
TO: CITY MANAGER **DATE:** 2005 October 7

FROM: DIRECTOR FINANCE

SUBJECT: TETHERING AND CHAINING OF DOGS

PURPOSE: To provide recommendations with respect to the advisability and feasibility of prohibiting or limiting the tethering or chaining of dogs.

RECOMMENDATION:

1. **THAT** the Burnaby Animal Control Bylaw be amended to regulate the tethering of dogs as detailed in this report.

REPORT

Under the New Business portion of the Open Council meeting held on 2005 January 17, Council introduced and adopted the motion included as *Attachment 1* relating to the advisability and feasibility of regulation for tethering and chaining dogs. This report provides information in response to this Council directive.

Background

Tethering or chaining refers to the fastening of a dog to a stationary object or stake, usually in the owner's backyard, as a means of keeping the animal under control. These terms do not refer to periods when a dog is walked on a leash. Alternatives to tethering include keeping the dog in a securely enclosed yard, dog run or family house.

The Humane Society of the United States (HSUS) issues detailed information on this subject in a document titled *The Facts About Chaining and Tethering Dogs*, which is included as *Attachment 2*. This information states dogs are naturally social animals that thrive on interaction with humans and other animals and concludes constantly chained or tethered dogs suffer psychological damage that leads to various disorders including neurosis, malcontent, anxiety and aggression. The resulting behaviour can lead to nuisance barking and aggression or attacks, all of which have negative impacts on the community. Chained or tethered dogs are also subject to direct physical harm from the pressure and wear of the collar on the neck. In addition, the HSUS finds that continuously tethered dogs rarely receive sufficient overall care.

The BCSPCA has also deemed continuous tethering of dogs to be inhumane. The BCSPCA have developed a specific policy on tethering of dogs in 2003. This policy was based on new animal science research that revealed dogs have strong emotional and psychological needs that require regular socialization and interaction. The BCSPCA concluded that prolonged tethering of dogs negatively impacts the quality of life for the animal and its contribution to society. The results of this policy included a new cruelty investigation procedure and increased education and public awareness about the problems associated with tethering or chaining dogs.

A review of tethering problems in Burnaby has been conducted. The SPCA reports a total 30 investigations involving tethering for this year. Shelter staff note that while grievous tethering violations are not common in Burnaby, when they do occur, the implications on the dog's health can be significant. In 2004, a dog was seized from a continuous tether situation and found to be excessively aggressive. A behavioural assessment concluded the dog was not adoptable and was euthanized.

The SPCA responds to reports of tethered dogs with an investigation and, where warranted, enforcement action under the Prevention of Cruelty to Animals Act or the standards of care provisions of the Burnaby Animal Control Bylaw. While enforcement of these regulations are effective in certain situations, they are limited in their effectiveness in dealing with tethering situations where the psychological harm to an animal is less apparent than evidence of physical abuses. It should be noted that investigations of tethered dogs give consideration to occasional, short term tethering that maybe necessary for the handler's convenience or the safety of the dog.

Tethering Regulation

A number of jurisdictions in the United States and Canada have regulated or prohibited tethering through bylaws. These bylaws in the United States range in regulation from complete prohibition of tethering as in Little Rock, Arkansas to tethering for a limited period of time in areas such as Denver, Colorado and St. Paul, Minnesota. Other variances in tethering bylaws include consideration for the type of dog (ex: guard dogs), for animals other than dogs, for tethering in public and tethering under other conditions of care.

Canadian tethering bylaws appear to be less prevalent with few examples to note. The Village of Lions Bay provides one example of regulation where there is no chaining or tethering of unattended dogs. The Canadian Federation of Humane Societies promotes an anti tethering position in a model bylaw by stating that no animal should be tethered to a fixed object as a primary means of confinement for an extended period of time.

Provincial regulation for animal abuse is held in the Prevention of Cruelty to Animals Act which is enforced by the BCSPCA. This legislation is commonly used for animal abuses relating to direct physical harm and supply of food, water and shelter. The general interpretation of this legislation presents challenges in enforcement of the legislation for abuses relating to tethering.

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Federal regulation for animal abuse is held in the Criminal Code of Canada where an offence is committed for wilfully causing, or permitting to be caused, unnecessary pain, suffering or injury to an animal. Psychological and emotional animal distresses associated with tethering are not clearly defined in this law and again present challenges for enforcement.

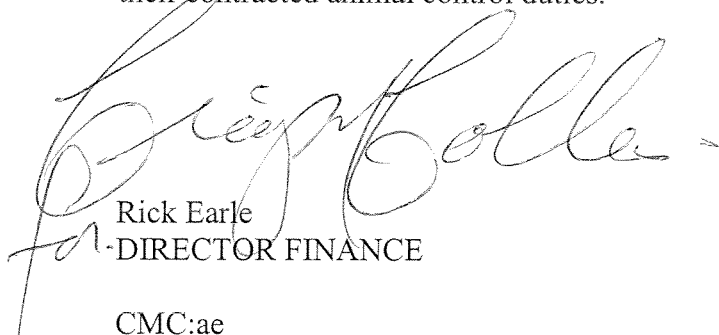
Recommendation

The practise of regularly and continuously tethering a dog is generally considered to be inhumane. These situations can result in serious consequences for the dog and potentially, the community. To regulate this method of animal control, a bylaw amendment is recommended to allow animals to be tethered unattended for a period of not more than one hour in a day. The proposed amendment would prohibit the regular, continuous tethering of an animal that creates health problems for the animal and negatively impacts the community. This amendment would allow for occasional, temporary tethering necessary for owner convenience and animal safety.

The bylaw definition of tethering would apply to both fixed object fastening and line run fastening. The bylaw would also require that when a temporary tether is used, that it be a length to provide for unrestricted and full movement; be affixed to a properly fitted dog collar; and be used so as not to injure the dog or allow it to be injured. Council authority to regulate animals by bylaw is held in the Community Charter Section 8.(3)(k).

Information on tethering regulations would be included with the 2006 dog licence and made available in a brochure by the BCSPCA. Enforcement of the continuous tethering regulation would range from owner education to seizure of the dog depending on the situation. Owners violating the bylaw would be subject to impound and sheltering fees and possible cruelty charges.

The BCSPCA support this bylaw recommendation and are prepared to include its provisions in their contracted animal control duties.



Rick Earle
for DIRECTOR FINANCE

CMC:ae
Attachments

Copied to: City Solicitor
BCSPCA Attn: Mark Takhar, Burnaby/Vancouver Branch Manager

CITY OF BURNABY
INTER OFFICE MEMORANDUM

TO: DIRECTOR FINANCE

DATE: 2005 JANUARY 18

FROM: DEPUTY CITY CLERK

SUBJECT: REQUEST FOR REPORT WITH RESPECT TO THE PROHIBITION OR
LIMITING OF TETHERING OR CHAINING OF DOGS
NEW BUSINESS, OPEN COUNCIL MEETING, 2005 JANUARY 17

Council, under the New Business portion of the Open Council meeting held on 2005 January 17, raised the issue of vicious dog attacks and suggested the evaluation of an additional provision to be included in Burnaby's Animal Control Bylaw.

Arising from consideration of this matter, Council introduced and adopted the following motion:

"THAT WHEREAS serious dog attacks on people in B.C. and Canada have heightened public concern for their personal well-being and the well-being of others;

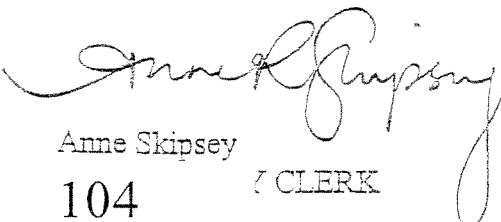
AND WHEREAS some animal experts believe that the protracted tethering or chaining of dogs can cause dogs to become vicious;

AND WHEREAS some animal experts believe that the protracted tethering or chaining of dogs is detrimental to the emotional and physical health of dogs;

AND WHEREAS numerous north American jurisdictions have enacted provisions to prohibit or limit the tethering or chaining of dogs;

AND WHEREAS Burnaby Animal Control Bylaw 1991 - No. 9069 does not make provision for the prohibition or limiting of tethering or chaining of dogs;

BE IT THEREFORE RESOLVED THAT Burnaby Council request staff prepare a report providing recommendations with respect to the advisability and feasibility of making provision in Burnaby Animal Control Bylaw 1991 - No. 9069 with respect to the prohibition of limiting of tethering or chaining of dogs."


Anne Skipsey
104 CLERK

The Facts About Chaining or Tethering Dogs



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1. What is meant by "chaining" or "tethering" dogs?

These terms refer to the practice of fastening a dog to a stationary object or stake, usually in the owner's backyard, as a means of keeping the

animal under control. These terms do not refer to the periods when an animal is walked on a leash.

2. Is there a problem with continuous chaining or tethering?

Yes, the practice is both inhumane and a threat to the safety of the confined dog, other animals, and humans.

3. Why is tethering dogs inhumane?

Dogs are naturally social beings who thrive on interaction with human beings and other animals. A dog kept chained in one spot for hours, days, months, or even years suffers immense psychological damage. An otherwise friendly and docile dog, when kept continuously chained, becomes neurotic, unhappy, anxious, and often aggressive.

In many cases, the necks of chained dogs become raw and covered with sores, the result of improperly fitted collars and the dogs' constant yanking and straining to escape confinement. Dogs have even been found with collars embedded in their necks, the result of years of neglect at the end of a chain. In one case, a veterinarian had to euthanize a dog whose collar, an electrical cord, was so embedded in the animal's neck that it was difficult to see the plug.

4. Who says tethering dogs is inhumane?

In addition to The Humane Society of the United States and numerous animal experts, the U. S. Department of Agriculture (USDA) issued a statement in the July 2, 1996, *Federal Register* against tethering:

"Our experience in enforcing the Animal Welfare Act has led us to conclude that continuous confinement of dogs by a tether is inhumane. A tether significantly restricts a dog's movement. A tether can also become tangled around or hooked on the dog's shelter structure or other objects, further restricting the dog's movement and potentially causing injury."

5. How does tethering or chaining dogs pose a danger to humans?

Dogs tethered for long periods can become highly aggressive. Dogs feel naturally protective of their territory; when confronted with a perceived threat, they respond

according to their fight-or-flight instinct. A chained dog, unable to take flight, often feels forced to fight, attacking any unfamiliar animal or person who unwittingly wanders into his or her territory.

Numerous attacks on people by tethered dogs have been documented. For example, a study published in the September 15, 2000, issue of the *Journal of the American Veterinary Medical Association* reported that 17% of dogs involved in fatal attacks on humans between 1979 and 1998 were restrained on their owners' property at the time of the attack. Tragically, the victims of such attacks are often children who are unaware of the chained dog's presence until it is too late. Furthermore, a tethered dog who finally does get loose from his chains may remain aggressive, and is likely to chase and attack unsuspecting passersby and pets.

6. Why is tethering dangerous to dogs?

In addition to the psychological damage wrought by continuous chaining, dogs forced to live on a chain make easy targets for other animals, humans, and biting insects. A chained animal may suffer harassment and teasing from insensitive humans, stinging bites from insects, and, in the worst cases, attacks by other animals. Chained dogs are also easy targets for thieves looking to steal animals for sale to research institutions or to be used as training fodder for organized animal fights. Finally, dogs' tethers can become entangled with other objects, which can choke or strangle the dogs to death.

7. Are these dogs dangerous to other animals?

In some instances, yes. Any other animal that comes into their area of confinement is in jeopardy. Cats, rabbits, smaller dogs, and others may enter the area when the tethered dog is asleep and then be fiercely attacked when the dog awakens.

8. Are tethered dogs otherwise treated well?

Rarely does a chained or tethered dog receive sufficient care. Tethered dogs suffer from sporadic feedings, overturned water bowls, inadequate veterinary care, and extreme temperatures. During snow storms, these dogs often have no access to shelter. During periods of extreme heat, they may not receive adequate water or protection from the sun. What's more, because their often neurotic behavior makes them difficult to approach, chained dogs are rarely given even minimal affection. Tethered dogs may become "part of the scenery" and can be easily ignored by their owners.

9. Are the areas in which tethered dogs are confined usually comfortable?

No, because the dogs have to eat, sleep, urinate, and defecate in a single confined area. Owners who chain their dogs are also less likely to clean the area. Although there may have once been grass in an area of confinement, it is usually so beaten down by the dog's pacing that the ground consists of nothing but dirt or mud.

10. But how else can people confine dogs?

The HSUS recommends that all dogs be kept indoors at night, taken on regular

walks, and otherwise provided with adequate attention, food, water, and veterinary care. If an animal must be housed outside at certain times, he should be placed in a suitable pen with adequate square footage and shelter from the elements.

11. Should chaining or tethering ever be allowed?

To become well-adjusted companion animals, dogs should interact regularly with people and other animals, and should receive regular exercise. It is an owner's responsibility to properly restrain her dog, just as it is the owner's responsibility to provide adequate attention and socialization. Placing an animal on a restraint to get fresh air can be acceptable if it is done for a short period. However, keeping an animal tethered for long periods is never acceptable.

12. If a dog is chained or tethered for a period of time, can it be done humanely?

Animals who must be kept on a tether should be secured in such a way that the tether cannot become entangled with other objects. Collars used to attach an animal should be comfortable and properly fitted; choke chains should never be used. Restraints should allow the animal to move about and lie down comfortably. Animals should never be tethered during natural disasters such as floods, fires, tornadoes, hurricanes, or blizzards.

13. What about attaching a dog's leash to a "pulley run"?

Attaching a dog's leash to a long line—such as a clothesline or a manufactured device known as a pulley run—and letting the animal have a larger area in which to explore is preferable to tethering the dog to a stationary object. However, many of the same problems associated with tethering still apply, including attacks on or by other animals, lack of socialization, and safety.

14. What can be done to correct the problem of tethering dogs?


At least 25 communities have passed laws that regulate the practice of tethering animals. Maumelle, Arkansas; Tucson, Arizona; and New Hanover, North Carolina, are a few communities that prohibit the chaining or tethering of dogs as a means of continuous confinement. Many other communities allow tethering only under certain conditions; Jefferson County, Kentucky, for example, prohibits dogs from being tethered for more than eight hours in any 24-hour period.


15. Why should a community outlaw the continuous chaining or tethering of dogs?


Animal control and humane agencies receive countless calls every day from citizens concerned about animals in these cruel situations. Animal control officers, paid at taxpayer expense, spend many hours trying to educate pet owners about the dangers and cruelty involved in this practice.

A chained animal is caught in a vicious cycle; frustrated by long periods of boredom and social isolation, he becomes a neurotic shell of his former self—further deterring human interaction and kindness. In the end, the helpless dog can only suffer the frustration of watching the world go by in isolation—a cruel fate for what is by nature a highly social animal. Any city, county, or state that bans this


practice is a safer, more humane community.

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 Do You Chain Your Dog?

 What to Do About a Dog Who's Left Outside

 Find Us

 www.UnchainYourDog.org

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