

# Agenda Report

October 6, 2014

**TO:** Honorable Mayor and City Council

**FROM:** Department of Public Works

**SUBJECT: MANDATORY SPAY/NEUTER ORDINANCE FOR ALL DOGS AND CATS OVER SIX MONTHS OF AGE — SUPPLEMENTAL INFORMATION INCLUDING INITIAL YEAR CANVASSING DATA REPORTED BY PASADENA HUMANE SOCIETY**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Receive canvassing data reported by Pasadena Humane Society (PHS) for its initial year of the program and other supplemental information;
2. Direct the Public Works Department to establish a fee differential and initiate an amendment to the General Fee Schedule such that a dog license for an unaltered animal is \$60 more than spayed/neutered animals as part of the fiscal year 2016 General Fee Schedule;
3. Direct the Department of Public Works and Pasadena Humane Society (PHS) to provide an update on the proposed ordinance one year from implementation; and
4. Conduct first reading of the mandatory spay/neuter ordinance for all dogs and cats over six months of age.

## **BACKGROUND:**

On July 14, 2014, the City Council directed the City Attorney's Office to prepare an ordinance for first reading of mandating spay and neuter for all cats and dogs over the age of six months, and have staff report back in one year with an update on the \$60 fee differential to determine whether or not the \$60 fee differential is an adequate deterrent based on the number of residents that choose to opt-out. The City Council also requested that the City and PHS provide additional information on the following:

1. Health risks associated with pet sterilization at six-months of age;
2. \$60 fee differential for dogs licenses;
3. Enforcement;

4. Initial year of canvassing data reported by PHS;
5. Public outreach and education program; and
6. Mandatory spay/neuter ordinance for all dogs and cats over six months of age.

### 1. Health Risks Associated with Pet Sterilization at Six-Months of Age

Several studies have demonstrated the safety and positive health benefits of spaying and neutering. Many veterinarian associations support the case for spaying and neutering cats and dogs as early as four months. The California Veterinary Medical Association supports the concept of early (8-16 weeks) spay and neuter of cats and dogs to control and mitigate overpopulation.<sup>1</sup> According to the American Veterinary Medical Association, spaying and neutering can help pets' live longer and healthier lives and help prevent cancer and other life threatening illnesses such as prostate disease. Spaying and neutering can improve pets' behavior including reducing aggression and fighting of dogs and lessen the tendency to roam.<sup>2</sup> Spaying and neutering before 5.5 months of age was not associated with increased rates of death or occurrence of any serious medical or behavioral condition further supporting the health and safety benefits of mandating spay and neuter of cats and dogs.<sup>3</sup>

Although spaying and neutering are beneficial in many ways, there are few potential effects to be aware of. There is a slight increased risk for spayed and neutered cats and dogs to develop bone cancer. Dogs neutered may be more likely to develop orthopedic diseases and may also increase the risk of hypothyroidism.<sup>4</sup> In light of these risks, the health benefits outweigh the risks that could potentially affect cats and dogs.

### 2. \$60 Fee Differential for Dogs Licenses

Based on research of other communities, establishing a fee differential for unaltered and altered dog licenses is an industry recommended approach. Exhibit 1 contains dog license fees that various cities and counties charge for unaltered and altered dogs.

The City of Pasadena currently charges residents \$32.28 for an unaltered dog license and \$16.15 for an altered dog license. The proposed \$60 fee differential is in line with what other cities and counties are charging. Exhibit 1 shows the average fee for an unaltered dog license in the 34 jurisdictions surveyed is \$78 and the average fee differential between an unaltered and an altered dog license is \$55.

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<sup>1</sup> California Veterinary Medical Association (CVMA). 2014. *CVMA Policy on Early Spay/Neuter*. [http://www.cvma.net/4DCGI/cms/review.html?Action=CMS\\_Document&DocID=691&MenuKey=7](http://www.cvma.net/4DCGI/cms/review.html?Action=CMS_Document&DocID=691&MenuKey=7).

<sup>2</sup> Bushby, Philip A., D.V.M., M.S., DACVS. 2014. *Pediatric Spay and Neuter*. *North American Spay/Neuter Conference*.

<sup>3</sup> University of California–Davis School of Veterinary Medicine Koret Shelter Medicine Program. 2012. *Veterinarians' Role in Private Practice and Shelter Medicine: Solving the Problem of Companion Animal Homelessness Together*. <http://www.sheltermedicine.com/node/54>

<sup>4</sup> American Society for Prevention of Cruelty to Animals (ASPCA). 2012. *How Will Neutering Change My Dog*. <http://www.aspc.org/pet-care/virtual-pet-behaviorist/dog-behavior/how-will-neutering-change-my-dog>

If the proposed mandatory spay/neuter ordinance is approved, the Department of Public Works would include the addition of the \$60 fee differential for exempted unaltered dogs in the annual update to the General Fee Schedule for fiscal year 2016. The intent is for the differential to be effective July 1, 2015, thereby allowing ample time for public outreach and education and provide residents the opportunity to license dogs and spay/neuter before the rates increase.

Should the City Council approve the amendment of the General Fee Schedule, the Department of Public Works and PHS will evaluate the efficacy of the \$60 fee differential in one year.

### 3. Enforcement

The mandatory spay/neuter ordinance would be enforced using secondary enforcement beginning July 1, 2015. PHS will not actively seek violators, but enforce the requirement as secondary enforcement when a violation of existing state or local law pertaining to obligations of a person owning or possessing a cat or dog occurs. PHS officers will also check the status of cats and dogs they come in contact with during the course of their work.

Chapters 6.12 and 6.16 of the Pasadena Municipal Code (PMC) contain the local animal regulations PHS enforces on behalf of the City. Failure to comply with these regulations including allowing a dog to run loose without a leash and failure to license any dog over four months of age could trigger enforcement of the proposed spay and neuter requirement.

In the event that an unlicensed dog is identified and is not spayed or neutered, PHS will give the resident the opportunity to buy a one-time unaltered license and give the owner a year to alter the dog or receive an exemption from a veterinarian. The exception would sunset after three years on June 30, 2018 at which time there would be no grace period. All animals entering the shelter and returned to Pasadena residents would also have to be sterilized.

### 4. Initial Year of Canvassing Data Reported by PHS

PHS commenced its inaugural dog license canvassing efforts on July 1, 2013 and completed canvassing of the entire City in September 2014. PHS soon after initiated its second round of canvassing efforts starting in East Pasadena and move towards West Pasadena. PHS expects to complete its second round of canvassing efforts in one year.

PHS reported the following information to the City of Pasadena. Two PHS staff members canvassed the City three times per week during its initial year. PHS provided the following dog licensing data for its initial year beginning July 1, 2013 through September 3, 2014.

**Table 1 – License Data**

Species	Population <sup>5</sup>	# Licensed	# License Renewals	# New Licenses	Licensed Altered Dogs	Licensed Unaltered Dogs
Cat	33,997	N/A	N/A	N/A	N/A	N/A
Dog	31,120	11,272	7,286	3,986	9,829	1,443
Variance		36%				

There are more than 65,000 cats and dogs in the City of Pasadena. PHS has provided animal field and shelter services to the City since 1904, and more recently, licensing services beginning in fiscal year 2014. Prior to fiscal year 2014, the City collected and retained all animal license revenue. Per the current contract with PHS approved by the City Council on September 10, 2012, in fiscal year 2014, PHS retained the first \$87,000 of the licensing revenue and split the remainder of the revenue with the City on a 50-50 basis. In fiscal year 2015, PHS will retain the first \$80,000 and then split the rest with the City on a 50-50 basis. The table below reports license revenue for the past four fiscal years.

**Table 2 – Dog License Revenue**

Fiscal Year	Revenue (\$)	Variance in Revenue	PHS Revenue (\$)	City Revenue (\$)
2014	167,072	58.4%	127,036	40,036
2013	105,471	49.3%	N/A	105,471
2012	70,654	(31.2%)	N/A	70,654
2011	102,641	--	N/A	102,641

**5. Public Outreach and Education Program**

The PHS and City Public Information Officers will coordinate the public outreach and education program. Initial outreach will seek to inform residents about the upcoming spay and neuter requirement for cats and dogs, spay/neuter options, the current dog license amnesty period, and the upcoming increase in the unaltered dog license fee. Both enforcement of the ordinance and the collection of the \$60 dog license fee differential will begin on July 1, 2015.

PHS has several tools available to conduct outreach and education including the use of traditional print, newsletters, press releases, PHS website, social media, educational

<sup>5</sup>American Veterinary Medical Association. 2012. *U.S. Pet Ownership Statistics & Demographics Sourcebook*. <https://www.avma.org/KB/Resources/Statistics/Pages/Market-research-statistics-US-pet-ownership.aspx?PF=1#formulas>.

outreach in schools, and via the license canvassing program. PHS will continue with its existing outreach programs and will partner with City of Pasadena. The City of Pasadena will outreach to residents through the use of *Pasadena In Focus*, newsletters, press releases, KPAS, City's website, and social media. PHS will also collaborate with other animal welfare non-profit organizations to increase awareness of new ordinance in place.

PHS also utilizes a mobile unit that visits communities throughout its service area. The mobile unit transports adoptable cats and dogs to shopping centers, events and festivals. The unit also carries current information on spay/neuter and vaccination services, area wildlife and other PHS programs and services. PHS will continue to offer at least seven low cost vaccination clinics that can act as educational opportunities of mandatory spay/neuter ordinance for the community.

#### 6. Mandatory Spay/Neuter Ordinance

The new mandatory dog and cat spay/neuter regulations contemplated in this report and previously approved by the City Council require the adoption of an ordinance to modify the PMC. Following a lengthy public discussion on July 14, 2014, the City Council directed the City Attorney's Office to prepare such an ordinance. Refer to Ordinance Fact Sheet and proposed ordinance contained in the Ordinances Section of the agenda for tonight's City Council meeting. The Department of Public Works recommends that the City Council conduct the first reading of the mandatory spay/neuter ordinance for all dogs and cats over six months of age.

#### **COUNCIL POLICY CONSIDERATION:**

This proposed ordinance supports the City Council's strategic goals to ensure public safety by promoting healthy prevention measures for pet overpopulation. Reducing the number of several intact cats and dogs will foster an environment less conducive to overpopulation of cats and dogs in Pasadena.

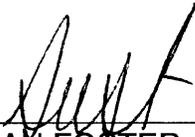
#### **ENVIRONMENTAL ANALYSIS:**

The actions proposed herein have been reviewed for compliance with the California Environmental Quality Act (CEQA) and are exempt per Section 15061 (b) (3). The actions are covered by the general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The proposed ordinance pertains to the spaying and neutering of all cats and dogs over six months of age, which does not create the potential for a significant environmental effect.

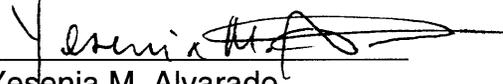
**FISCAL IMPACT:**

There will be no additional costs to the City as a result of adopting the proposed mandatory spay/neuter ordinance for all cats and dogs. Enforcement of the ordinance would be provided by PHS under the existing services contract with the City. Pursuant to that agreement, the City and PHS will split net revenues from animal licensing; PHS will retain the first \$80,000 and then split the rest with the City on a 50-50 basis for fiscal year 2015. It is anticipated that revenue generated in fiscal year 2015 will be approximately \$167,000, comparable to fiscal year 2014. PHS would retain approximately \$123,500 and the City would retain \$43,500 under the current contract provisions. The fiscal year 2016 revenue estimate will depend on the number of altered and unaltered dog licenses sold, which cannot accurately be projected at this time.

Respectfully submitted,

  
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**Exhibits:**

- Exhibit 1 – Dog License Fees in Area Jurisdictions
- Exhibit 2 – Formulas for Determining Pet Ownership Statistics