

# Proposed Dog Protection Bylaw: Article 13, Dog Welfare

*Information for*  
**Amherst, MA Town Meeting  
Members & Residents**

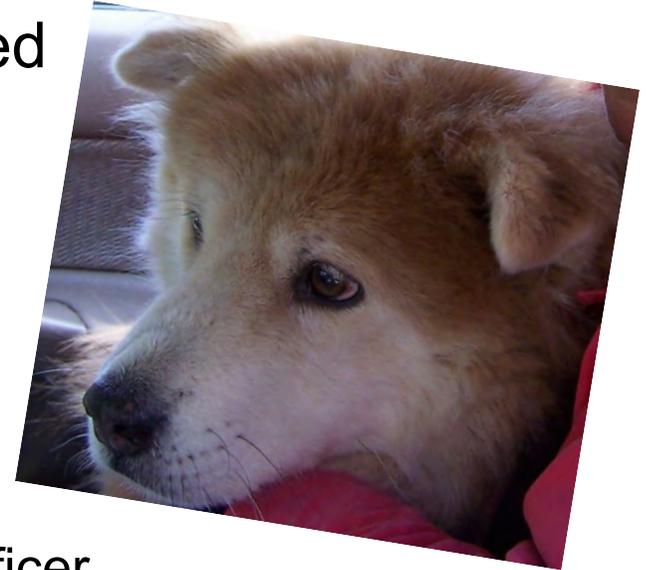
**By Amy Vickers**

**October 20, 2010**



# Process for Art. 13 Development

- **Toby:** a traumatized “Dakin dog” rescued from a cruel chain and dangerous confinement
- **Review:** humane dog tethering and confinement ordinances across U.S.
  - East Longmeadow, Greenfield
- **Meeting:**
  - Carol Hepburn, Amherst Animal Welfare Officer
  - Leslie Harris, Executive Director, Dakin Pioneer Valley Humane Society
- **Discussions:**
  - Linda Huebner, Deputy Director, Massachusetts Society for the Prevention of Cruelty to Animals
  - Adam Goldfarb, Director, Pets at Risk Program, The Humane Society of the United States
  - Amherst residents, local dog lovers



# Overview of Art. 13

## **A. Prolonged Chaining or Tethering of Dogs is Prohibited**

- Tethering allowed maximum 8 hours per day
- Tethers must be designed for dogs (i.e., no heavy chains)

## **B. Permissible Outside Confinement**

- Pen or secure enclosure with adequate exercise area
- Fully fenced or electronic fence
- Trolley system or tether attached to a pulley on a cable run

## **C. Access to Water and Shelter**

- Clean water
- Protection from elements; water, ice and waste drainage

## **D. No Outside Confinement at Night (11 pm to 7 am)**

## **E. Exceptions: kennels and working dogs**

Continued . . .

# Overview of Art. 13 (cont.)

## F. Cruel Conditions, Inhumane Chaining/Tethering are Prohibited

- Filthy and dirty confinement conditions and circumstances that could harm a dog's physical or emotional health
- Taunting, prodding, hitting, harming, harassing or threatening a dog
- Subjecting a dog to dangerous conditions, e.g., attack by other animals or dogs

## G. Violations and Penalties

- 1<sup>st</sup>: Warning option, otherwise \$50; 10-day remediation allowance
- 2<sup>nd</sup>: \$100; 10-day remediation allowance
- 3<sup>rd</sup>: \$300, potential impoundment
- **Motion filed October 14<sup>th</sup>**
  - Deletion of 8-hour limit on outside confinement (7am to 11 pm OK)
  - *No change to 8-hour/day limit on tethering*

# FAQs

**“Why do we need a dog protection bylaw in a nice town like Amherst—is anybody here mistreating their dog?”**

Sadly, like domestic violence, animal abuse crosses all socioeconomic and cultural lines. This bylaw will provide reasonable protection for mistreated dogs who are reported to the police.

**“Will this bylaw increase the town’s animal welfare enforcement costs?”**

No. The bylaw is designed for complaint-driven incidents of dog mistreatment. Penalties are set for violations.

**“What else will this bylaw accomplish?”**

Public education! Some people who improperly tie-up dogs don’t understand the harm they cause. This bylaw provides clear standards for humane tethering and confinement.

# Background Information

Sources:

<http://www.unchainyourdog.org/>

<http://dogsdeservebetter.org/>

***Warning:*** Some of the images that follow may be difficult to view. They are provided for the purpose of illustrating why humane dog tethering and confinement standards are needed in our town.



**Because dogs deserve more  
than life in prison...**



**This chained dog was rescued from  
a pit bull fighting ring.**

# What do you mean by “chaining”?

- Some people keep dogs continuously chained to a fixed object such as a tree.
- Many dogs they live on chains all day, every day.
- Why is chaining inhumane for dogs and dangerous for people?



# Why is chaining inhumane?

Many dogs are chained 7 days a week, 24 hours a day.



# Why is chaining inhumane?

**Chains are often very heavy - some people use logging chains.**



# Why is chaining inhumane?

Padlocks are common, too.



# Why is chaining inhumane?

Chained dogs often get tangled, keeping them from shelter, food, and water.



# Why is chaining inhumane?

Some dogs live their entire lives on very short chains with little freedom to move.



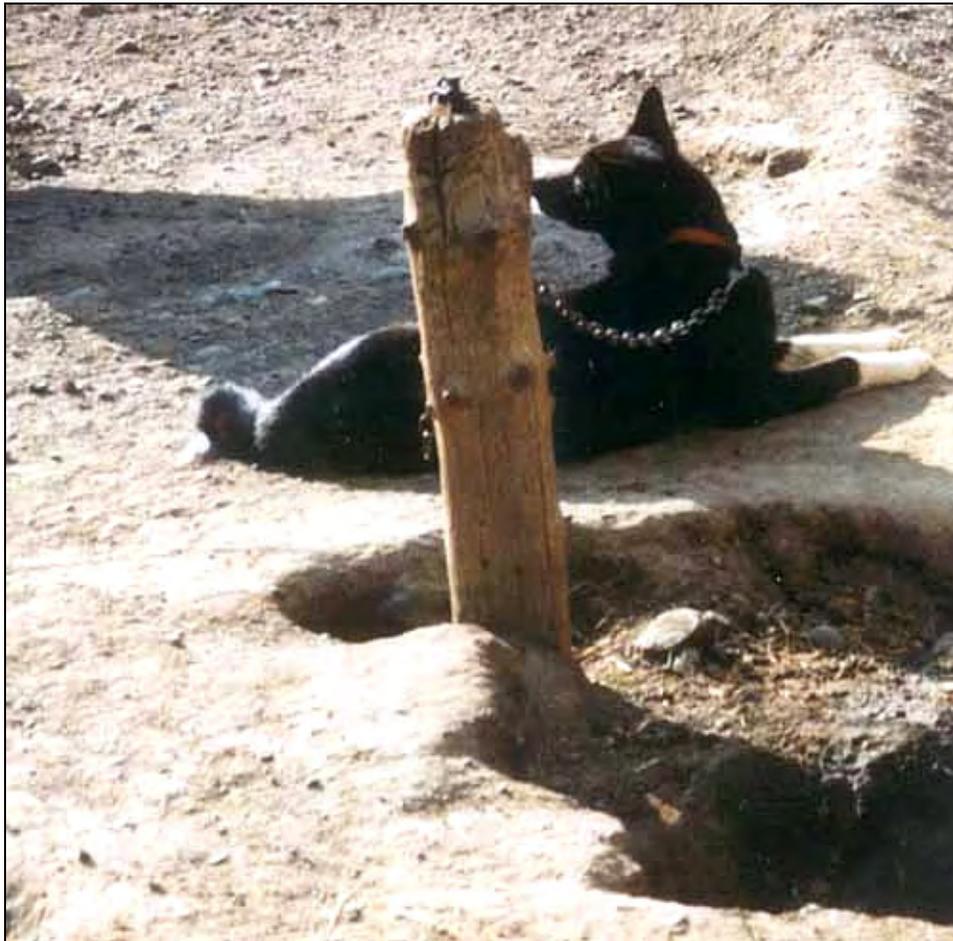
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# Why is chaining inhumane?

Other chained dogs have inadequate shelter.



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# Why is chaining inhumane?

Chained dogs can't seek better shelter.



# Why is chaining inhumane?

Grass is usually beaten down by constant pacing, leaving hard-packed dirt and mud.



# Why is chaining inhumane?

**Chained dogs can get hung over fences and off decks, causing death.**



*We know it's hard to look at these photos.  
It hurts the dogs even more, which is why they need better laws to protect them.*



# Why is chaining inhumane?

Chains frequently become embedded, causing injury and infection.



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# Why is chaining inhumane?

Many chained dogs live in unhealthy, trashy surroundings infested with parasites.



# Why is chaining inhumane?

- **Chained dogs are vulnerable to roaming dogs.**
- **Chained dogs are vulnerable to thieves.**
  - **Pit bulls often stolen for fighting**
  - **Smaller dogs stolen for pit bull bait**
  - **Some people collect free and stolen dogs and sell them to research labs or Class B research lab dealers**



**Annabelle is a sweet dog who was chained near a busy street. Anyone could have taken her.**



# Why is chaining inhumane?

Chaining can be a sign of dog-fighting – a very cruel crime.



These dogs were part of a fighting ring in North Carolina.



# Why is chaining inhumane?

**Chaining laws gives officers a tool to crack down on dog fighting without having to catch a fight in progress.**



**This chained dog was part of a dog-fighting ring in Ohio.**



# Why is chaining inhumane?

Many chained dogs do not get enough food and water.



How long has this bowl been empty?



# Why is chaining inhumane?

Many chained dogs do not get enough food and water.



These dogs were rescued from chains.



# Why is chaining dangerous to people?

- **Centers for Disease Control (CDC):**

- Chained dogs 2.8 times more likely to bite
- Dogs most likely to bite are male, unneutered, and chained
- Victims are most often children – small and weak targets



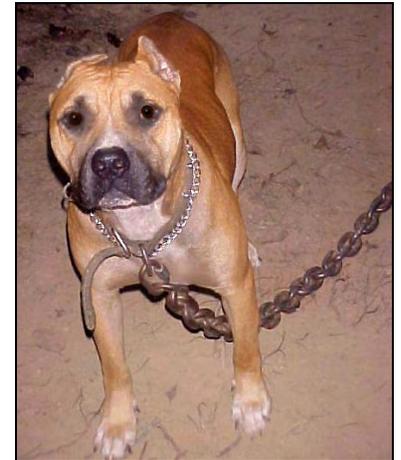
- **American Veterinary Medical Association:**

“Never tether or chain your dog because this can contribute to aggressive behavior.”



# Why is chaining dangerous to people?

- **Chained dogs usually unsocialized, territorial, and prone to aggression.**
- **“Fight or flight” instinct kicks in when threatened. Since can’t flee – forced to fight.**
- **Attacks often occur when a child enters territory.**
- **When an unsocialized dog breaks loose and roams, it is a danger to people.**



# Fatal Dog Attacks

- **Chained dogs killed at least 109 people from 1965-2001:**
  - 99 were children that wandered into reach of a chained dog
  - 11 attacks by dogs who broke free
- **Chained dogs are statistically more dangerous than free-running packs of dogs.**



# Children Killed by Chained Dogs



**Tony Evans, Jr., Age 3**  
Mississippi, July 2008

**Pablo Hernandez, Age 5**  
Texas, June 2008

**Abraham Jonathan Tackett, Age 2**  
Ft. Yukon, Alaska, April 2008

**Zachary King, Age 7**  
Minneapolis, Minnesota, August 2007

**Korie-Lyn Edwards, 17 mos**  
Montague Township, Canada, July 2007

**Tiffany Pauley, Age 5**  
Atlanta, GA, July 2007

**Amber Jones, Age 10**  
Texas, 2007

**Jonathan Martin, Age 2**  
Virginia, October 2005

**Asia Turner, Age 4**  
South Carolina, May 2005

**Robbie Shafer, Age 4**  
Virginia, April 2005

**Cody, Age 3**  
British Columbia, December 2004

**Kamryn Billingsley, Age 1 Month**  
Mississippi, December 2004

**Myles Leakes, Age 4**  
Florida, December 2004



# Children Attacked by Chained Dogs

**Alexander Lester**, Age 12  
Pennsylvania, August 2008

**Elizabeth Stanek**, Age 15  
North Carolina, July 2008

**Alisia Johnson**, Age 3  
Mississippi, July 2008

**Kade Fries**, Age 10  
Texas, June 2008

**Jacob Brady**, Age 16 mo.  
Virginia, May 2008

**Malik Gipson**, Age 9  
Illinois, May 2008

**J'Naya Allen**, Age 8  
Georgia, May 2008

**Alex Miller**, Age 7  
Tennessee, May 2008

**Zachary Spafford**, Age 8  
Indiana, May 2008

**Kassime Reddick**, Age 9  
New Jersey, April 2008

**Trinity Robichaud**, Age 5  
South Carolina, March 2008

**DeNasha Hackner**, Age 9  
Indiana, Feb. 2008

**Maysia Moore**, Age 8  
Washington, Feb 2008



# Chaining makes aggressive - not protective - dogs

- **Protective dog:** Socialized by spending time with people. Can sense when human family is threatened.
- **Inside pets make the best guard dogs.**
  - Most K9 officers keep their dogs inside the house, where they are part of the family.
  - Inside dogs are a very effective way to scare intruder.
- **Aggressive dog:** Can't distinguish between family and threat. Likely to attack anyone.
- Leaving a dog on a chain is how to raise an aggressive dog.



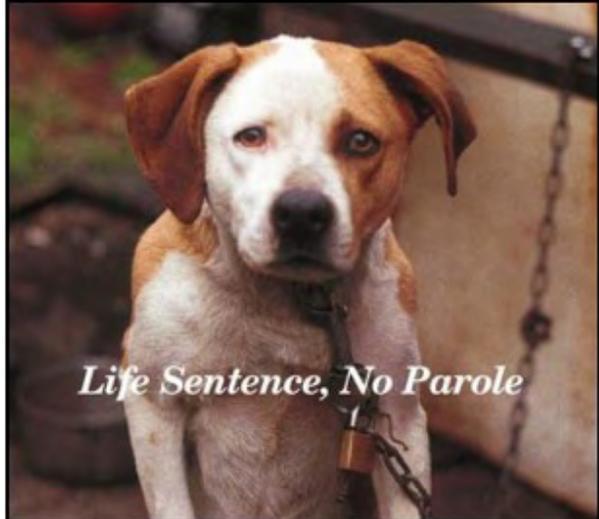


## Doesn't Man's Best Friend Deserve More than Life on a Chain?

- Photos
- Facts
- Cruelty
- Dog Care
- Laws
- News
- Links
- About

**You Can Help!** 

- 20 Ways to Help**
- Adopt** a Rescued Dog
- Build** Fences
- Build** Trolleys
- Care** for Dogs
- Donate** Money
- Educate** Kids
- Find** Homes for Rescued Dogs
- Get** Handouts & Merchandise
- Learn** the Facts
- Pass** Laws



Dogs are pack animals. In the wild, canines live, eat, and sleep with their family. In the absence of dogs, humans become their "pack." A chained dog feels rejected and doesn't understand why.

Imagine being chained to a tree year after year. You watch the door hoping someone will come play. No one ever does. You long to run, but you can only pace. You shiver in winter and pant in summer. Eventually, you stop barking. You have given up hope.

**In the News** 

Get the latest news from the [Dogs Deserve Better.com](#) e-newsletter. Enter your email address in the yellow box in the top right of the homepage.

**Improve Laws** 

**Chains Are Cruel** 

## Anti-Chaining Laws

Visit our [How You Can Improve Laws](#) page for a step-by-step guide to passing a law in your community. Citizens across the U.S. are successfully lobbying for new laws. You can do it, too!

|   |   |
|---|---|
| <a href="#">Educational Powerpoint</a> (PPT file for general audiences) | <a href="#">Petition Flyer/Cover Sheet</a>                  |
| <a href="#">Educational Powerpoint</a> (PDF file for general audiences) | <a href="#">How Chaining Laws Work in 7 Communities</a>     |
| <a href="#">Ordinance Powerpoint</a> (PPT file for law makers)          | <a href="#">How Enforceable Will Our Law Be?</a>            |
| <a href="#">Chaining Q &amp; A Word</a>                                 | <a href="#">Animal Control Interviews re: Chaining Bans</a> |
| <a href="#">Chaining Q &amp; A PDF</a>                                  | <a href="#">How Laws Impact Loose Dogs/Dog Bites</a>        |
| <a href="#">Photos of Injured Children and Chained Dogs PDF</a>         | <a href="#">Visit DDB's Laws page for more resources!</a>   |

The following communities have banned or regulated chaining in their animal protection ordinances. [Animallow.info](#) is another good source of information.

- |   |                                |                                 |
|---|--------------------------------|---------------------------------|
| <b>Statewide Laws</b>   | Nevada                         | Virginia                        |
| California  | Texas                          | West Virginia                   |
| Connecticut   |                                |                                 |
| <b>Communities that Prohibit Chaining</b>   | Gwinnett County, Georgia       | Lawton, Oklahoma                |
| Fayetteville, Arkansas  | Statham, Georgia               | Austin, Texas                   |
| Maumelle, Arkansas  | New Orleans, Louisiana         | Big Spring, Texas               |
| Tucson, Arizona   | Carthage, Missouri             | Electra, Texas                  |
| Miami, Florida  | Durham County, North Carolina  | Ft. Worth, Texas                |
| Okaloosa, Florida   | New Hanover, North Carolina    | Georgetown, Texas               |
| Blakely, Georgia  | Ronoke Rapids, North Carolina  | Iring, Texas                    |
| Chatham County, Georgia   | New Richmond, Ohio             | Live Oak, Texas                 |
| Cobb County, Georgia  |                                | Kanawha County, West Virginia   |
| <b>Communities that Limit Chaining by Time</b>  | Topeka, Kansas                 | Albuquerque, New Mexico         |
| North Little Rock, Arkansas   | Wichita, Kansas                | Laurinburg, North Carolina      |
| Los Angeles, California   | Jefferson County, Kentucky     | Scotland County, North Carolina |
| Kern County, California   | Louisville, Kentucky           | North Royalton, Ohio            |
| San Bernardino, California  | Baker, Louisiana               | Chagrin Falls, Ohio             |
| Denver, Colorado  | East Longmeadow, Massachusetts | Middletown, Ohio                |
| Dania, Florida  | Carroll County, Maryland       | Bartlesville, Oklahoma          |
| Ft. Lauderdale, Florida   | Frederick County, Maryland     | Multnomah County, Oregon        |
| Hollywood, Florida  | Battle Creek, Michigan         | Hazleton, Pennsylvania          |
| Oakland Park, Florida   | Red Lake Falls, Minnesota      | Oak Ridge, Tennessee            |
| West Palm Beach, Florida  | St. Paul, Minnesota            | Grand Prairie, Texas            |
| Wilton Manors, Florida  | Creve Coeur, Missouri          | Northampton County, Virginia    |
| Orange County, Florida  | O'Fallon, Missouri             | Norfolk, Virginia               |
| Pembroke Park, Florida  | Laurensburg, North Carolina    | Smithfield, Virginia            |
| DeKalb County, Georgia  | Orange County, North Carolina  | Richmond, Virginia              |
| Bloomington, Indiana  | Camden, New Jersey             | Virginia Beach, Virginia        |
| Indianapolis, Indiana   | Lower Township, New Jersey     | Moundsville, West Virginia      |
| Marion, Indiana   | Ocean City, New Jersey         | Charleston, West Virginia       |
| Dodge City, Kansas  | Sea Isle City, New Jersey      | Linn, Wisconsin                 |
| Lawrence, Kansas  | Wildwood, New Jersey           | Racine, Wisconsin               |
| Leavenworth, Kansas   | Wildwood Crest, New Jersey     |                                 |
| Overland Park, Kansas   | Canandaigua, New York          |                                 |
| <b>Communities that Permit Tethering if Other Conditions are Met (including trolleys)</b> |                                | Dennis Township, New Jersey     |
| Fairhope, Alabama   | Aurora, Illinois               | Bernalillo County, New Mexico   |
| Little Rock, Arkansas   | Noblesville, Indiana           |                                 |



# Owning a dog is a responsibility!

Dog owners must be able to provide basic needs:



Exercise  
Food  
Water  
Shelter



**Dogs are living creatures—not objects to be tossed in the yard like a junked car.**

**A fence isn't required to have a dog! Dogs love being inside the home with their family.**



# How Can I Help?

Visit [UnchainYourDog.org](http://UnchainYourDog.org) or [DogsDeserveBetter.org](http://DogsDeserveBetter.org)!

Don't be afraid to speak out! Dogs can't speak for themselves. They are counting on you to be their voice.



# Thank you.



T.J. was rescued from life on a chain.

For more information:

<http://www.unchainyourdog.org/>

<http://dogsdeservebetter.org/>