



MEMPHIS CITY COUNCIL CONSIDERING MULTIPLE SPAY/NEUTER REQUIREMENTS

**** VOTE TO TAKE PLACE ON SEPT. 28th ****

The Issue:

The Memphis City Council is considering an amendment to the city's Animal and Fowl chapter of the Code of Ordinances to require mandatory spay/neuter of cats over the age of 6 months and dogs that weigh 30 pounds or more. Spay/neuter requirements have also been proposed for dogs declared dangerous/vicious and dogs normally tethered for two hours or more. The ordinance passed out of the Public Services and Neighborhoods Committee on August 10, 2010 and is expected to be voted on by the full Council at its September 28, 2010 meeting.

The Impact:

The proposed ordinance states that "no person may own, harbor or keep within the City of Memphis, a dog weighing 30 pounds or more or a cat over the age of six months that has not been spayed or neutered unless the dog or cat is exempted".

The following animals are exempted from mandatory spay/neuter:

- Dogs weighing less than 30 pounds;
- Dogs documented as having been appropriately trained and used by public law enforcement agencies for law enforcement activities or such dogs designated as breeding stock by an appropriate agency or organization approved by the Director of Memphis Animal Services;
- Dogs having been appropriately trained and used as service dogs (i.e. guide dog, hearing dog, assistance dog, seizure alert dog or social/therapy dog) or such dogs designated as breeding stock by an appropriate agency or organization approved by the Director of Memphis Animal Services;
- Dogs documented as having been appropriately trained and being used for search and rescue agencies or such dogs designated as breeding stock by an appropriate agency or organization approved by the Director of Memphis Animal Services;
- Dogs or cats certified by a licensed veterinarian as having a health reason for not being spayed/neutered;
- Dogs which are appropriately trained and used for herding of other animals (i.e. livestock guardian dogs, hunting dogs or such dogs designated as breeding stock by an appropriate agency or organization approved by the Director of Memphis Animal Services);
- Dogs or cats boarded in a licensed kennel or business, which boards such animals for professional training or resale;
- Dogs or cats registered with the American Kennel Club, Cat Fancier Association or other recognized registry or trained and kept for the purpose of show, field trials or agility trials;

- Dogs or cats whose owner has obtained an unaltered animal permit issued by the licensing-collecting agent of the City, or any agency authorized by law to issue such permit.

In order to obtain an unaltered (Fertile Animal) permit, applicants must apply for unaltered permits with the City of Memphis, Division of Public Services. The owner of a fertile animal will have to pay the City a one-time \$200.00 permit fee to keep a fertile animal within the City. Permit holders may not whelp more than one litter per female dog in any 12-month period and no more than one litter per domestic household in any 12-month period.

Anyone found in violation of this ordinance will be fined \$50 and court costs. The fine will be waived for first time offenders if proof is provided that the dog or cat is/or has been spayed/neutered by the date of the hearing. For second time offenders, the Court may enforce the \$50 fine plus costs and may hold the owner in Criminal Contempt and require the owner to prove that the animal has been spayed/neutered.

The Council is also considering an amendment to the Dangerous/Vicious Animal Ordinance to require a fertile dog that has bitten or attacked to be spayed/neutered and to declare any dog that has bitten once and been found running at large as dangerous/vicious.

Additional amendments being considered would require tethered dogs to also be behind a fence and dogs tethered for two hours or more be spayed/neutered. The council is also considering raising annual dog license fees from \$15 to \$35 for fertile animals and eliminating the \$5 fee for sterile animals.

PIJAC Position:

PIJAC opposes a general ban on intact animals. The pet trade widely endorses spay-neuter, where appropriate, but such a decision should be made on a case-by-case basis by pet owners after consultation with their veterinarian. Pet owners should not be subject to punitive fees because spay/neuter is not a desirable course of action in their particular circumstances. Targeting animals of a certain weight with a sterilization requirement does not serve any public interest and is inappropriate.

Recommended Action:

The Council's Committee on Public Services and Neighborhoods passed the proposed ordinance and amendments on August 10, 2010. The full committee is set to vote on the proposals at its September 28th meeting. Persons concerned about the impact of this proposal are encouraged to contact members of the City Council to voice concerns. [Click here](#) for Councilmember contact information. For those who wish view text of the proposal, [click here](#).

Those having questions about this proposal should 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!