

MONO COUNTY ANIMAL CONTROL
P.O. BOX 476
BRIDGEPORT, CA. 93517

SB 1578 ANTI-TETHERING LAW

Mono County Animal Control advises all dog owners and caretakers in the County that the State of California has enacted a law restricting the "tethering" of dogs. This new law, which takes effect January 1, 2007, makes it *illegal* for a person to "tether, fasten, chain, tie, or restrain a dog....to a dog house, tree, fence, or any other stationary object". The new law contains a number of exceptions to this general prohibition on tethering.

First, it does not prohibit a dog from being attached to a "running line, pulley, or trolley system" as long as the dog *is not* connected to the system by a choke or pinch collar. In addition, the lead attached to the cable and also attached to the dog's collar or harness, should be of a length that allows the dogs to comfortably enter a dog house and lie down. A water bucket should be placed in an area easily accessible by the dog. Care should be taken so that the lead attached to the dog is clear of objects that could cause entanglement. Nor, does the law prohibit the tethering of a dog in a campground or recreational area if required by the rules of the campground or recreational area.

Also, the law allows a person to tether a dog for a reasonable amount of time, not to exceed 3 hours in a 24-hour period, in order to complete a temporary task, and to tether a dog in connection with an activity conducted pursuant to a license issued by the State of California.

Finally, the law permits a person to tether a dog while engaged in an activity directly related to shepherding, herding livestock, or cultivating agricultural products.

As always, the first and best method of containment is an enclosed yard or area of yard that has a fence of appropriate height so that the dog cannot jump or climb over it. Remember to provide a safe, adequately sized and insulated dog house along with fresh water. Secondly, if you cannot provide an enclosed yard then the alternatives would be an adequately sized portable dog run that allows the dog adequate exercise while you are away, room for an insulated dog house and water bucket as well as some type of cover over the top to reflect bad weather. Thirdly, would be the overhead trolley cable and lead that allows the dog exercise and adequate movement.

A violation of this anti-tethering law constitutes an infraction or a misdemeanor, depending on the circumstances. A person convicted of an infraction will have to pay a fine of up to \$250.00 for each dog illegally tethered, while a person convicted of a misdemeanor will have to pay a fine of up to \$1000.00 for each dog illegally tethered and, in addition, may be sentenced to up to six months in the county jail.

Mono County Animal Control is committed to the welfare of all animals. We sincerely hope that dog owners and caretakers of dogs in Mono County will learn about (through the enclosed paperwork) and voluntarily comply with this new state law. As a courtesy, this department has enclosed a copy of the complete anti-tethering bill (that was taken from the State of California web site), along with suggestions of acceptable containment. If this notice does not pertain to you in the way you restrain your dog ie; "tethered to a fixed object" then please feel free to pass this notice on to someone else.

Thank you for your time. Should you have any questions about this new state law, you are encouraged to call Mono County Animal Control at (760) 932-5630.

The actual text of the new anti-tethering law, which appears as Health & Safety Code § 122335, is as follows:

122335. (a) For purposes of this chapter, the following terms shall have the following definitions:

(1) "Animal control" means the municipal or county animal control agency or any other entity responsible for enforcing animal-related laws.

(2) "Agricultural operation" means an activity that is necessary for the commercial growing and harvesting of crops or the raising of livestock or poultry.

(3) "Person" means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust, estate, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative thereof.

(4) "Reasonable period" means a period of time not to exceed three hours in a 24-hour period, or a time that is otherwise approved by animal control.

(b) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained, to a dog house, tree, fence, or any other stationary object.

(c) Notwithstanding subdivision (b), a person may do any of the following in accordance with Section 597t of the Penal Code:

(1) Attach a dog to a running line, pulley, or trolley system. A dog shall not be tethered to the running line, pulley, or trolley system by means of a choke collar or pinch collar.

(2) Tether, fasten, chain, tie, or otherwise restrain a dog pursuant to the requirements of a camping or recreational area.

(3) Tether, fasten, chain, or tie a dog no longer than is necessary for the person to complete a temporary task that requires the dog to be restrained for a reasonable period.

(4) Tether, fasten, chain, or tie a dog while engaged in, or actively training for, an activity that is conducted pursuant to a valid license issued by the State of California if the activity for which the license is issued is associated with the use or presence of a dog. Nothing in this paragraph shall be construed to prohibit a person from restraining a dog while participating in activities or using accommodations that are reasonably associated with the licensed activity.

(5) Tether, fasten, chain, or tie a dog while actively engaged in any of the following:

(A) Conduct that is directly related to the business of shepherding or herding cattle or livestock.

(B) Conduct that is directly related to the business of cultivating agricultural products, if the restraint is reasonably necessary for the safety of the dog.

(d) A person who violates this chapter is guilty of an infraction or a misdemeanor.

(1) An infraction under this chapter is punishable upon conviction by a fine of up to two hundred fifty dollars (\$250) as to each dog with respect to which a violation occurs.

(2) A misdemeanor under this chapter is punishable upon conviction by a fine of up to one thousand dollars (\$1,000) as to each dog with respect to which a violation occurs, or imprisonment in a county jail for not more than six months, or both.

(3) Notwithstanding subdivision (d), animal control may issue a correction warning to a person who violates this chapter, requiring the owner to correct the violation, in lieu of an infraction or misdemeanor, unless the violation endangers the health or safety of the animal, the animal has been wounded as a result of the violation, or a correction warning has previously been issued to the individual.

(e) Nothing in this chapter shall be construed to prohibit a person from walking a dog with a hand-held leash.