

TO: BOARD OF SUPERVISORS
FROM: INTERNAL OPERATIONS COMMITTEE
DATE: November 4, 1985
SUBJECT: Regulation of Dangerous Animals



Contra
Costa
County

SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION

RECOMMENDATIONS:

- A. Request the Animal Services Director, County Counsel, and Task Force on Proposed Regulation of Dangerous Dogs to pursue the following items, returning reports to the Board of Supervisors on those items requiring Board action as information is developed:
1. Prepare an expanded informational brochure which advises owners about potentially dangerous animals, the owner's responsibility for such animals, and the wisdom of carrying additional liability insurance, and require that when an owner licenses a dog, the owner sign indicating that they have received this information.
 2. Prepare proposed legislation which would authorize the County to impose a fine or an administrative fee which would assist in covering the cost of investigating animal bite incidents and report to the Board of Supervisors.
 3. Request all breeders in the County to voluntarily report all sales of all dogs, regardless of breed.
 4. Research the ability of the County to require additional insurance, or the posting of a bond as a condition to licensing specified animals considered dangerous and prepare necessary legislation if such is needed and report to the Board of Supervisors.
 5. Research the need for additional legislation to require reporting by medical personnel of apparent dog bite cases, particularly on the severity of the injury and prepare such legislation for review by the Board of Supervisors.

CONTINUED ON ATTACHMENT: YES

SIGNATURE:

RECOMMENDATION OF COUNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

APPROVE

OTHER

SIGNATURE(S): Tom Torlakson

Tom Powers

ACTION OF BOARD ON November 19, 1985

APPROVED AS RECOMMENDED OTHER

6. Advertise more broadly the phone number to call to report dog bites.
7. Draft a proposed ordinance amendment to the "Rabies Control" chapter of the Animal Control Ordinance that would require all dogs over four months to be vaccinated so that violations under this chapter could be cited as a misdemeanor and report such amendment to the Board of Supervisors.
8. Research and attempt to develop draft legislation, or an ordinance amendment, that would be directed toward the control of future animal ownership if an owner is found to be "irresponsible", and report to the Board of Supervisors.
9. Draft an ordinance amendment which would permit the Animal Services Department to determine the disposition of an animal found to be dangerous, including euthanasia or conditional release (Dangerous Animal Permit) rather than automatically invoking the Dangerous Animal application process, and report it to the Board of Supervisors.
10. Determine what action is necessary in order to authorize an increase in the fee for an application for Dangerous Animal Permit from \$100 to \$300 per year to more equitably cover the cost of investigation and hearing, and report their findings to the Board of Supervisors.
11. Draft proposed State legislation which would impose criminal penalties for maintaining a dog declared to be vicious or dangerous under the State Civil Code or local ordinance without required permits, and forward it to the Board of Supervisors for their consideration.
12. Draft an ordinance amendment which would authorize the Animal Services Department to list or change Animal Services records to reflect animal identification, including breed identification as determined by the department, and report it to the Board of Supervisors.
13. Authorize the Animal Services Director and Task Force to meet with State Health Department officials on the issue of dog-bite injuries to determine whether adequate statistical information on dog bite injuries is available and to determine the need for statewide statistics.
14. Revise systems and forms to show better information on basic breed types and more inclusive animal bite information.

15. Contact and coordinate with other public and private agencies and organizations, local and statewide, in order to develop standardization and uniformity in identification of breeds and frequency and severity of injury. (State and Local Health Departments, Animal Control, Veterinarians, Dog Clubs, Legislature, humane societies, law enforcement, etc.)
 16. Develop an education campaign to support strict enforcement of rabies vaccination requirements, licensing, leash law and "dangerous animal" violations.
 17. Authorize the Task Force to meet with organizations and businesses to seek assistance and shared responsibility in educating dog owners about responsible ownership.
- B. Remove both issues as referrals to our Committee (letter from Mrs. Stone as well as letter from Mr. FitzGibbon).

BACKGROUND:

On October 15, 1985, the Board of Supervisors referred to our Committee a petition from residents expressing concern with respect to two incidents involving a pit bull killing animals, and pointing out the potential hazard to children from pit bulls. The Board further directed our Committee to meet on this subject on November 4, 1985, and further ordered the Animal Services Director and County Counsel to report to our Committee on the feasibility of banning pit bulls in this County.

Our Committee also has on referral from the Board a letter from G. Scott FitzGibbon of Pleasant Hill calling for an ordinance to protect the public from the threat posed by Pit Bulls.

Our Committee met November 4, 1985 with the Animal Services Director, County Counsel, representatives of the Animal Services Advisory Committee, and citizens concerned with this subject.

We first reviewed a memo from County Counsel indicating that two conditions must be met before the Board of Supervisors could regulate pit bulls as a group; namely, that there must be a generally acceptable definition of what a pit bull is since it is not a breed in itself and second, there must be sufficient statistical data to support the decision to single this type of dog out of all others for regulation. Such data should focus on the number and severity of bites inflicted by the dogs in question.

The Animal Services Director, Diane Iwasa, then submitted an interim report on behalf of the Task Force on Proposed Regulation of Dangerous Dogs. This Task Force has reached the following conclusions:

1. It is not possible to write a valid physical description of a "Pit Bull" that could be used with any degree of reliability. Many of the physical characteristics that are associated with "Pit Bulls" are possessed by many other common dog breeds. This commonality of characteristics make correct identification based on a written description difficult, if not impossible, even for veterinarians.
2. The inability to effectively identify "Pit Bulls" could result in thousands of individual challenges and appeals which could invalidate any attempts to provide additional controls.
3. Statistics available at this time do not support the contention that "Pit Bulls" bite with any more frequency than other breeds. Nor is it possible to determine at this time that Pit Bulls' bites are more severe than other large breeds.
4. The popularity of "Pit Bulls" is increasing.
5. Any large breed of dog has the potential for causing severe injury.

In addition, the Animal Services Department has analyzed the reported dog bite cases for the past 12 months. There were a total of 1103 bite cases reported. Of these, 201 were reported as "severe". A full analysis of this data is available from the Animal Services Department. However, because of the difficulty of properly classifying or defining a "Pit Bull", it is impossible to accurately develop frequency reports for pit bulls as opposed to other breeds.

Rather than attempting to regulate a single breed, or group of breeds, the Animal Services Director and the Task Force have recommended that we focus instead on "dangerous dogs" regardless of breed. The Task Force has made a number of recommendations in their report to our Committee. In discussing the subject, our Committee agreed to support the Task Force's recommendations and added several of our own. These recommendations are reflected above as actions the Board of Supervisors should take. We urge their adoption by the Board of Supervisors.