



# Valley Advocates for Responsible Development

December 6, 2010

Teton County Board of County Commissioners  
150 Courthouse Drive  
Driggs, ID 83422

RE: VARD Comments to proposed animal control ordinance changes.

VARD supports the proposed amendments to the county animal control ordinance. Effective animal control is an ongoing problem in this county; most of us have at least one story of a nuisance dog in our neighborhood or some other sad tale of neglect. The time has come for this Board to implement a long-term plan for animal control whether it is a county-owned shelter or funding for an animal control officer. The county should also adopt animal care and cruelty standards that can be fairly and consistently interpreted by our law enforcement officers who are constantly called to respond to all sorts of animal complaints.

In a rural community like ours, it can be hard to draft uniform ordinances ranging from the care of livestock to domestic dogs. In an effort to create more meaningful care provisions, I took a stab at drafting some changes to these specific sections (I underlined the new added language):

**5-1-1 PURPOSE:** Teton County hereby establishes this ordinance to promote the health, safety, and welfare of the residents, animals, and visitor of Teton County; and to protect the properties of such persons by establishing a uniform and humane animal care and control ordinance. Animal ownership is encouraged and welcomed within this County; however, strong emphasis is placed on responsible ownership of animals. Animal owners should respect the rights of their fellow citizens and also those of their animals. Primary responsibility is placed upon animal owners to properly care for their animal as well as train and secure their animals to prevent them from causing injuries and/or creating nuisances.

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## **5-1-2 CRUELTY:** Cruelty is defined as the following:

- A. Intentional, negligent, or malicious infliction of pain, physical suffering, injury, or death upon an animal;
- B. To poison, torture, cruelly beat, mutilate, or cruelly kill an animal;
- C. To maliciously kill, maim, wound, overdrive, overload, drive when overloaded, overwork;
- D. To drive, ride, or otherwise use an animal when it is unfit;
- E. To subject an animal to needless or unnecessary suffering or harassment when not necessary for the purposes of lawful or legitimate training or discipline;
- F. To abandon an animal;
- G. To intentionally, negligently, or maliciously confine an animal in unsanitary conditions, house an animal in quarters that are insufficient to provide exercise and free movement and/or force the animal to stand, sit, or lie in excrement, or to house an animal in an inadequate facility;
- H. To intentionally, negligently, or maliciously fail to maintain an animal at a healthy weight and in a healthful condition including providing sufficient food appropriate for the species, free access to fresh potable water, and veterinary care when needed to prevent suffering;
- I. To intentionally, negligently, or maliciously fail to provide adequately ventilated and/or insulated shelter for the animal in light of:
  - i. Hot or cold weather conditions,
  - ii. Other extreme environmental conditions such as pestilence or exposure,
  - iii. The species and breed of the animal and its ability to adapt to weather and environmental conditions,
  - iv. The general health and physical condition of the animal;





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- J. To tie, or restrain an animal on an outdoor leash or lead for more than 12 hours a day and/or fail to provide adequate food, water, and shelter for the tethered animal as defined in 5-1-2(H) and (I).

**5-1-9 Cruelty and Inhumane Treatment Prohibited:** Animal owners or designated caretakers are responsible for the proper care and treatment of their animals. No owner, caretaker, or anyone else shall treat an animal with cruelty as defined in 5-1-2. Any person who violates the provisions of this section is guilty of a misdemeanor.

Just as a closing thought, does the county want to establish minimum acreage or corral feeding requirements for horses and other livestock? I ask this out of concern for a recent situation where several (like 5) horses in the valley were being quartered together in an extremely small (like 30 x 30 foot) pen in a trailer park up to their knees in manure. My understanding was that the county did not have applicable care requirements to enforce. Fortunately the horses were being kept in the Impact Area so the City of Driggs' ½-acre per horse standard applied, and the Sherriff's office was able to enforce those regulations.

Thanks once again for all of your hard work in the service of our community.

Anna Trentadue  
VARD Program Director / Staff Attorney

