



## AMERICAN HERDING BREED ASSOCIATION

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### AN OPEN LETTER REGARDING DOG ORDINANCES

In the past several months, the American Herding Breed Association has watched with dismay the proposal of various State laws or local ordinances restricting dog ownership.

Some of these raise the fees for owning a dog to a punishing level. Some of these mandate neutering of any dog that does not meet special criteria. Some prohibit owning more than a certain number of dogs without obtaining a special license that imposes special fees and inspections.

In almost every case, the basic premise for such restrictions is wrong. Individuals and organizations such as PETA and HSUS often present misinformation and falsehoods to justify these restrictions, despite the fact that several of these organizations have publicly stated their goal of eliminating all dog ownership and when it is known that the data is false.

In seeking to address a problem of animals in shelters by wholesale mandatory neutering of dogs, cities, counties or states do their citizens a disservice. Such regulations will not eliminate shelter dogs. The vast majority of shelter dogs are not puppies and they are not in shelters because there are too many dogs (see <http://petpopulation.org/>). In most places within the United States, data shows that shelter populations are declining without resort to mandatory spay/neuter. Many shelters import puppies or dogs from outside the United States in order to meet the demand of the public. It is a drastic disservice to the populace to delete the rights of average citizens to keep an intact dog and to breed it if they desire while at the same time "shelters" are importing animals from outside the area.

Often, the presence of strays is used as a justification to pass restrictions on dog breeding or dog ownership even though the area has an existing "leash law". Instead of enforcing existing laws, more laws are passed. Worse, often statements are made that the laws will be enforced only upon complaint – ensuring that an entirely unequal enforcement of the law occurs. Claims are often made that "exceptions" will be made for dogs with titles or service dogs but in nearly all cases these exceptions are misleading, because they are subject to the determination and unilateral control of animal control or an official whose knowledge regarding dog clubs, organizations and dogs in general may be very limited. Unequal and unfair enforcement ensues when a "local jurisdiction" determines what is an "approved registry" or determines what is to be a "legitimate show or sporting competition" without understanding that many rare breeds are not registered with AKC or some other well-known registry. Individuals whose documents were acceptable in one city may find them unacceptable in another. Moreover, such exceptions are subject to change or reduction at a later time, creating a situation where an owner is never certain that today's exemption will be sufficient for tomorrow.

AHBA believes such legislation is bad for livestock dogs, and dogs and cats as a whole. Such legislation cannot be fixed by addition of "exemptions" that are later eliminated. It does not provide justice to pass an ordinance that will be enforced "sometimes" and against "some people". It does not provide for domestic tranquility to have citizens of the United States concerned that they are breaking the law simply by driving through a city with an intact dog or a particular dog breed.

Criminalizing the mere ownership of an intact animal does not address the health issues of neutering (see <http://www.naiaonline.org/pdfs/LongTermHealthEffectsOfSpayNeuterInDogs.pdf>). In the Proceedings of the Third International Symposium on Non-Surgical Contraceptive Methods for Pet Population Control (see <http://www.acc-d.org/> ) research showed that neutered animals were more aggressive towards people, not less (<http://www.acc-d.org/2006%20Symposium%20Docs/Session%20I.pdf>). Female dogs had a significantly higher incidence of recessed vulva, vaginal dermatitis, vaginitis and UTI if spayed before puberty rather than later. A higher incidence of cruciate ligament injuries is documented, as are higher rates of cancer. Rather than leaving the decision to spay/neuter as one between the owner and their vet and based on an informed evaluation of pros and cons, laws are passed that force sterilization, regardless of the consequences to the individual dog. Such laws and ordinances make a travesty of the Constitutional rights of any citizen.

For these reasons, among many others, the American Herding Breed Association opposes any law or ordinance that requires spay / neuter or that limits the number of dogs/cats an individual may own so long as they provide reasonable care for those animals.

Sincerely,  
American Herding Breed Association