



RIO RANCHO, NEW MEXICO CITY COUNCIL TO CONSIDER ANIMAL ORDINANCE AT AUGUST 25TH MEETING

**** EVERY PET BUSINESS AND PET OWNER
IN THE CITY COULD BE AFFECTED ****

**** BANS PET STORE SALE OF DOGS AND CATS ****

The Issue.

The City Council of Rio Rancho, New Mexico has jumped on the bandwagon with many other local governments across the country in introducing an ordinance to amend current city ordinances concerning pet businesses and animal facilities. The proposal covers a large spectrum of the pet industry and bans commercial kennels within city limits and the sale of dogs and cats in pet stores. The ordinance also proposes tethering standards, mandatory spay/neuter and microchipping as well as permit requirements for pet owners and businesses.

In 2009, the city formed an Animal Welfare Task Force to review current ordinances and propose suggested amendments. The Task Force submitted its report of “extensive changes” to current ordinances to the Council on February 23, 2010. The Council discussed the Task Force’s recommendations at its public work session on July 21, 2010 and asked for several changes and alternatives to the specific ordinance revisions recommended by the Task Force. The proposed ordinance being heard at the August 25th meeting includes the Council’s changes.

The Impact.

The following is a synopsis of the proposed ordinance. [Click here](#) to read the complete text of the proposal, including definitions of all entities affected. The proposed ordinance grants the Chief of Police the authority to carry out these provisions and to appoint animal control officers.

Permit Requirements.

Business

The proposal states that any person who intends to operate any of the following professional animal businesses must obtain a business registration from the City Clerk’s office and a professional animal permit from the Animal Control Division of the Police Department:

- animal rescue;

- animal shelter;
- boarding kennel;
- grooming parlor or grooming service;
- pet aquatic facility;
- pet day care service;
- pet sitting service;
- pet store; or
- training facility.

A hobby breeder must obtain a conditional use permit from the Planning and Zoning Commission. If a hobby breeder also sells animals, a business registration shall be obtained from the City Clerk's office.

When either a professional animal permit or a hobby breeder permit is applied for, an inspection of the facility or premise used by the business will be conducted by the Chief of Police, or his authorized agent, to determine compliance with relevant city ordinances.

The owner/operator of any professional animal business and hobby breeders must post a current permit in a conspicuous place in every professional animal business or premises used. Professional animal permits and hobby breeder permits must be renewed annually during the anniversary month of the permit.

Owners

The proposal states that "any person keeping, harboring or maintaining any owned dog or cat over six months of age, within the city shall obtain a license from the Rio Rancho Animal Control Office for each dog or cat."

Boarding Kennels and Services.

The proposed ordinance provides a long list of facility standards (indoor and outdoor) such as lighting, food storage, water requirements, primary enclosure standards and etc. The proposal also requires boarding kennels to maintain written or electronic records for a period of 365 days from the animal's latest attendance date, of each individual animal attending the boarding facility, including the following information:

- Dates of attendance;
- Owners address and telephone number;
- Type of animal, including breed;
- Animal's name; and
- Date(s) of rabies vaccinations

Also, prior to selling any pet food products, the business owner must ensure that the food product is registered with the New Mexico Department of Agriculture. Under the proposal, kennels must also develop a written veterinary-approved program and update it annually to include vaccination recommendations, procedures to minimize disease transmission, disease and injury recognition training, emergency care and procedures.

Commercial Kennels.

The proposed ordinance bans any commercial kennel from operating within city limits.

Grooming Parlors and Services.

The grooming standards in the proposal would affect both commercial grooming parlors and mobile and in-client home grooming services. The proposed ordinance provides a list of facility and enclosure standards much like those provided for kennels and also requires the same record keeping and veterinary approved program requirements as boarding kennels.

Hobby Breeders.

Standards for hobby breeders are divided into two different sections in the proposed ordinance: hobby breeders of dogs and cats and hobby breeders of guinea pigs, chinchillas, sugar gliders and rabbits. The

proposal provides standards for lighting, enclosures, and veterinary care and recordkeeping requirements. The ordinance requires all hobby breeders to accept for refund or exchange any animal found within seven days of sale/adoption/transfer to be suffering from an undisclosed health condition as documented by a licensed veterinarian.

Pet Stores/Sale of Dogs and Cats.

This ordinance **prohibits** the purchase, sale, or transfer of dogs, cats, or hybrids of dogs or cats by pet stores. Pet stores would still be allowed to adopt dogs or cats in conjunction with a permitted animal shelter or animal rescue. The Task Force reported the following reasons to the Council to validate a ban on dog and cat sales:

- difficult to determine the origin of dogs and cats sold by pet stores;
- many pet store dogs and cats have health and behavioral issues that often result from breeding in so-called “puppy mills”;
- these animals have behavioral issues arising from inadequate socialization at pet stores;
- pet stores harbor parasites and other diseases that place the animals and the public at risk;
- pet stores fail to disclose health and congenital disorders that can result in unexpected financial burdens on pet owners;
- dogs and cats from pet stores introduce new parasites not endemic to the City from pets acquired from other geographic areas;
- selling dogs and cats at pet stores leads to pet overpopulation, which can exacerbate animal health problems and the burden on the City’s Animal Control Division.

NOTE: In a summary of the ordinance provided by the Council, it states that a possible “grandfather” provision could be added to the ordinance to allow pet stores that currently sale dogs and cats to continue selling.

Tethering.

These proposed provisions prohibit pets running at large, except in the City’s dog park(s). The proposed ordinance sets new requirement for the tethering of dogs, prescribing the manner of restraint and limiting the amount of time an animal may be restrained outdoors, based on the Task Force’s findings that chaining and other fixed point restraints can be cruel and inhumane; endanger animal health and safety; and may produce problem behaviors such as aggression, biting, escape, and excessive barking.

Fixed point restraint (for example, by temporarily hitching a leash to an anchor or fixture) is limited to 15 minutes at a time. For longer periods (up to 10 hours in any 24-hour period), a pet may be restrained only by a trolley system constructed and maintained in the manner prescribed by the ordinance. The City’s Animal Control Division will issue permits for these approved trolleys. The pet must be provided access to shade, shelter, food and water, and must be protected by a fence or other barrier from other animals running at large.

Spay/Neuter.

The proposed ordinance requires that all dogs and cats be spayed or neutered, and that all be microchipped. It states that “no person or animal organization may keep, harbor or maintain within the city limits any dog over six months of age that has not been spayed/neutered unless the owner has obtained an unaltered animal license for that animal.” For cats, “no person or animal organization may keep, harbor or maintain within the city limits any cat over five months of age that has not been sterilized unless the owner has obtained an unaltered animal license for that animal.” NOTE: The spay/neuter provisions will not apply to competition animals and those maintained for breeding, and in cases of demonstrated medical problems that contraindicate the procedures.

Also, every owned dog or cat six months and older must be microchipped. The microchip information, including owner information, name of microchip manufacturer and microchip number, must be provided to Rio Rancho Animal Control (RRAC) at the time of licensing.

PIJAC Position.

This ordinance is similar to many other proposals at the local level across the country. Similar ordinances have been proposed in El Paso, Texas, Jacksonville, Florida, Wentzville, Missouri and San Francisco, California. **We urge anyone affected by this legislation to read the proposed ordinance carefully and respond to the Council immediately.**

As for mandatory spay/neuter requirements, PIJAC opposes a general ban on intact animals. Pet owners should not be subject to punitive fees because spay/neuter is not a desirable course of action in their particular circumstances. Also, PIJAC finds banning the sale of dogs and cats in pet stores as poor public policy, and is harmful to pets and pet owners. PIJAC strongly supports the right to keep pets, and the right of pet owners to have options as to where they obtain their companion animals based on the pet owner's individual circumstances, needs and preferences. Pet stores provide healthy, responsibly raised pets to the public, and should serve as one of the options pet owners may turn to in choosing a companion animal, including a dog or cat. Such bans do not benefit animals or the pet owning public.

Recommended Action.

As stated above, the Council is set to hear the proposed ordinance at its Wednesday, August 25th meeting. We urge anyone affected by this proposal to attend the meeting and voice their views. [Click here](#) to read the complete text of the ordinance. Contact information for Rio Rancho City Council members can be found by [clicking here](#).

The meeting will be held at the Rio Rancho City Hall, Council Chambers (First Floor), at 6 p.m. on Wednesday, August 25th. More information can be found via website at <http://ci.rio-rancho.nm.us>.

If you have any additional questions or concerns about this proposal please contact PIJAC's Bambi Osborne via email at bambi@pijac.org or by phone at 202-452-1525, ext. 105.

PIJAC Members! PIJAC Fans! Join US...

The Pet Industry Joint Advisory Council (PIJAC) has been protecting and promoting responsible pet ownership for nearly forty years. Follow our successes, events, and action alerts through Facebook and/or Twitter at PIJAC4pets. If you are not already a Member, please join us today by visiting www.pijac.org/membership. For additional information on PIJAC and its many exciting campaigns, please visit: www.pijac.org and www.dontmesswithmypet.org. Or, contact us at 1-800-553-PETS (1-800-553-7387); members@pijac.org.

On behalf of pets, responsible pet owners, and the pet industry, we thank you!