in the absence of a new Director.

In addition, a Ventura County 2011-12 Grand Jury report found that: “... *after careful consideration and inquiry, the Grand Jury has concluded that as a practical matter -considering the physical plant and budgetary outlays required to effect a ‘No Kill’ County Shelter - the accomplishment of a ‘No Kill’ Shelter goal is problematic. Public ‘No Kill’ advocacy pressure and the practical requirement to euthanize animals in Department care has resulted in observed low Department morale and ‘empathy fatigue’.*” At this time VCAS was considering a mandatory “pit bull mix” spay and neuter ordinance which the recommendation by the Grand Jury was to “*cover only dogs brought, or caught and brought to the shelter.*”

[http://vcportal.ventura.org/GDJ/docs/reports/2011-12/VC\\_Animal\\_Services\\_Department.pdf](http://vcportal.ventura.org/GDJ/docs/reports/2011-12/VC_Animal_Services_Department.pdf)

For dogs, we believe the implementation of the three proposed provisions together will create a “prohibition” environment in the County, driving breeders and dog sales underground. These provisions force surgery at far too young of an age and lessen the opportunity for responsible breeders to supply local, reasonable cost puppies to the market. This will drive down the availability and up the price for “wanted” dogs and will generally alienate the public with invasive enforcement practices. And - based on the statistics, these provisions are overkill, unnecessary and will not solve the problem.

Based on published statistics, VCAS has been extremely successful in increasing adoptions and reducing euthanasia at the shelters over the last 3 years. They have effectively brought public awareness to the overwhelming numbers of unwanted and abandoned dogs and cats ending up at the county shelters. This reflects a motivation of citizens through partnership rather than enforcement.

In our review of the statistics, when applied to impounded stray dogs, adoption rates increased from 39% in the 2010-11 year to 74% in the 2012-13 year. **This is a huge success! In fact, according to VCAS data from the first 6 months of 2013, only 25 healthy/adoptable dogs in total were euthanized (see Figure 1 below).** The statistics did not reveal the breed of these dogs.

We understand the frustration of the agency in trying to further increase dog adoption rates when 41% of the impounded dogs in 2012-13 were short haired Chihuahuas and Pit Bulls (2755 total), far outweighing the capacity for adoption. However, in this ordinance, the proposed spay/neuter and breeding requirements unnecessarily include all dog breeds.

Statistics also show that although the City of Oxnard has 25% of the county's population, 45% of impounded dogs and 45% of euthanasias were from that city. This ordinance covers only the county unincorporated areas, not the significant problem areas within the cities.

The statistics also show that dog license rates are low throughout the county, ranging from 7% to 15% of the population. If there has been no success with mandatory license rules by ordinance, how can these more controversial spay/neuter and breeding permit provisions be enforced?

Financially this is a losing proposal for VCAS as it will cause a reduction in the number of licenses as persons who wish to breed refuse to be forced to spay/neuter, pay for permits or have their private property inspected by a county official. The County staff report estimates selling 200 breeding permits per year, grossing \$20,000, which would not cover the cost of even minimal enforcement of the new provisions.

This ordinance makes less sense for cats as they are not even actively licensed. The \$100 breeding permits for cats are unrealistic. In addition, stray cats produce feral litters throughout the County which have no owners, a problem that is not addressed.

While we agree wholeheartedly with a goal that "no healthy adoptable animal will be euthanized" in our county shelters, we disagree that this ordinance is an effective approach and will instead create a whole new set of problems, agency enforcement and inspection expenses and unintended consequences, as follows:

- 1) The enforcement and inspection provisions of this ordinance will create a "prohibition" environment in the County, driving breeders underground, endangering the health of unspayed dogs and litters as owners except out of veterinary care, subjecting animals to more unacceptable conditions as they attempt to hide from authorities.
- 2) The enforcement and inspection provisions will cause alienation of the public and lessen effectiveness of better alternatives like educational outreach programs and inexpensive mobile spay/neuter services that have worked in other counties.

3) This ordinance will selectively target only the county unincorporated areas, not the significant problem areas within the cities. In fact, based on our member's input, the numbers of stray animals reported from the unincorporated county, while low, are actually overstated by the fact that farmers and ranchers commonly become responsible for unwanted animals dropped off by city dwellers on their properties.

4) The absolute requirement for spaying and neutering dogs at 4 months of age is too young and is essentially unenforceable. There is no legal requirement for birth certificates for dogs or cats, and no easy way to determine whether females have been spayed. Veterinarians must make the determination and issue a certificate of sterility. And in the end, spay/neuter clinics and veterinarians will be held responsible for the health of dogs that are subjected to premature surgeries forced by this law.

5) Responsible dog breeders generally wait to breed to determine important health, maturity and performance characteristics of the animal, many times in the 2-3 years of age range. Show dogs in particular must be intact to compete. There is no provision in the breeding permit process for the period between 4 months and the most desirable time to breed for each animal.

6) Although we appreciate the exemption for the AKC Breeders of Merit, this program is about the breeding of show dogs and champions which are generally high-priced and out of the range of most resident's budgets. There is no program to exempt responsible long-term professional breeders of non-show dogs of breeds that are not "overproduced" in the county.

7) In addition, there are many breeds and mixed breeds that are sought after that are not recognized by the AKC. Again, respected long-term professional breeders should have a program to be exempted.

8) The provision restricting the retail sales of dogs and cats in the unincorporated areas will only drive up the prices of these animals and cause the public to buy elsewhere, not solving the problem at County animal shelters. If the purpose of this provision is to reduce sales of dogs from "puppy mills", then this term should be defined and selectively disallowed rather than a wholesale restriction on retail sales.

In addition, we encourage the following policies and programs to replace the ordinance as written:

1) Education programs in targeted neighborhoods in the cities that have high stray/abandoned dog and cat rates, especially of overproduced Chihuahuas and Pit Bulls.

2) Spay/neuter vans offering low cost services to encourage voluntary participation in lower-income neighborhoods.

3) Countywide pet license campaigns focused on better tracking of animals and their owners should replace the controversial spay/neuter and breeding permit provisions. In fact, in browsing the VCAS website there is no advertising of the advantages of licensing animals on the Home Page. And there is no licensing Quick Link on that page. In Calgary, Canada, licensed animals can be returned to an owner at no cost and without a stay at a shelter, reducing the cost to both owners and shelters. This program boasts a 90% licensing rate for dogs. High return-to-owner rates are the most cost effective approach to animal services. In general, invasive provisions such as proposed in this ordinance revision will reduce trust and drive down license rates.

In conclusion, as the staff report rightly points out: “of all the dogs that pass through the County shelters, only a fraction are from the unincorporated area of the County, and the vast majority are from the eight cities...” Therefore, we strongly recommend that you reject the three proposed ordinance revisions cited above, which will unnecessarily burden unincorporated County residents for a problem that they have little responsibility for.

It is important for the cities in the county to step up and devise reasonable ways to help solve this problem first within their own communities. Pushing these rules on the county at this point is certainly putting the cart before the horse.

Thank you for the opportunity to comment.

Sincerely,

Lynn Gray Jensen  
Executive Director

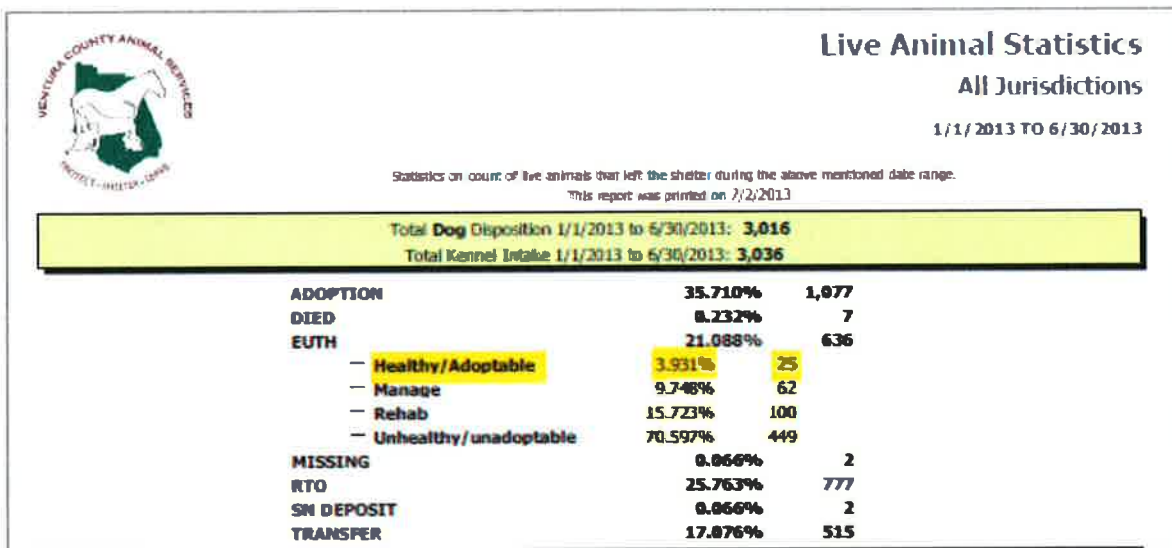


Figure 1: VCAS Dog Intake Statistics for the first 6 months of 2013 in a county of 823,000 people