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This was the 6th meeting regarding a proposed ordinance revision prompted by animal rights groups in the Los Angeles area. A commercial kennel in the county was discovered to have violated their license by a large increase in the number of dogs over their approved license number. The antagonistic groups went before the L.A. Board of Supervisors and wanted major revisions to the ordinance, such as caps on intact dogs per kennel, strict cage sizes, strict exercise and socialization requirements.

During the subsequent 18 months, kennel owners had united and met with Marcia Mayeda, Director of L.A. DACC several times. All were public meetings with notices duly sent out to interested parties. Ms. Mayeda visited various kennels, including the 8 commercial kennels in the L.A. County. Director Mayeda and DACC County counsel Diane Reagan listened to kennel owners' suggestions and the unique differences in breeding and rearing many breeds of dogs. The result was a reasonable revision to the ordinance incorporating the concerns of the County and an understanding of the concerns and needs of the dog breeding community.

The organizations that originally brought the ordinance to the attention of the L.A. County Board of Supervisors, thereby initiating the draft revision process, became increasingly upset over the past few months with the manner in which the ordinance changes were being developed. This 6th meeting was prefaced by very hostile emails and flyers describing the kennel owners as "puppy mills" who had somehow coerced DACC into proposing damaging, abusive changes rather than the actual common sense changes that the Kennel Owners and DACC had cooperatively worked out. Organizations that had never participated in the on-going discussions became involved at this last meeting.

Several reporters were present, one who, according to her, reports mostly on "hoarders."

The meeting:

The meeting room was standing room only. A very rough estimate would be 70-80 people in a room that would normally hold 50. There were approximately 30± kennel owners and the rest were members of groups such as Best Friends Society, Last Chance for Animals, and Humane Society of the United States. Jennifer Fearing, California State Director of HSUS, and Best Friends Animal Society, had sent out malevolent flyers demeaning kennel owners and soliciting a large attendance of those in opposition to the ordinance draft.

Ms. Mayeda chose to address the objections of the ordinance before accepting questions or discussion from the floor.

Objections:

Cage Size: The cage size has not been reduced from previous requirements. They must be of sufficient size for the animal. There has been no problem with this in the past. 3 sets of laws govern animal care - LA County Title 10 as well as federal and state laws. All are enforced.

Wire floors: The concern that was that dogs could live in stacked cages or wire floors indefinitely. Not true. Wire (coated, defined) floors can only be used temporarily and a solid floor must also be provided.

Breeding Frequency: DACC had considerable input from many people with diverse opinions. The regulations have to be generally accepted, defensible in courts, and must show reasonableness. DACC found that it would be difficult to promote laws with many differing opinions, and impossible to enforce properly. Consensus was reached to have 1-year of age be the acceptable threshold for breeding – in the ordinance.

Limitations of dogs to be bred: Those questioning the proposal wanted a cap or a cap with exceptions. DACC did a lot of research, regarding legality and practicality. They found the best approach would be to set an initial limit at 50 (the rest of the graduated numbers with additional requirements can be seen in the draft). Ms. Mayeda brought up that sometimes violations can be found with even a few animals and that the department has not found serious violations with the commercial kennels. The number of animals is not a predictor of the care that would be given to the animals.

Exercise/Socialization Requirement: Those questioning the proposal expressed concern that there was no clear exercise/socialization requirement. This is also covered under state/county laws. DACC inspectors have encountered no problems with this issue. The Director covered the laws and ordinances that already deal with this. It is not necessary to create redundant laws.

Veterinary Care: Those objecting expressed concern that the animals should receive an annual physical. DACC found that not all animals require an annual physical; kennel owners could more appropriately use those monies for vet care when necessary.

Opened for questions:

Various questions were raised about UNLICENSED breeding of dogs. Ms. Mayeda offered that those situations could be brought to her attention and she would deal with them. Can the age of licensing of pups be reduced? (No)

Volunteers offered several times to help with inspections. DACC replied that it has done a great job finding a balance between getting sufficient “teeth” in the law without unfairly penalizing people who are obeying the laws.

The issue of some sort of appeal process between the department and the kennels was raised. The judicial system and filing an appeal in court was the response. This follows same law as individual spay/neuter laws. Also, injunctive relief can be applied to the facility if non-compliance is determined. (There really wasn't a satisfactory answer to this.)

A question was raised regarding the number of breeders (60) and how many inspectors (40) in L.A. County. At this point, the Director mentioned that pictures that were being shown by “interested parties” of matted dogs stacked in rusting wire cages, etc. but that this has not been seen in the L.A. County.

The Director was asked what was seen as the principal progress in the draft. The questioner listed a series of “no changes” and Marcia listed the many changes that were made throughout the draft including the whole new breeding section.

The issue of a cap was brought up repeatedly throughout the meeting. Why would any reputable breeder need more than 50 dogs in a facility? The response from one attendee

was that it, "Could also apply to Rescues." Very loud responses, arguments ensued. The Director stopped it, saying that the "number of breeding animals per facility is a philosophical question and we're here to talk about the ordinance." The 50 cap was raised again. County counsel Diane Reagan went through the various states that had caps. WA is the only state that truly has a cap of 50 breeding animals over 6 months old. VA, MO, OR, a couple more have caps, but there are loopholes throughout. LA has a cap of 75 over 12 months old. None have withstood the test of time as they are all from recent legislation. The Director stated that business could be reasonably restricted, but not cut off completely unless there is a compelling public interest in doing so. The same person, either a Best Friends or Last Chance member, brought up his displeasure with the veto of SB250.

The fact that over ½ million pups are imported into the U.S. annually to satisfy the puppy buying public was mentioned. "It's better to have licensed, inspected kennels than having dogs sold out of the back of a truck or smuggled in car trunks." Dogs in shelters are there because of multiple reasons, and very few are from licensed breeders. This brought loud denials. Another person stated that most dogs are pit bulls and Chihuahuas in Los Angeles' shelters. Again, this brought loud and angry denials.

Some requested a Task Force to monitor low-density areas based on the premise that low density agricultural area (1/2-10 acre residences) is where illegal breeding occurs.

One woman said that she was moving hundreds of purebred dogs that came from facilities. She argued that this ordinance encourages mass-production of dogs when there are already high euthanization statistics in L.A. County. She asked if every animal was a stray? Marcia commented that there ARE a lot of pit bulls and Chihuahuas. Someone bred them. The Director commented that the shelters were NOT overwhelmed by "puppy mill" dogs. Most are from people breeding in their back yards. The biggest problems for the shelters are the strays, irresponsible pet owners, and back yard breeders. She went on to say that limiting commercial breeders to 50 dogs would not solve euthanasia problems in L.A. county... it's much more complex than that.

Volunteerism was again raised. The person commenting said that being a "legal" volunteer would make reports of animal abuse or illegal breeding be taken seriously. Supervisor Antonovich's Chief Deputy Norm Hickling said that any individual could report an issue regarding animals being abused. Reports are taken seriously and refuted the comment that they are not.

Comment from a long time Rescuer: she made a study of all shelters and 85% in shelters were between 6 months and 5 years, and had previous homes. She called it "Serial dog ownership" because owners turn dogs into shelters until they find the "right fit." She continued that if a law was made that there would be no more breeders in CA, the shelters would still be full. She suggested that the causes should be solved. Further, she said that attacking breeders for a societal problem is not going to solve the problem.

The person from the LC or BF again remonstrated that this ordinance was to be about how to ensure the health and safety of breeding dogs. He doesn't see it in the ordinance. He wants NO stacking, limit on times the dog can be bred, get a rest every 3rd litter, some national breed clubs support that. He stated that some breed clubs accepts that after litter rest period. He said that teeth were rotten and falling out because of pushing out litter after litter, and went on to promote annual vet exams.

(See below for response to that) He repeated his points again. "This ordinance doesn't meet its purpose which was to ensure the health and safety of breeding dogs.

Jennifer Fearing of HSUS spoke. She stated that if breeders cared about their dog, these dogs that breeders care so much about, breeders would want annual exam and rest between cycles. "I mean if you love your dog, why wouldn't you want to see the vet once a year, what's the problem?"

A kennel owner pointed out he had 75 dogs and handles it well. He would rather use the money in his budget for emergencies and vet visits when necessary. He pointed out that he was dealing with reality. The man from LC/BF had started to say that the data shows that when the facility gets large, that's when the biggest problem occurs."

LC/BF then started complaining about the ordinance's proposed cage sizes. The Director explained reasons for not having specific measurements in cage sizes... one size didn't fit all. He said it put too much pressure on the inspector to decide whether a cage or run was too small or not. The Director stated that the inspectors were better trained and knew what was appropriate.

Jennifer Fearing spoke. She made mention of individual situations for a dog, not kennel budgets. She asked if a pup sold for \$2500, is one visit for \$100 too difficult? She said that she had worked in shelters and "if you think that breeders don't have impact on shelters, you're fooling yourselves." There were 25% purebreds in shelters SHE worked in. The breeders didn't come for dogs that they bred. She continued saying that data is important and if it's said it isn't, it's ignorant. She stated that it wasn't just puppies, they pull HUNDREDS of dogs, (Baldwin Park) all sorts of little dogs (she contradicted herself) huskies, labs, goldens. "You are making another dog and we're KILLING 20 for that one dog that pops out? You are a business, business is regulated and so it's not a bad thing." Then she switched her tack to getting rid of BYBs, being part of the solution

A kennel owner stated, "We're willing to work with regulation. You are asking for limitation. There's a difference."

LC/BF repeated: "But what the data shows is once the numbers increase, the violations increase." The Director responded that it's been addressed in the proposal -- if numbers increase, inspection visits increase. A kennel owner added, "We are licensed breeders and you're trying to put other things on us that don't exist. We're not back yard breeders, not unlicensed breeders."

There was a discussion about wire flooring, and the muttering was that they would "go to state level" to get that fixed.

There was a final discussion about the vagueness implicit in dog licenses regarding number of dogs allowed. It basically ended that no matter how many breeding animals one has, the license "cap" states the number allowed in the kennel. So many kennel owners asked that that be stated more clearly in the regulations as it appears that spayed/neutered, retired dogs don't count in the license, but they do.

A kennel owner responding to an earlier comment that over-breeding causes teeth to rot and fall out stated that it was nutrition or the lack of that created those dental problems, not breeding every cycle. She was aware of numerous dogs, bred every cycle that have complete dentition. It's not breeding, it's nutrition, a standard of care problem. The

man who said it waffled, repeating that these dogs need an annual vet exam, and if they had an annual exam, that would be caught.

At close to the 2 hour mark, a woman who runs the Mobile Spay/Neuter Van, stated that with her 21 months experience in the rural areas, that the overwhelming number of dogs were given by a friend, running in the desert, stray, etc. Less than 5% are from breeders; once in a while she saw a shelter pup. The kennel dogs are not what she was seeing. She saw dogs from back yard breeders, unlicensed breeders.

General discussion started with closing remarks from a man in the back of the room.

“There’s a word for you people who have 50 breeding animals -- it’s called a puppy mill. You people are a drain on society.”

That broke up the meeting with a final call for a volunteer task force.

My comments are that the AR groups will be attempting to have a volunteer task force to further their agenda. If that becomes a reality, breeders, kennel owners, regular pet owners MUST insist on being a part of it.

Also, that Sacramento/legislation is very much on their minds. The different objections to this ordinance will be in a bill before the legislature if they can find a legislator willing to carry it again this year. There is also the initiative process in CA.

They show arrogance and a sense of power that with California politics as it is this year, this cannot be underestimated. Marcia Mayeda and her staff did a great job following the law and understanding the problems that they faced when this started. I hope that the draft is accepted by the BOS and the dog owners of L.A. County can move on (to their next battle?).