

Animal Control
In McMinn County

History of Animal Control in McMinn County

Society has dealt with the regulation of the movement and treatment of animals since the beginning of recorded history. Historically, most of this regulation has been concerned with providing maximum benefit for mankind with little attention given to the well being of individual animals. Veterinary medicine was first mentioned during the time of Hammurabi, approximately 2100 B.C. Many of the lawsuits in colonial America had to do with one person's cow escaping only to trample and eat the crops of his neighbor.

Prior to the present time McMinn County's animal control was concerned primarily with rabies control, not so much because it was so devastating to animals but because it could affect humans. The City of Athens maintained a building for the impoundment of stray animals but gave minimal concern to the health and adoption of those animals. In the early 1990's local veterinarians along with a group, which became known as the McMinn County Regional Humane Society (MCRHS), met with the City to encourage more humane treatment of the animals at the "pound." Veterinarians agreed to humanely euthanize unwanted animals pro bono upon the condition all animals being adopted would be sterilized so as not to have an increased unwanted animal population in the county. In order that those veterinarians not be accused of attempting to profit from the arrangement, they volunteered to reduce the normal price for sterilizing animals adopted through the shelter. The original agreement called for the new owner paying 1/3 of sterilization, the City in tandem with MCRHS paying 1/3, and the veterinarians reducing their fees by 1/3.

Once the City of Athens had upgraded its animal control program, MCRHS began to lobby county officials for financial support for operations. In February of 1999 McMinn County agreed to spend \$10,000 per year for sterilizations administered through MCRHS. Neither the City nor the County requires proof of financial need for their sterilization programs, rich and poor are equally eligible, nor is there any limit on the number of animals one owner can run through the programs.

Defining Animal Control

With recent demands presented to the County Commission to establish an animal control program, there is a need to define what is meant by the term "animal control." Traditionally, animal control has meant keeping animals from running at large. For some, today animal control means treating sick and injured animals at the taxpayers expense and using tax dollars to subsidize the sterilization of "owned" animals.

Before County government commits itself to animal control it would be advisable to define the objective. Keeping stray and owned animals from running at large for the general welfare requires a totally different approach than does socialized veterinary care. By defining the County's responsibility to the public and its intent in advance, the taxpayer will be spared much expense at a later date.

Is There a Need For Animal Control?

Those who are demanding County government establish an animal control program have felt it necessary to only provide anecdotal references as to the need for an animal control program. Before the County establishes a new program, it owes it to the taxpayers to examine statistics demonstrating the need and the size of the need. Records of the County Commissioners, the Sheriff's Department, and the County Executive's office should be examined to analyze the scope of the problem. For determining the type of program that is needed it would be best to analyze whether complaints are about dogs or cats, "owned" or "stray" animals, and whether the case was concerning "roaming at large" or "inhumane treatment."

Why Is There A Need For An Animal Control Program?

If the assumption is made that there is a need for an animal control program, the County can not possibly solve the problem without knowing the cause of the problem. It must be determined in advance if the problem is due to "owned" animals, to "strays" which do not have an owner, or a combination of both. The solutions to the two above mentioned categories are different. The former requires targeting people who can be notified, fined, and even incarcerated; the later requires taking possession of the animal and determining its fate.

If the problem is due to "owned" animals, any program the County initiates should be directed at making owners responsible for their own animals. When animal owners are not held responsible for the treatment and actions of their animals they will allow them to roam, permit them go untreated for illness, and consider them disposable items. The cost of regulation should be born by those who are the problem. Heavy fines and stiff penalties are the best deterrent to irresponsible animal owners.

If there is an animal problem due primarily to "stray" animals, then the solution will need to be directed towards capturing the animal and deciding what to do with it from that time forward. The County will need to decide if it is government's proper role to merely get such animals off the streets and to leave the decisions related to treating the sick, sterilizing the fertile, and finding owners for the homeless to non-profits, or, whether it is necessary for the taxpayer to finance such items.

Animal Control Programs Currently in Operation

Examination of Animal Control programs in East Tennessee can be used to help define the task before the County. The City of Athens 2001-2002 budget called for \$114,900 for its Animal Control Program. That compares with a budget ten years earlier of \$55,274. An Athens Animal Control Officer was quoted as stating "We spend about \$3,000 a week on veterinary bills alone."¹ Knoxville and Knox County are in the process of building a \$3.7 million dollar facility for their Animal Control Program.² In 1999 Chattanooga budgeted \$763,350 to set up and operate its animal control department, it also paid \$493,638 to the Humane Education Society that year. In 2000 Chattanooga signed a contract with the Humane Educational Society for \$316,652.³

Difficulties With The Present Animal Control System

The only active animal control program in McMinn County consists of an alliance between the City of Athens and MCRHS.. By examining the failings of that program the County will hopefully learn to better serve the taxpayer should it decide to engage in such a venture.

The current arrangement is one in which a building and responsibilities are shared. In the past, great friction has occurred over the management of the facility and the treatment of the animals between the City, its employees and the volunteers of MCRHS. Poorly defined organization and management have resulted in a heavy turnover of volunteer help.

Very little emphasis is given to actually eliminating animals running at large. Taxpayer complaints about stray animals are often met with statements of "we don't have room for another animal." Anyone who has driven through Athens can attest to the fact that dogs still freely roam the streets. Perhaps if less money was spent on giveaways there would be room for more animals.

The emphasis of controlling roaming animals in the City of Athens has been replaced with an emphasis on adopting, treating, and sterilizing animals. As presently operated, the shelter has become an irresponsible owner and veterinary subsidy development program, with the taxpayers of Athens bearing the burden. By encouraging adoptions with "free shots, free exams, free vaccinations, and free sterilizations included," the program has sent the wrong message to potential pet owners about the very real responsibilities involved with pet ownership. When persons with the best of intentions pay for sterilization, vaccinations, etc. of someone else's animal, the new owners often fail to recognize the certitude of future financial investment in the care of the animal. Hence, those who cannot actually afford to care for a pet are encouraged to take one anyway. If private individuals or groups wish to perpetuate such irresponsible behavior with their own funds it is one thing, but taxpayers should not be forced to do so. During the last decade of this philosophy the Athens animal control budget has squandered over a quarter of a million dollars and animals still roam the streets.

The lack of controls on the expenditure of tax dollars by the City and County is appalling. Records should be analyzed for abuse and waste. It is unfair that taxpayers are forced to subsidize veterinary services for persons who sometimes have higher incomes than does the average taxpayer and it is inconsiderate of the program that no limit is placed on the number of

animals that one individual can run through the system.

Suggestions for an Animal Control Program

Many residents of McMinn County do not own animals, in fact, many are not just indifferent but do not like animals. Many other residents love them and want to see them treated humanely. It is the responsibility of government to protect the rights and privileges of both groups. The following scenario would respect both groups.

McMinn County would provide an animal control officer whose duty it is to:

- A) Capture animals running at large and aid in the prosecution of their owners.
- B) Investigate and aid in the prosecution of owners of animals which are public nuisances.
- C) Investigate allegations of animal abuse and aid in the prosecution of those involved.

McMinn County should seek to contract with a private agency to assume responsibility for any animal the County apprehends or confiscates.

This agency will guarantee the humane treatment of those animals for a predetermined number of days which would give the owner, if any, ample opportunity to claim the animal and reimburse the County and the private agency for their expenses plus a substantial punitive amount. The agency will be paid on a per diem per animal basis by the county.

After the allotted number of days, the agency may do with the animal as it wishes by either disposing of it humanely or transferring it to a new owner for whatever fee it deems proper.

The County currently spends \$10,000 on “animal control”. This money should be used towards the County’s part of the new animal control program. Fines assessed towards irresponsible owners should also be applied towards the operation of the County’s program. It should be noted that to replace the current tax funded spay-neuter system, one veterinarian has already offered to donate up to \$10,000 of sterilization services under the conditions that “proof of poverty and residency” and “one per family” are met.

If the contracted agency wishes to vaccinate, sterilize, medically treat, bathe or obedience train the animals, it would be the responsibility of that agency, and not the taxpayer to fund such items.

Many counties subsidize their animal control programs via “licenses” sold with proof of rabies inoculations. The difficulty with this is those animal owners who get the rabies inoculations tend to be the more responsible owners, thus they, rather than the offenders, are forced to pay for the acts of the few irresponsible pet owners. The best method to insure rabies inoculation and be fair is to have a two tier fine system in which the fines are double if the animal is not vaccinated.

SUMMARY

The primary concern of the County Commission regarding animal control should be three fold. Number one, is it fulfilling its primary duty of protecting the public and the property of the citizens? Secondly, is it being fair to the taxpayer? Last, but not least, is it protecting the well being of animals? As libertarians, we feel government should primarily concern itself with the first and second items, and the last is best served, not by government, but by the people who wish to participate in animal welfare on a voluntary basis.

Across the nation, elaborate and expensive bureaucracies have developed under the guise of “animal control.” Special interest groups have cost the taxpayer dearly as they have sought to have animals treated as they think is best, using the stray and unwanted animals as an excuse to have their agendas financed by the taxpayer. McMinn County must be careful to plan in advance the funding and meaning of any animal control program it develops, and it must separate “animal control” from “subsidies” to animal rights groups. It must keep in mind that a County, in which high school students must share textbooks, sheriff’s deputies are underpaid, and unemployment averages 2-3 points higher than the state, does have limited financial resources.

1. Daily Post Athenian, July 22, 2002 p5

2.http://www.knoxnews.com/kns/local_news/article/0,1406,KNS_347_1552620,00.html

3.Chattanooga Times-Free Press May 16 2000

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