November 6, 2014

Dear Members of the Board of Health for Madison and Dane County:

The American Kennel Club and our local Madison kennel clubs appreciate the opportunity to dialogue on the important issue of responsible dog ownership.

We appreciate many of the further changes indicated by Alderman Strasser that we believe will improve the proposed measures to regulate dog licensing and ownership in Madison.

However, we do remain very concerned about several items in these proposals:

File #35833 (Dog licensing) – The AKC understands the need for cities to occasionally increase their license fees. However, we are concerned that the significant increase in the intact dog license could prove burdensome for responsible dog owners who keep intact dogs for sporting, competition, or responsible breeding as permitted under the law. We understand from your letter that the purpose is to incentivize owners to spay/ neuter their dogs. The challenge, however, is a low income dog owner may not be able to afford the license and may opt instead to not license the dog at all. It could also result in unintended public health and safety concerns when owners neglect basic veterinary care in order to hide their lack of compliance. We believe a better alternative is to focus on low-cost and free spay/neuter programs that encourage dog owners to sterilize their dogs without punishing responsible owners who maintain intact dogs for dog shows, field trials, and other responsible dog activities. These activities actually promote responsible dog ownership and generate revenue for local Madison businesses through facility rentals, food, basic dog care, and other expenses.

File #35826 (Cruelty and Neglect) – The AKC strongly agrees that dogs left outside for extended periods of time should have access to proper shelter or protection from the elements. However, we remain concerned that the tethering requirements of this proposal do not take into account dog training and field trials held in Madison that take place outside, with the dogs in controlled situations, but off leash and not always in the direct line of sight of their owners. In addition, there are certain circumstances in which the arbitrary length of 10 feet may pose harm to the dogs (if that length makes it too close to a public sidewalk, neighboring property, an object the dog could get tangled in, etc.). We continue to believe the focus should be on specific circumstances where negligence or lack of responsible care leads to the harm of the dog.

File #35827 (Violation-Based Mandatory Spay/Neutering) – As mentioned in our previous correspondence, the AKC agrees that dog owners must be held accountable for their pets' actions. We again thank you for not focusing the proposal on specific breeds, but remain concerned with the mandatory sterilization aspect of the proposal posted online. Scientific studies indicate that sterilization does not have a direct correlation to aggression. Furthermore, sterilization may not be the appropriate punishment if the dog was involved in a minor incident that did not result in a severe injury, or if the dog is not of an appropriate age for the procedure. We understand that this is not the intention of the proposal, but we respectfully ask that this be stated in law to avoid any unintended consequences in the future.

The AKC would also like to request exemptions for instances when the dog has been provoked or is protecting itself, its puppies, its owner or its property. We would be pleased to provide suggested language from other jurisdictions that has proven effective. We also request that for each incident listed in the proposal that may constitute a mandatory sterilization order, the owner have the opportunity to appeal (and in the case of a home breeding zoning violation, a warning for a first offense and opportunity to come into compliance).

The American Kennel Club again thanks you for the opportunity to dialogue on the important issues of responsible dog ownership and community safety.

Sincerely,

Jennifer L. Clark

Jennifer Clark
Manager, Canine Legislation