



OUTDOOR DOG OWNERS FACE REGULATION IN RHODE ISLAND

**** RISPCA GRANTED ENFORCEMENT POWER ****

The Issue:

Any person who keeps a dog outside in Rhode Island should take heed to [Senate Bill 140](#). Rhode Island is no stranger to introducing tethering legislation year after year. This bill provides specific tethering requirements as well as standards of care for owners. SB 140 also grants the Rhode Island Society for the Prevention of Cruelty to Animals (herein RISPCA) authority to examine and enter property where dogs are tethered outdoors.

The Impact:

[Senate Bill 140](#) defines "tether" to mean "the practice of fastening a dog to a stationary object or stake by a chain, rope or other tethering device as a means of keeping the animal under control. The term tether does not refer to the periods when an animal is walked on a leash."

The bill states that a person **may not**:

- Keep any dog outside, tethered, penned, caged, fenced or otherwise confined for more than one hour without access to an outdoor housing facility unless the person having charge is outside with the dog;
- Keep any dog outside either tethered, penned, caged, fenced or otherwise confined without access to an outdoor housing facility when the ambient temperature is beyond the industry standard for the weather safety scale as set forth in the most recent adopted version of the Tufts Animal Care and Condition Weather Safety Scale if the dog is showing signs of poor health due to the weather conditions;
- Keep any dog on a permanent tether less than six feet long;
- Tether a dog with a choke-type collar or prong-type collar;
- Keep any dog tethered for more than 10 hours during a 24- hour period or keep any dog confined in a pen, cage or other outdoor housing structure for more than 14 hours during any 24-hour period; or
- Fail to provide proper food, proper water, or proper veterinary care.

As for enforcement, the bill authorizes the RISPCA and animal control officers to examine tethered dogs and to enter upon grounds or premises where the dogs are located in order to enforce the proposed standards.

Exemptions to these provisions include:

- If the tethering or confinement is authorized for medical reasons in writing by a veterinarian licensed in Rhode Island which must be renewed annually and an outdoor housing facility is provided;
- If such tethering or confinement is authorized in writing by an animal control officer; or
- The following facilities: a training facility, grooming facility, commercial boarding kennel, licensed pet shop, animal shelter, municipal pound or veterinary facility.

Any person in violation of this section will receive a warning for a first violation. Second and subsequent violations will be considered a violation of state animal cruelty laws punishable by a sentence of up to 11 months in jail or a fine of up to \$500, or both, for each offense.

PIJAC Position:

This legislation could potentially subject breeders, pet stores and pet owners to harassment, and invites abuses of the law. PIJAC has long opposed authorizing police powers for private citizens who do not have the same training, qualifications and oversight as law enforcement officers. This is particularly true when such powers are granted to someone who has an inherent conflict of interest, as could be true under this bill. Also, it is unclear, as the bill is currently written, if an animal control officer must be present with a RSPCA representative when enforcing these provisions and whether a warrant is required to enter private property.

Recommended Action:

Outdoor dog owners should read the provisions of this bill carefully to make sure they adhere to these requirements. The bill has been assigned to the [Senate Environment and Agriculture Committee](#), but a hearing has not yet been set. Check the [Breaking News page](#) of the PIJAC website often for updates on this and other important legislation.

You may contact Bambi Nicole Osborne with any concerns or questions by phone at 202-452-1525, ext. 105 or by email at bambi@pijac.org.

Those who are not members of PIJAC and desire further information about membership may phone Nancy Knutson at 1-800-553-PETS (7387) or visit the PIJAC website at www.pijac.org.

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