

Introduction: This is the first of several status reports on the amendment to the Orange County Animal Ordinance regarding tethering. The BOCC asked the Animal Services Department to present updates every six months during the 18-month implementation phase and one at the end of the first year of full enforcement. The information contained in this report is the first of those updates, and covers the period from November of 2008 through June 1st of 2009.

Background: The BOCC has asked the Animal Services Department to collect data in relation to the tethering amendment passed November 18, 2008. This amendment was passed at the recommendation of the Animal Services Advisory Board and Tethering Committee, and affects only the unincorporated areas of the County and Hillsborough. The amendment includes the following restrictions on tethering and alternative containment of dogs:

- No more than a total of 3 hours of tethering within a 24-hour period
- A specification of the types of collars and equipment permissible for allowed tethering
- A requirement for minimum kennel sizes
- An exemption for certain organized and lawful animal functions and circumstances

The amendment was formulated so that there is an 18-month implementation period to ensure effective public outreach and encourage voluntary compliance. The initial twelve month period (November 2008 – November 2009) consists of public outreach activities aimed at promoting awareness of the new restrictions on tethering and requirements of alternative containment. In addition, the amendment stipulates only warnings will be issued for lack of compliance with the tethering restrictions during the six-month period following the date the ordinance actually becomes effective (November 18, 2009 – May 18, 2010).

For purposes of reporting, implementation of the tethering ordinance amendment is being broken into four phases. They are as follows:

Outreach Phase 1: November 19, 2008 – May 19, 2009: This initial 6-month outreach phase has consisted of community-wide education and outreach via flyers, advertisements, and other forms of media. The aim of such outreach is to inform the community of the upcoming ordinance changes, the implications of such a change, and the resources available to make such a change in the means of confinement for those currently tethering.

Outreach Phase 2: May 19, 2009 – November 19, 2009: The second half of the year of outreach will continue the activities of the first six months. All outreach activities will continue steadily, intensifying as the effective date nears, and education efforts will remain strong.

Warning Phase: November 19, 2009 – May 19, 2010: The ordinance becomes effective on November 19, 2009. The warning phase will occur during the first six months of the ordinance's effectiveness. Only warnings will be issued during this first six-month period and education efforts will continue to be a priority to Animal Services staff. Data on the number of warnings issued and the responses to said warnings will be collected during this phase.

Fully Effective Phase: May 19, 2010 and onward: The final phase is full implementation, which will begin six months after the effective date of the ordinance amendment (and directly after the warning phase). This phase will include the possibility of giving citations for those not in compliance with the tethering ordinance. As is always the case, Animal Services staff still expects to work with the public to bring them into compliance if possible before any such action is taken.

Phase 1 Update: Animal Services staff developed frequently asked questions brochures in both English and Spanish that are used as both take-aways from the Animal Services Center as well as handouts for Animal Control officers in the field (a list format of the FAQ can be found at www.co.orange.nc.us/animalservices). Brochures were also incorporated into the low-cost rabies vaccination clinics as a part of the take-away bags for citizens having their animals vaccinated.

Staff also created a variety of display advertisements and flyers to post in newspapers and at local areas in order to reach a larger number of citizens. Examples of these flyers and advertisements are attached. Flyers have been distributed to community centers and other locations throughout the County in the same manner as rabies clinic flyers and flyers about increased civil fees and fines.

Staff also created a webpage dedicated to tethering and tethering updates. It includes versions of the FAQ, background information, and resources, as well as all minutes and supporting documents from BOCC, Animal Services Advisory Board, and Tethering committee meetings leading up to the adoption of the amendment.

Existing forms for surrendered and other incoming animals were modified to include information on how people keep their animals and whether that is a factor that affects whether they surrender them to the shelter. We expect these forms to help us collect data in the coming months that will help indicate whether a tethering amendment is a factor in relinquishing an animal to the shelter.

Animal Control officers have and continue to spend a great deal of time in the field speaking with people about the tethering ordinance, its background, its implementation schedule, and the resources that are available for those wishing to make a change in their means of confinement. In addition, information on the tethering ordinance was incorporated into adoption counseling for those adopting animals from the shelter, and is also being discussed with residents recovering an animal from the Animal Services Center.

An important feature in all communication has been the tone and way in which the amendment has been shared with citizens. Staff developed Standard Operating Guidelines that addressed outreach and field service education and stressed the importance of tone and message. The Animal Services Department is committed to working with the community to make such a transition and providing help and information on resources when possible.

Chapel Hill's Tethering Amendment: Chapel Hill adopted its own amendment on March 23, 2009. Their ordinance amendment makes it unlawful to restrain a dog by means of tethering with a chain, leash or other device either to a stationary object or to a cable trolley system. Chapel Hill's ordinance, which also includes minimum kennel size requirements, becomes effective one year after its adoption, on March 23, 2010. Its ordinance will have a 3-month period in which only warnings are issued and becomes fully enforceable on June 23, 2010.

Chapel Hill is now initiating their own outreach and public information for the Town's tethering ordinance. The Chapel Hill Police Department is responsible for this outreach. Their outreach is expected to begin in the near future and extend until the Town's ordinance becomes fully enforceable in June of 2010. Animal Services has provided resources from its own outreach efforts but will not have any direct role in or responsibility for the Town's public information

effort. There is agreement that it is best for Chapel Hill and the County to each conduct their own outreach and education given basic differences in the amendments.

As part of the Town's animal ordinances, the tethering amendment will be enforced by a County Animal Control Officer under the existing agreement for animal services between the County and Chapel Hill. As previously noted, full enforcement would not begin until June 23, 2010. The tethering amendment may also be enforced by Chapel Hill Police Officers in the routine conduct of their business and it is expected to be simpler to enforce because of its outright prohibition of tethering.

Conclusion: Activities during the first phase of outreach will continue throughout the second six months of the implementation phase, and will intensify as the amendment's effective date nears. The next progress report is expected in early 2010 and will contain additional outreach information, as well as any data that has resulted from intake forms and observations in the field.

Attachments: Tethering Flyer
Tethering Display Ad
Tethering Timetable
Tethering Standard Operating Guidelines
Tethering FAQ list

Tethering Flyer

Tethering of Dogs in Orange County

The Board of County Commissioners has adopted an amendment to the animal ordinance that limits the tethering (or tying) of dogs in Orange County.



Effective November 19th, 2009

Tethering Limitations



- Tethering should be limited to 3 hours within a 24-hour period
- Tethers must meet certain requirements
- Various exemptions are included

These limitations affect only the residents of Hillsborough and unincorporated Orange County

To read the complete ordinance amendment, including a full list of exemptions, visit <http://www.co.orange.nc.us/animalservices>



Display Advertisement

Tethering of Dogs in Orange County

The Board of County Commissioners has adopted an amendment to the animal ordinance that limits the tethering of dogs in Orange County

Effective Nov. 19th, 2009

**Tethering should be limited to 3 hours
within a 24-hour period**

To read the full ordinance amendment, including a full list of exceptions, visit <http://www.co.orange.nc.us/animalservices>

Media Release

FOR IMMEDIATE RELEASE

Date: January 9, 2009

Contact: Robert Marotto, Animal Services Director

BOCC Adopts Tethering Restrictions in Orange County

The Orange County Board of Commissioners voted to amend the Orange County Animal Ordinance to restrict the tethering of dogs to a maximum of 3 hours within a 24-hour period. The Board of County Commissioners adopted the amendment at its November 18, 2008 meeting. The amendment will go into effect one year later on November 19, 2009.

The amendment includes numerous exemptions to the limitations, including dogs that are within the sight of a responsible party and those accompanying people in camping or other recreational areas. The amendment also includes twelve months of public outreach and education followed by a six-month period in which only warning notices will be issued for violations of the ordinance.

The ordinance change is based upon a report and recommendations by the Tethering Committee, appointed by the Board of Commissioners, working in conjunction with the Animal Services Advisory Board. The Tethering Committee based its recommendations upon many factors, including community benefits such as public safety and animal welfare, as well as the successful experience of other communities with restricted tethering ordinances.

For more information on the amendment, including a full list of changes and exemptions, visit the Animal Services website at <http://www.co.orange.nc.us/animalservices> or call Animal Control at 919-245-2075.

###

Tethering Standard Operating Guidelines

Orange County Animal Services

This is a set of guidelines for Animal Services Staff to facilitate procedures used to implement the County's new tethering ordinance. Some of the information provided herein is general and applicable to all staff. Other information may be specific to certain groups of staff. Specific responsibilities are summarized in the section "Staff Responsibilities." All staff members should read the entire SOG and familiarize themselves with it, as well as with the list of Frequently Asked Questions attached. Note that the FAQ is available in Spanish as well as English and that both versions, as well as background documents are posted on the Animal Services website.

Tethering Ordinance Requirements

- The Board of County Commissioners (BOCC) approved an amendment to Orange County's Animal Ordinance in November of 2008 that restricts tethering in Orange County.
- The new restrictions on tethering will become effective November 19, 2009 after a one- year period of public education and outreach.
- The County's animal ordinance (and any changes made to it) only applies to the unincorporated areas of the County, as well as Hillsborough, which adopts the County's ordinance. Citizens who live inside the town limits of Chapel Hill, Carrboro or Mebane will not be affected by the County's tethering ordinance. However, the town of Chapel Hill adopted its own tethering ordinance amendment in March of 2009 that will affect its residents. That amendment differs from the one in Orange County and becomes effective in June of 2010.
- On and after November 19, 2009, tethering must be limited to a maximum of three (3) hours within a twenty-four-hour period and tethers must be a minimum of 10 feet in length, have a swivel at each end, and must attach to only a buckle collar or harness.
- On and after November 19, 2009 tethering in excess of the 3-hour maximum will be allowed:
 - a) during any activity where a tethered dog is in the visual range of its owner or keeper, and its owner or keeper is outside with the dog;
 - b) while being walked with a handheld leash;
 - c) during training and performance (or sporting) events for dogs, including but not limited to field and obedience trials, where tethering does not occur for a period exceeding 7 days;
 - d) while actively herding, shepherding or cultivating agricultural products where tethering is reasonably necessary for the safety of the dog;
 - e) when camping or during other recreational activities where tethering is required by the camping or recreational area where the dog is located;
 - f) after taking possession of a dog that appears to be a stray and notifying Animal Control while trying to find the dog's owner or keeper, for a period of no more than 7 consecutive days

STAFF RESPONSIBILITIES

Animal Care Technician Responsibilities

1. Communicate new tethering ordinance requirements to each adopter during adoption counseling.
2. Provide information and answer questions regarding tethering requirements from members of the general public.
3. Provide tethering brochures to members of the general public and adopters of shelter animals.
4. Provide information on resources available for those wanting to switch from tethering to another means of confinement.

Office Assistant Responsibilities

1. Provide information and answer questions regarding tethering requirements from members of the general public that visit or call.
2. Provide tethering brochures to members of the general public and adopters of shelter animals.

3. Provide information on resources available for those wanting to switch from tethering to another means of confinement.
4. If a dog owner surrenders their dog because they cannot comply with the tethering ordinance, this shall be noted on the intake form as well as in Chameleon.

Veterinary Health Care Technician Responsibilities

1. Provide information and answer questions regarding tethering requirements from members of the general public that visit or call.
2. Provide tethering brochures to members of the general public and adopters of shelter animals.
3. Provide information on resources available for those wanting to switch from tethering to another means of confinement.

Resources for confinement other than tethering

An important part of this process is to educate the public and provide them with the support needed to facilitate a change. Below is a list of resources staff members can use in their efforts to work with people to make a positive and effective transition.

- Citizens may switch to a pen/kennel enclosure.
- Citizens may construct a fence.
- Citizens may choose to house their dog(s) indoors. (“Pets for Life” handouts on housetraining and crate training are available at the shelter for visitors and customers)
- Supplies for outdoor enclosures can be purchased at most hardware stores and many indoor confinement methods can be obtained at pet stores.
- The Coalition to Unchain Dogs offers a program to assist with fence building. Details can be found online at www.unchainyourdog.org, or by calling 919-308-3660 or emailing ssnss@yahoo.com.
- Consulting with a veterinarian, checking yellow page listings, or conducting an online search can find information about local dog training opportunities.

ACO Responsibilities and Tethering Compliance

On and after November 19, 2009, owners of animals found in non-compliance of the Tethering Ordinance may be issued a warning by an Animal Control Officer. After May 19, 2009, those not in compliance may be issued a warning or subject to an enforcement action such as a civil citation.

It is the expectation that ACOs will work with County residents to facilitate as well as ensure their compliance with the ordinance revision in a positive and collaborative manner. Each officer is expected to refer residents in need to the resources for confinement other than tethering (listed earlier in this SOG). Generally, it is expected that officers will call attention to the resources that are available from The Coalition to Unchain Dogs. It is the expectation that officers will make every effort to facilitate compliance with the ordinance.

Education / Outreach Period - November 18, 2008 to November 18, 2009

ACO will participate in outreach by providing owners with a brochure outlining tethering regulations. They shall distribute these when a call response involves a tethered dog or they come across a tethered dog while on patrol. This shall include leaving a tethering brochure with a door knocker if no one is at home.

ACO will maintain a list of these postings and distributions to include owners’ names and address. Additionally they shall include: if this was a call to AC regarding the animal being tethered; a cruelty complaint where tethering was determined to be an issue; they were on patrol and observed a tethered dog.

Warning Period – November 18, 2009 to May 18, 2010

During this period, ACOs will issue written warnings when they have contact with owners that have unlawfully tethered dogs. As part of their contact they will continue to provide resource information to those owners needing assistance in changing to another means of confinement.

Also, utilizing the data list from the prior period the ACO shall begin follow up visits to the locations of tethered dogs and if still not in compliance, a warning will be issued. A list of these issued warnings will be kept by each ACO. The warning may be posted or signed for however direct contact is preferred.

Implementation Phase – Begins May 19, 2010

Once the 6 month warning period has passed, the warning list shall serve as the initial call request for the ACO's to follow-up and confirm compliance. These follow-ups shall occur during the first part of the business day. Should the ACO arrive and find the animal(s) tethered, they shall post and return after the 3 hour limitation and if the animal is still tethered, they shall document accordingly and issue an order of compliance with a specific deadline by which the dog or dogs will no longer be unlawfully tethered. Subsequent documented violations may result in a civil citation or other appropriate action.

Should a call come in regarding a tethered dog that is not listed on the prior data list, the ACO shall respond and post or leave with the owner a warning regarding the violation. The ACO shall return the next business day, post a three hour warning notice and return later to determine if a violation exists. If a violation is found, the ACO should issue an order of compliance with a specific deadline by which the dog or dogs will no longer be unlawfully tethered. Subsequent documented violations may result in a civil citation or other appropriate action.

During the first 18 months of community education and outreach, when an ACO encounters an owner whose dog is tethered, the ACO shall be mindful of the somewhat sensitive nature of the subject and how they communicate the new ordinance revisions to the owner. Therefore every attempt shall be made to assure that the person is addressed in an even tone and manner as well as given the opportunity to ask questions. Additionally it the person shall be instructed on the amount of time they have remaining to comply as well as offered any additional resources referenced in the educational materials.

During all three periods of data collection and outreach, the ACO's shall assure that any owner comply with the tethering regulations in place prior to the ordinance change as well as, if applicable, enforce penalties for any violations. These shall be tracked as well.

Chameleon –

An activity shall be created for each call. The calls regarding tethering shall be coded in the following manner:

Tethering Education - Tethering Warning - Tethering Violation

- Tethering Education (TE) – Shall be used during the Education / Outreach period
- Tethering Warning (TW) - Shall be used during the Warning period but you can also use TE if they have not been previously notified of the ordinance revision. However you will also need to issue them a TW.
- Tethering Violation (TV) – Shall be used whenever a violation is warranted unless there is no history of a TE or TW being issued. In this situation the owner may be given a reasonable amount of time to comply before being cited for a violation.

The memo shall reflect any additional information related to the ACO findings and result.

Owner Surrenders –

These shall be tracked separately but will be included with the ACO's data collection. If a dog owner wishes to surrender their dog because they can not comply with the tethering ordinance, this shall be noted on the intake sheet as well as included in Chameleon.

I hereby acknowledge that I have read the above policy of Orange County's Animal Services Department and that I fully understand it.

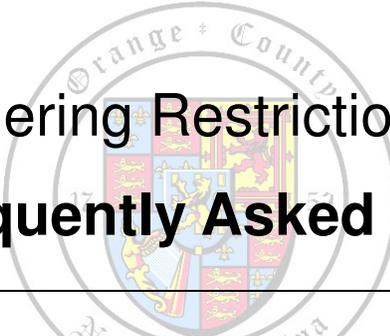
I understand that adherence with this policy is a condition of my employment with Orange County's Animal Services Department.

Signature of Employee _____

Printed Name of Employee _____

Date Signed _____

Last revised 03/09
Effective 04/15/09



New Dog Tethering Restrictions in Orange County

Frequently Asked Questions

Effective November 19, 2009, Orange County's Animal Ordinance will restrict the tethering of dogs to a maximum of 3 hours within a 24-hour period. The Board of County Commissioners (BOCC) approved the amendment, along with a year of outreach, in November of 2008.

What is tethering?

Tethering refers to the keeping of dogs on chains, ropes or other such tie-outs versus within a fenced structure. It is often defined in reference to a stationary object (for example, a dog chained to a stake near a dog house), but also includes overhead trolley systems. Tethering does not refer to walking a dog on a leash.

What are the restrictions of the new ordinance amendment?

1. Tethering must be limited to a maximum of three (3) hours within a twenty-four-hour period.
2. Tethers must be a minimum of 10 feet in length, have a swivel at each end, and must attach to only a buckle collar or harness.
3. Certain exceptions exist for specific circumstances.

What exceptions are included in the amendment?

Tethering in excess of the 3-hour maximum is allowed:

1. during any activity where a tethered dog is in the visual range of its owner or keeper, and its owner or keeper is outside with the dog;
2. while being walked with a handheld leash;
3. during training and performance (or sporting) events for dogs, including but not limited to field and obedience trials, where tethering does not occur for a period exceeding 7 days;
4. while actively herding, shepherding or cultivating agricultural products where tethering is reasonably necessary for the safety of the dog;
5. when camping or during other recreational activities where tethering is required by the camping or recreational area where the dog is located;
6. after taking possession of a dog that appears to be a stray and notifying Animal Control while trying to find the dog's owner or keeper, for a period of no more than 7 consecutive days.

How long do people who currently tether have to make changes?

The amendment was adopted on November 19, 2008 and includes a year-long period of extensive public outreach and education before becoming effective in November of 2009. Moreover, only warnings will be issued for the first six months of effectiveness (from November of 2009 to May of 2010). Only after

the combined 18-month period, will any ordinance amendment be fully enforced. This is intended to give citizens ample time to become informed and make changes to comply with the new law.

Will the ordinance changes affect me if I live inside a township in Orange County?

Citizens who live inside the town limits of Chapel Hill, Carrboro or Mebane will not be affected by the County's ordinance or any changes made to the County's ordinance. The County's animal ordinance (and any changes made to it) only applies to the unincorporated areas of the County, as well as Hillsborough, which adopts the County's ordinance. However, the town of Chapel Hill adopted its own ordinance amendment in March of 2009 that will affect its residents. That amendment differs from the one in Orange County and becomes effective in June of 2010.

What resources are available for those wanting to switch from tethering to another means of confinement?

There are several other means of confinement available to those wanting to switch from tethering. Citizens may switch to a pen/kennel enclosure; construct a fence; or choose to house their dog(s) indoors. Supplies for outdoor enclosures can be purchased at most hardware stores and many indoor confinement methods can be obtained at pet stores. The Coalition to Unchain Dogs offers a program to assist with fence building. Details can be found on their website at www.unchaindogs.net, or by contacting them at 919-308-3660 or ssnss4@yahoo.com. Information about local dog training opportunities can be found by consulting with a veterinarian, checking yellow page listings, or conducting an online search.

BACKGROUND

Why did the BOCC consider tethering restrictions?

The BOCC created the Tethering Committee upon the request of the Animal Services Advisory Board (ASAB), which had been approached by local citizens concerned about the welfare of tethered dogs. Their efforts mirrored initiatives elsewhere in North Carolina and other states to limit, restrict or outlaw tethering. The Tethering Committee was appointed by the BOCC to address tethering in Orange County and to work with the ASAB to recommend what, if any, changes should be made to the existing animal ordinance regarding tethering.

What are the reasons for these changes?

The Tethering Committee recommended these changes to the BOCC because of its concern with both public safety and animal welfare, after conducting a significant amount of research. Long-term tethering can contribute to neglect and the current ordinance in Orange County does not address the length of time a dog can be tethered. The ASAB also felt that tethering restrictions would make better use of Animal Services resources and help address other related concerns, such as unwanted breeding and dog bites.

Why tethering? Can't dogs be neglected and abused in kennels as well?

While it is true that dogs can be neglected in any situation, tethering raises additional community concerns. The lack of a barrier between the dog and outside world raises the risk of dogs bites, and makes some dogs vulnerable to unwanted breeding (contributing to pet overpopulation) and attack by roaming dogs or other animals.

How does the adoption of this ordinance affect County resources?

Other jurisdictions have shown that, in the long term, tethering restrictions make for better use of County resources. Jurisdictions which have recently restricted or eliminated tethering have reported a decrease in the number of reported dog bites, reduced unwanted litters of puppies, and reduced cruelty cases related to improper tethering. All of these changes improve public safety and save the county tax dollars. More information on other jurisdictions with restricted tethering ordinances can be found at http://www.helpinganimals.com/ga_tetherLegislation.asp.

Where can I find additional information and copies of background documents?

The ordinance amendment itself and the report of the Tethering Committee are available at <http://www.co.orange.nc.us/animalservices>. Also available are minutes from BOCC and Tethering Committee meetings, abstracts from BOCC meetings where tethering was discussed, and other supporting documents. Questions can be directed to Animal Control at 919-245-2075.