

# PLACER COUNTY ANIMAL CONTROL

## COMPLAINT 2000B-36

### Summary

The 2000 – 2001 Grand Jury received a complaint about Placer County Animal Control. During our inquiry, we interviewed various County employees affiliated with Animal Control Services and members of the public. The Grand Jury also toured the Auburn shelter.

The Grand Jury found that the Auburn shelter facility, built in the early 1970s, is inadequate to meet the needs of this rapidly growing County. Policies and procedures related to animal control need to be updated regularly and enhanced to ensure that the agency will continue to provide high quality service to the citizens and animals of Placer County.

### Background

Operating under the auspices of the Placer County Department of Health and Human Services, Placer County Animal Control maintains two facilities: the animal shelter at DeWitt Center in Auburn and a smaller facility for North Lake Tahoe at Tahoe Vista. Both shelters provide a full range of animal care and control services, including:

- a comprehensive pet adoption program
- rabies prevention measures
- enforcement of the County's animal control ordinances
- enforcement of State humane laws to protect animals from neglect and cruelty
- reduction of the surplus animal population by euthanasia
- a Countywide dog licensing program
- contract-based animal control services for several cities within Placer County

Placer County hired a new Animal Control Program Manager on March 5, 2001. Previously employed as the Executive Director of the State Humane Association of California, the new manager has more than 30 years experience in animal control. The Placer County Animal Control Program Manager oversees both the Auburn and Tahoe facilities. He ultimately reports to the Director of the Placer County Department of Health and Human Services, through the Environmental Health Director and the County Health Officer. The State oversight agency is the Board of Veterinary Medicine.

Animal Control staff presently consists of 11 Animal Control Officers who deal with animals in the field; three Kennel Attendants responsible for daily care of the animals and the shelter facility itself; a Dispatcher and an Accounting Clerk. The Friends of Auburn/Tahoe Vista-Placer County Animal Shelter, a non-profit volunteer organization,

works with Placer County personnel to care for and place sheltered animals. It also provides low-cost vaccine clinics and microchip animal identification services. The Friends also operates a separate feline facility commonly known as “The Cat House.”

## Discussion

At the County’s request, in 1999 the Humane Society<sup>1</sup> reviewed the animal shelter operations and suggested improvements. Animal Control staff and management are working to implement those suggestions. Exhibit 1 attached to this report is a list of the Humane Society’s recommendations implemented as of April 9, 2001.

The Grand Jury toured the shelter facility on April 10, 2001, and found it to be in generally good condition. The facility was clean and there were no more than two animals in most of the cages or pens. Shelter management appeared open and interested in the Grand Jury’s questions and concerns about conditions for both animals and staff in the shelter.

The Auburn shelter was built in the early 1970s and no longer offers adequate space nor amenities to ensure quality care of the animals it houses. The County plans to expand current shelter facilities into new space within the next three to five years. A steering committee consisting of community members and County personnel was formed early in 2001 to begin the planning process.

As with many other animal control shelters, Placer County does not have a licensed veterinarian nor qualified veterinary technician on staff or retainer. Animal Control staff or shelter volunteers must take time away from the other animals to shuttle sick or injured animals to local vets.

The University of California at Davis has recently started a program at the School of Veterinary Medicine aimed at reducing disease among animals housed in animal shelters.<sup>2</sup> The program recognizes that animals housed in tight quarters have different health concerns than those living in the comfort of a family home. “Feline infectious peritonitis, chronic rhinitis/sinusitis, chronic inflammatory bowel disease, stomatitis and chronic corneal ulcers are examples of infections in cats that are often acquired in group environments and that have lifelong effects.”<sup>3</sup> The Placer County animal shelters do not presently have enough space to effectively quarantine all incoming animals (notably cats) to prevent contact with other animals while they are being evaluated for transmissible diseases.

While treatment for many ailments, including heartworm, can be hard on animals, starting as soon as possible increases the chances of survival and decreases the

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<sup>1</sup> The Humane Society of the United States.

<sup>2</sup> CCAHA Update, Center for Companion Animal Health, UC Davis School of Veterinary Medicine, vol. 6, no. 1, Spring 2001.

<sup>3</sup> CCAHA Update, Center for Companion Animal Health, UC Davis School of Veterinary Medicine, vol. 6, no. 1, Spring 2001, p.2.

lasting effects. Heartworm is a common ailment among dogs in this area. A very inexpensive blood test can determine within a matter of minutes if a dog is suffering from heartworm. Placer County Animal Control is not currently conducting heartworm tests on incoming dogs because of lack of qualified staff to perform the test.

The Grand Jury was pleased to learn that the new Animal Control Program Manager is starting to track performance at the County animal shelters (e.g., numbers of animals housed, treated, and destroyed). We agree that this kind of monitoring and analysis can lead to enhancements in the effectiveness of operations and can help to guide County policy in the housing and treatment of sheltered animals in the future.

Laws governing the care and treatment of homeless animals in Placer County include:

- The Hayden Bill (California Senate Bill 1785) effective July 1, 1999, which updated and expanded the rights and duties of animal pounds and shelters. Notably, the bill provides that “all depositaries of live animals have a duty to provide them with necessary and prompt veterinary care, nutrition, and shelter, and to treat them humanely”; expands the minimum impound time from 72 hours (three days) to six business days in most instances<sup>4</sup>; and requires animals to be released to non-profit animal rescue or adoption organizations in certain circumstances. This bill updated portions of the California Penal Code, Civil Code, and Food and Agricultural Code.
- Chapter 6 of the Placer County Code, particularly Article 6.20, Impoundment (excerpts attached as Exhibit 1 to this report).

Although it appears that animal control practices are in compliance with the Hayden Bill, County ordinances pertaining to animal control are not in compliance in terms of minimum holding times for sheltered dogs and cats. While the Hayden Bill specifies a minimum holding time of four business days, not including the day of impound (see footnote 4), County ordinance 6.20.030 specifies a minimum of three calendar days for cats and dogs without current license tags. (Dogs with current license tags are held a minimum of seven calendar days. Please see attached Exhibit 2 for a complete reproduction of the relevant County Codes.)

County Code does not address several of the key points of the Hayden Bill, including:

- No adoptable animal should be euthanized if it can be adopted into a suitable home. No treatable animal should be euthanized. A treatable animal is one that is not initially adoptable but that could become adoptable with reasonable efforts. (California Civil Code § 1834.4, Food & Agricultural Code § 17005, and Penal Code § 599d)

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<sup>4</sup> Sections 31108(a)(1) and 31752(a)(1) of the Food and Agricultural Code were amended by the Hayden Bill to read, “If the pound or shelter has made the dog (or cat) available for owner redemption on one weekday evening until at least 7:00 p.m. or one weekend day, the holding period shall be four business days, not including the day of impoundment.” The Auburn shelter is open until 7:00 p.m. on Wednesdays and both the Auburn and North Lake Tahoe shelters are open on Saturdays.

- Strays shall be released to a nonprofit animal rescue or adoption organization if requested. (Food & Agricultural Code §§ 31108 and 31752)
- All public pounds, shelters operated by societies for the prevention of cruelty to animals, and humane shelters shall provide owners and finders of lost animals information to help locate the pet/owner. (Food & Agricultural Code § 32001) (Note: While County Code does not make this a requirement, the shelters are currently providing this information to the public.)
- All pounds/shelters shall keep accurate records for three years. (Food & Agricultural Code § 32003 and Penal Code § 597.1(d))

Animal Control's Employee Manual (the agency's operations manual) is undergoing extensive revisions, scheduled for completion in Fall 2001. These revisions should bring written policies and procedures into accordance with State law and standard practice within the agency.

While County personnel are actively involved in the management and administration of the Animal Control shelters and appear to be sensitive to the needs of the animals they deal with, there is no regular forum for interested members of the public to offer suggestions nor voice concerns. A citizen's advisory board comprised of a limited number of community members could serve as an ombudsman between the public and the County to ensure that the public has a voice.

## **Finding 1**

The Auburn shelter facility is inadequate to meet the existing and future needs of this rapidly growing County. Animal Control management stated that completion of a new facility is expected in three to five years.

The Grand Jury commends Placer County for its commitment to building larger and more modern shelter facilities within the next few years.

## **Recommendation 1**

The Grand Jury recommends that the Placer County Board of Supervisors ensure that expansion of animal control shelter operations into new facilities continues to be a high priority on the list of pending capital improvements.

## **Finding 2**

Animal Control does not currently employ a licensed veterinarian or qualified veterinary technician, nor have one on retainer.

## **Recommendation 2**

The Grand Jury recommends that the Board of Supervisors allocate funds to allow Animal Control to either hire or retain the services of a licensed veterinarian or qualified veterinary technician at the shelter facilities.

## **Finding 3**

Animal Control does not have a quarantine infirmary for cats.

## **Recommendation 3**

The Grand Jury recommends that the County allocate space to be used exclusively for sheltering and treating cats that require quarantine to prevent transmission of disease to healthy animals.

## **Finding 4**

Animal Control does not perform heartworm tests on incoming animals.

## **Recommendation 4**

The Grand Jury recommends that Animal Control contract with a service or obtain training to perform heartworm testing on all dogs and cats upon arrival at the shelters. Animals who test positive for the disease should be evaluated by a licensed veterinarian or qualified veterinary technician to determine the best course of treatment.

## **Finding 5**

The Animal Control Program Manager has recently started monitoring the numbers of animals housed, treated and destroyed. The Grand Jury commends him for his proactive approach to management of animal control operations.

## **Recommendation 5**

The Grand Jury recommends that the Animal Control Program Manager continue his current efforts to track and analyze information pertaining to the health and welfare of homeless animals in Placer County. The results of the analyses should be used to improve the services offered by Animal Control.

## **Finding 6**

Placer County Code 6.20 (Animal Impoundment) is not in compliance with sections of the California Penal Code, Civil Code, and Food and Agriculture Code.

## **Recommendation 6**

The Grand Jury recommends County Code be brought into compliance with State law as quickly as possible.

## **Finding 7**

Animal Control policies and procedures are incomplete.

## **Recommendation 7**

The Grand Jury recommends Animal Control policies and procedures be reviewed and updated at least annually to reflect changes in State law, County ordinances, and/or management policies. They should address all aspects of animal control.

## **Finding 8**

There is no public advisory board within Placer County to provide oversight of Animal Control activities and facilities.

## **Recommendation 8**

The Grand Jury recommends that the County solicit participation from community members on a public advisory board that would serve as a liaison between the citizens of Placer County and Animal Control.

## **Respondents**

Placer County Animal Control Program Manager  
Placer County Board of Supervisors  
Placer County Department of Health & Human Services Director  
Placer County Environmental Health Director  
Placer County Executive Officer  
Placer County Health Officer

## **RESPONSE REQUIRED WITHIN 90 DAYS TO:**

The Honorable James D. Garbolino  
Presiding Judge, Superior Court  
County of Placer  
Historic Courthouse  
101 Maple Street  
Auburn, CA 95603

## Exhibit One

### Recommendations Implemented to Date From *HSUS Professional Animal Services Consultation Report (1999)*

- I. **Leadership**
  - Manager of Animal Services was hired
- II. **Community Relationships**
  - Improved relations with pet placement partnerships
  - Improved relationship with veterinarians
- III. **Implication of Senate Bill 1785 “The Hayden Bill”**
  - The shelter is now in compliance with the Senate Bill 1785.
- IV. **Implementation of Pre-Release Sterilization and Health Maintenance**
  - The shelter is in compliance with requirements that dogs and cats be altered before being released into a new home.
  - A vaccination program is in place for all dogs and non-feral cats entering the shelter
  - Kennel staff are performing daily monitoring of the health status of all animals now entering the shelter
- V. **Shelter Facilities/Design**
  - A. **Shelter Safety/Humane Traffic Flow**
    - Kennels are routinely cleaned prior to the public entering the shelter
    - Access is limited as appropriate to allow needed quarantine
    - Adoptable animals are segregated in the kennels from strays and quarantines/aggressive animals
    - Kennels for non-adoptable dogs and cats are now locked in secure areas to protect the public
    - Locks are installed and used where recommended
  - B. **Animal Services Areas**
    - Repairs were made to heating and cooling systems
    - Air purifier is installed in the cat room, reducing disease transmission

**C. Animal Housing Areas**

- Dogs are physically separated on the basis of their classification, ie. owner surrenders, strays, and quarantine/aggressive
- Additional cat cages were purchased and installed to replace wire cages
- Cats are physically separated on the basis of their classification, ie. owner surrenders, strays, and quarantine/aggressive/feral (wild)
- Cat cages are now being cleaned appropriately
- Litter pans are provided for all cats
- Portable kennels were installed outside to hold dogs while kennels are being cleaned
- An additional exercise yard was installed

**D. Livestock/Other Animals Housing**

- Four portable barn stalls were moved to the area behind the shelter
- Portable fence panels are now available for unloading livestock

**E. Quarantine/Isolation**

- All animals under quarantine are locked in an isolation area.
- Animals entering the shelter receive a basic physical and any animals showing symptoms of disease or injury are taken to a veterinarian
- Animals with contagious diseases are placed in isolation where appropriate

**VI. Record Keeping, Data Collection and Analysis**

- Kennel staff is trained in the use of the Pet Where™ system for tracking animals
- All owners releasing animals complete pet profiles

**VII. Shelter Operations**

- Shelter operations are compliant with the requirements of SB 1785
- All animals are removed from kennels or cages prior to cleaning

**VIII. Feeding/Food Storage**

- All dogs are now fed in individual food bowls and not from the hopper feeders attached to the cage doors on the dog kennels
- The large silo storage bins used to store food were removed

**IX. Adoptions**

- Adoption application forms are now used prior to all adoptions
- Landlord approval is now required for all adoptions who rent
- Animals are not adopted as gifts

**X. Euthanasia**

- All kennel staff are trained in euthanasia as required by state law
- New drug logging procedures are in place and being used
- Euthanasia room was rearranged to be more functional and is equipped with a locking cabinet to hold drugs and equipment
- Equipment used for florescent rabies antibodies testing is now stored in a separate cabinet
- A lock was installed on the euthanasia room door to provide security for drugs and privacy for the staff doing euthanasia

**XI. Field Services and Enforcement**

- A mediation process for handling barking dog complaints was implemented
- Officers are now wearing regulation uniform pants

**XII. Human Resources Issues**

- An organizational chart for the program was created
- A separation of field services, kennel operation, and front office staffing was identified
- Kennel staff was hired and trained
- Additional office help was hired

**Article 6.20**

**IMPOUNDMENT**

**Sections:**

- 6.20.010 Animals subject to impoundment.**
- 6.20.020 Impoundment of livestock.**
- 6.20.030 Period of impoundment.**
- 6.20.040 Redemption.**
- 6.20.050 Disposition of impounded animals.**
- 6.20.060 Impoundment fees.**

**6.20.010 Animals subject to impoundment.**

Any animal which is, to the knowledge of the director of animal control, engaged in an activity, or existing in a condition prohibited by this chapter shall be taken and impounded at the animal control center or at such other place as may be approved by the director of health services. (Prior code § 3.80)

**6.20.020 Impoundment of livestock.**

In addition to the power vested in the director of animal control for the impoundment of any horse, mule, cow, goat, sheep, hog or burro found running at large, any peace officer is hereby empowered to impound such animal and to turn such animal over to the director of animal control for disposition under this chapter. (Prior code § 3.82)

**6.20.030 Period of impoundment.**

A. All impounded dogs found wearing a current dog license tag shall be kept in the animal control center for a period of not less than seven days unless redeemed within such period.

B. All impounded dogs not wearing a current dog license tag shall be kept in the animal control center for a period of not less than seventy-two (72) hours unless redeemed within such period.

C. Following the impoundment of any dog, the director of animal control shall notify the owner of any licensed dog or the owner of any unlicensed dog if known, either personally or in writing, after which said dog will be otherwise disposed of as authorized by this chapter.

D. Any impounded bovine animal shall be kept in the animal control center for at least five days unless it is redeemed within such period.

E. Any other animals impounded, except dogs and bovine animals, shall be kept in the animal control center for at least seven days unless it is redeemed within such period.

F. Following the impoundment of any animal other than dogs, the director of animal control shall notify the owner if known, either personally or in writing or if the owner is not known, the director may publish such notices and advertisements as he or she deems necessary for the return of such animal.

G. Any animal which is voluntarily surrendered to or deposited with the animal control center or authorized personnel thereof by the owner shall not be deemed to be impounded and need not be kept or retained for any minimum period of time.

H. Any cat impounded, other than under Section 6.16.020 shall be cared for by the director of animal control for not less than three days after which such cat may be humanely destroyed or otherwise disposed of. (Prior code § 3.84)

**6.20.040 Redemption.**

The owner of any animal impounded may, at any time before the disposition thereof, redeem the same by offering proof of ownership, and by redeeming all proper fees and charges accrued as provided for by this chapter provided, however, that if the animal is one which is subject to a license herein, the licensing requirements must be satisfied before the animal's release, except that an impounded dog that has not been vaccinated against rabies (or exempted therefrom by an exemption certificate as provided in this chapter) may be released to an owner who has paid all fees required herein including the license fee, on condition that such owner shall:

A. Have the dog vaccinated for rabies within ten (10) days; and

B. Exhibit a valid certificate of vaccination to the director of animal control within ten (10) days, at which time the license will be issued. (Prior code § 3.86)

**6.20.050 Disposition of impounded animals.**

A. Except as otherwise provided in this article, an impounded animal which is not redeemed within the applicable holding period specified in this article may, in the discretion of the director of animal control, be sold, destroyed, or otherwise disposed of.

B. If an animal is sold, the receipt signed by the director of animal control shall be valid title to the purchaser.

C. When any dog or cat is to be sold pursuant to this chapter, prior to the delivery of the animal by the owner, the animal shall be spayed or neutered with a participating veterinarian. If the animal is too young or sick as certified by a licensed veterinarian then there shall be deposited by the purchaser with animal control, a spaying or neutering

deposit which shall be designated for the participating veterinarian, for the payment of the spaying or neutering operation. The amount of the deposit shall be designated by the director of animal control. The purchaser shall be responsible for any additional costs of the spaying or neutering operation over and above the deposit. All dogs/cats deemed old enough for surgical altering by a participating veterinarian shall be spayed/neutered prior to the purchaser's receipt of said animal. Upon receipt from the veterinarian that a spaying or neutering operation has been performed, the deposit will be forwarded to the veterinarian. In the event that the purchaser fails to have the animal spayed or neutered within the six-month period following its purchase, the spaying and neutering deposit will be forfeited and shall become the property of Placer County.

When an animal is to be sold pursuant to this chapter, prior to the delivery of the animal, all costs incurred for veterinary services provided on behalf of such animal shall be paid in full to animal control. These services are provided on an individual basis at the discretion of animal control staff and may include but are not limited to vaccinations, heartworm tests, leukemia tests, dentals, grooming, worming and other deemed necessary or appropriate.

D. Notwithstanding any other provisions of this article to the contrary, an impounded animal which is determined by the director of animal control to be unfit and of no further use, dangerous, injured or ill, may be destroyed or otherwise disposed of as ordered by the director of animal control upon the concurrence of the director of health and human services. (Prior code § 3.88)

**6.20.060 Impoundment fees.**

A. An impound fee for every impounded animal and/or livestock shall be charged and collected when claimed and before released in an amount set forth in Section 2.116.130(A).

B. When extraordinary care or expense is incurred, the actual cost will be charged. In the case of animals other than dogs, this includes, but is not limited to, transportation, custody, boarding, and advertising expense.

C. A redemption fee shall be charged and collected in an amount set forth in Section 2.116.130(A)(2).

D. For taking into custody any dog, cat, or livestock at the request of the owner thereof, either at the animal shelter or the owner's residence, a fee in an amount set forth in Section 2.116.130(A)(2) shall be charged and collected.

E. In the case of animals other than dogs, when the director of animal control causes an animal at large to be returned to the property of the owner of the animal, a fee

amounting to time, mileage, and extraordinary expenses may be charged. (Prior code § 3.90)