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ANIMAL SHELTER AND CONTROL
IN FORSYTH COUNTY

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ANIMAL SHELTER AND CONTROL
IN FORSYTH COUNTY

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BY

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ABSTRACT

Animal Shelter and Control
in Forsyth County

The shelter, control and humane treatment of animals has always presented problems for local government officials. The research in this thesis is focused on Winston-Salem and Forsyth County, North Carolina, during the time that officials of both governments were struggling to find solutions to their animal control problems. The many aspects touching on the problems of animal control carry deep ramifications.

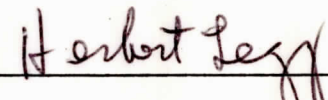
This paper attempts to present as many details as possible in describing the seriousness of the problems encountered when a governmental unit operates without an adequate animal shelter and control program. The problem is serious because dogs and cats multiply so rapidly that homes are not available for all of them. The strays become wild increasing the likelihood of their contracting rabies, and a bite from a rabid dog usually causes death. Wild dogs running in packs create dangers, especially for children, and these dangers cause the citizenry to become enraged. Their anger was vented on the elected officials that were responsible for the control program. Furthermore, the Humane Society members concluded that the method of exterminating dogs and cats was less than humane, and that the

City Dog Pound was an impossible situation to tolerate. Their anger was also vented on the responsible elected officials.

The varied problems became intertwined and complicated; therefore, the different sections of this thesis are presented to give the reader a better understanding of the problems encountered in gathering data, the philosophies of the pressure groups, the points of view held by elected officials, the laws that protect dogs and other animals, the methods used to solve the big problems and the happenings since that time.

The big problem of an adequate animal shelter and a countywide animal control program was resolved, but it appears that some problems will always be present with the responsibility of animal control.

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INTRODUCTION

Many reliable surveys indicate that dogs and cats are being born in the United States at a rate exceeding 10,000 per hour-day and night, 365 days a year. Just one female dog can become the ancestor of nearly 5,000 dogs in only six years. Cats are even more prolific.¹ These facts appear to epitomize the origin of the animal control problem.

This never-ending and increasing surplus of dogs and cats is basically what causes animal control dilemmas for city and county officials. As exemplified by the problems encountered by both governmental officials and citizens, there are not enough homes for the animals being bred. It would seem evident that laws and policies ignoring the surplus breeding can never be more than partially effective. The animals multiply faster than dog-catchers can catch them.

The Pet Food Institute had an extensive survey made, which showed there is one dog for every three people.² Based on these figures, Forsyth County has in excess of 73,000 dogs within the county limits. Approximately 23,000 dogs are now actually listed for privilege license taxes, which leaves about 50,000 that may be classified as either strays or belonging to

¹Information supplied by representative of Humane Society of the United States.

²Information supplied by the Pet Food Institute.

unconcerned people. The large number of dogs estimated to exist in the county is expressed to emphasize the potential severity of the animal problem. There is always the danger of rabies, which will result in death without painful treatment.

In the mid 1960's, Forsyth County and the City of Winston-Salem were approaching the brink of the problem of animal control and the provision of an adequate animal shelter. The animal control problem and its ramifications were studied extensively. A factual report was written and is included as Appendix 3 in this thesis. Subsequent to that report many significant changes have taken place. The purpose of this thesis is to present some of the different philosophies encountered while researching the animal control problem and to set forth the developments since that time.

Chapter I explains the researcher's introduction to the problem of animal control and the method of gathering data in carrying out the study.

Chapter II delves into the conditions that caused the crisis, which includes pressure groups, political policies, administrative practices, and inadequate laws.

Chapter III goes into some detail concerning the methods of operation and philosophies of the Humane Society and the local newspapers.

Chapter IV explains some of the political pressures exercised by and toward elected officials.

Chapter V provides some in-depth insights and facts regarding the legal rights of dogs and cats.

Chapter VI explains the alternatives available to the Board of Commissioners, their final decision, and the factors considered in making that decision.

Chapter VII tell how the current County animal control and shelter programs are operated.

Academic courses in political science and public administration do not speak to specific problems such as this. Academicians tend to remain on a detached theoretical level. Presented here is a down-to-earth local governmental problem that is shunned by public administrators whenever possible. This particular problem requires specific acts of intergovernmental cooperation. Not only does this study present graphic illustrations of the problems involved with management, public administration, politics, pressure groups, and the mass media, it presents a picture of the real world.

CHAPTER I

METHOD OF GATHERING DATA

The problem of controlling animals has existed for as long as man can remember. Within the highly civilized societies of today, the need is even greater because people are not trained to protect themselves. Herein is described how the writer was introduced to the animal control problems within a metropolitan area, to the involvement of public administrators, to the importance of public policy, to political expediency, to emotionalism caused by dogs, and to the methods used in researching the overall problem.

In October 1966, this writer was interviewed by the Forsyth County Manager for the position of Research Analyst. After the writer was hired for that position, the Manager explained that the first big assignment would be to research the problems and ramifications of animal control and animal shelter and to write a clear, concise report so that the Board of County Commissioners would have sufficient factual information to aid them in determining a policy position regarding county-wide animal control and alleviating the overcrowded conditions in the City Dog Pound.¹ The purpose of this writing is to explain the

¹Appendix 3, Complete report-"CONTROL & SHELTER OF ANIMALS IN FORSYTH COUNTY, NORTH CAROLINA," Dec. 1967.

writer's view of the conditions surrounding the problem during 1967 and to report the facts and developments since then.

A report of this magnitude required many months to research, develop and finalize. This writer, through personal involvement and observations as a research analyst, attempted:

1. to find the laws relevant to the situation,
2. to search the minutes of the Board of County Commissioners for pertinent information,
3. to determine the average dog population at the City of Winston-Salem Dog Pound,
4. to make projections regarding future dog impoundment,
5. to try to determine a reasonably valid population figure for dogs within Forsyth County,
6. to find out what other counties were doing,
7. to estimate the need and cost of an animal shelter for Forsyth County,
8. to present alternative methods of animal control from which the Board of County Commissioners could choose and,
9. to present the possible ramifications of a county-wide animal control program.

Each time a letter of inquiry was written, it took weeks, and sometimes months, to get an answer. The main sections of the report were written and rewritten many times. One time new material was added. Another time material was deleted. Each change brought the report closer to becoming the factual document wanted by the County Manager. Much of the meat of a control program was included as exhibits in the report.

From all surface appearances, the assignment seemed simple enough even though the subject was new to the author. However, time and the assimilation of knowledge proved that to be far from reality. It was simple to pull facts from the North Carolina General Statutes, the minutes of the Forsyth County Board of Commissioners and other records, but when trying to obtain facts through verbal communication, it was very difficult to separate fact from fiction.

This writer received an education in pursuit of this assignment, particularly in the realm of human behavior. Through personal observation, the author concluded that when people think and speak while emotionally aroused they become confused between fact and fiction and apparently think that everything they are saying is truth. It appears that when emotion is involved, the educational background of the person is irrelevant, i.e., note that practically any person's anger is aroused when a neighbor's dog digs up his flowers or defecates on his lawn. In addition to the emotional aspect, and apart from it, it was noted that there are some people who calculate coolly and deliberately to twist the truth, without malice, in order to achieve a desired goal. An example of this is given later in which it is revealed that the Chief of Police of the City of Winston-Salem used such a tactic with respect to his assertion that the broadcast of dog complaints on the police radios were against the Federal Communications Commission (FCC) regulation.

Out of the research conducted for this report, the points of view of the members of the humane society, of elected officials,

of administrative personnel and of the general public were encountered. It is this writer's opinion, based on personal experiences, that the members of the humane society are, as a rule, highly emotional and that they grossly exaggerate one side of the dog situation, ignoring any contradictory facts or other points of view. In addition, the writer concluded that elected officials usually speak and act through political practicality, i.e., they use the words and take the actions that will pacify the most people and win the most votes to keep them in office. This does not mean that all elected officials are purely political. Some or all officials do, in some cases, speak and act through their own personal convictions. It was further concluded that administrative personnel (such as the Animal Control Department personnel who are hired to enforce the animal ordinances) usually try to get the job done in as efficient a manner as possible. Of course, there are exceptions to this. Then, as is customary, there is a multitude of people who really do not care one way or another. There may be other viewpoints, but these are the ones most encountered throughout the many interviews made in preparation of the report. However, it must also be noted that the mass media played a very important role . . . sometimes positive and sometimes negative.

During the year spent researching the subject of animal control, the quest for relevant studies resulted in only a small amount of helpful information. Books on the subject of animal control are extremely rare. However, there are many books on "man's best friend" and the care of dogs and cats. As a rule

public administrators are so preoccupied with their immediate problems that there is no time for writing. Therefore, it was necessary to rely on ordinances adopted by Winston-Salem² and other cities, statutes enacted by North Carolina and other states, and written and oral statements of numerous people in order to determine how other areas dealt with the dog situation. The main bibliography is set out in Appendix 3.

Many changes have occurred since 1967. The County has a new, modern animal shelter, which is described in Chapter VII. Many laws have been changed, some of the most important ones are mentioned in Chapter V. This is a behind the scenes look, from this author's point of view, at the people, the problems, the laws and the conditions involved in the serious problem of animal control and animal shelter operations.

This chapter has covered the writer's introduction to the problems of animal control and the many aspects involved in its resolve. Resource materials were not readily available and, therefore, information had to be searched out by way of the most practical methods possible. Furthermore, this chapter has described the evolution of the study made in 1967 and the various types of people involved. Animal control is a problem shunned by most, but is the responsibility of public administrators. Pressure groups force elected officials to establish and to reform public policy.

²Appendix 1, p.55

CHAPTER II

CONDITIONS CAUSING THE CRISIS

What is the nature of the dog problem? Does the method of euthanasia for unwanted dogs and cats make a difference? In describing the conditions that lead to the crisis facing the City of Winston-Salem and Forsyth County, this chapter discusses the above questions plus the pressures causing a change in the public policy of animal control. It further discusses how continued pressures, even though mythical, affected the equity of cooperation between units of local government, and the effect of newspapers on public opinion.

Barking dogs, caterwauling cats, and the possibility of rabies . . . a nationwide problem that sometimes reaches vast proportions. There are 3,106 county governmental units in the United States¹ plus 6,246 incorporated cities and towns.² In discussions with several city and county managers, most agree that complaints about dogs and cats either top the list of complaints by the public or are near the top.³ The complaints are caused by dog bites, an occasional case of rabies, wild dogs running in packs, neighborhood dogs barking at night

¹"FROM AMERICA'S COUNTIES TODAY 1973," National Association of Counties, Washington, D.C., p.1.

²"THE MUNICIPAL YEAR BOOK 1975," International City Management Association, Washington, D.C. Preface .

³Appendix 1, pp. 58, 64.

keeping people awake, dogs killing chickens, and dogs using neighbors' yards as a "restroom."⁴ It is like an albatross around the necks of elected officials and City and County Managers throughout the country. American cities have grown enormously over a relatively short span of time and all share common problems, i.e., animal control. Since the dog population is estimated to be about one for every three persons,⁵ it is understandable that the problem is serious and nationwide. Anyone who could get rid of a problem like this would breathe a sigh of relief. This sets the stage for the City of Winston-Salem's wanting to rid itself of the problem of animal control.

In 1953, the Forsyth County Board of Commissioners provided the funds to construct a five-kennel dog pound.⁶ For this, the Winston-Salem Board of Aldermen promised to provide dog pound services for both the City and County for a period of fifteen years and to not ask the County for any funds for the operation of the dog pound during that time.⁷

For several years after the construction of the City Dog Pound both the City's and the County's animal programs ran fairly smoothly--with the normal complaints. As the people population continued to increase, along with the stray dog population, people became concerned and even enraged at the deplorable conditions of

⁴Appendix 1, pp. 60-66, 71, 72, 76.

⁵Information supplied by the Pet Food Institute.

⁶Appendix 3, p. 64.

⁷Appendix 3, p. 64.

the inadequate, overcrowded City Dog Pound.⁸ The greatest emotion was aroused because of the method of dog and cat extermination. The only method of extermination used was to take the animals out behind the building and shoot them one at a time. This type of extermination was quick and expedient.⁹ As to its humaneness, it is strictly a matter of opinion. Members of the local Humane Society chose to consider it less than humane.

As the number of telephone calls to the members of the Board of Aldermen about the conditions at the Dog Pound increased daily, the Dog Pound became a political liability. Pictures and stories in the newspapers described gruesome details of the Dog Pound's operation. About a year and a half prior to the end of the City/County contract on the Dog Pound, the Board of Aldermen could stand no more pressure from the public. The situation had reached a point of crisis, as appendix 1 indicates. The Board began preparations to rid itself of the plaguing problems associated with animal control. The first step was to pass a resolution requesting the Board of County Commissioners to provide an animal shelter adequate to serve the entire County, including the City of Winston-Salem.¹⁰ About six months later, two Aldermen talked privately with two Commissioners and requested the County to assume the total responsibility for animal control

⁸Appendix 1, p. 57

⁹Appendix 1, p. 59

¹⁰Appendix 3, p. 60

countywide, including the City of Winston-Salem. The die was cast.

As the report shows¹¹ no other county in the State of North Carolina provided animal control and animal shelter for the entire county, including all municipalities within it. This level of service would be setting a precedent almost unheard of. There has been some type of controversy between the City of Winston-Salem and the County of Forsyth for many years. However, the Board of Commissioners has always felt it best to, first, cooperate in every way possible with the City, and second, to be a leader not only in North Carolina but throughout the country. This is not a written policy, but apparently it has been adhered to by every Board of Commissioners for many years.

As it has turned out, the Commissioners have cooperated to a fault. This is not meant to be critical, only to express an opinion. Strictly from a business point of view, over the past few years, the Board of Commissioners had made several agreements with the City of Winston-Salem that would be considered inequitable. It allowed the City to break several agreements, and each time the new agreement on the same subject gave the City full control of the situation, i.e., the City and County agreed to jointly build a parking deck, which the City later decided was not to its best interest; the City then drew up another agreement simply renting spaces in the parking deck to the County and the County agreed; then the City drew up a third

¹¹Appendix 3, p. 12.

agreement specifying that they would build a surface parking lot and rent some of the spaces to the County, and the Board of Commissioners agreed. In reality, on each of these occasions, the Board of Commissioners gave away its contractual rights and claims, which will cost considerably to obtain elsewhere, as when the City does away with the parking lot just referred to and builds a new City Hall. All this was given away to prove that they were cooperative.

This indicates only one thing about the mass media (news-papers). The newspaper does mold opinion.¹² At least if it says something often enough, it is believed by some as being the truth. Therefore, by saying the County was uncooperative, many citizens believed it right for the County to give up its legal claims in an act of cooperation. When false rumors are believed by policymakers, the resulting decisions are likely to reflect the rumor it is based upon.

This does not in any way imply that the Board of Commissioners made any bad decisions regarding the animal control and animal shelter problems. It does, however, help to explain the conditions in the Forsyth County political arena. For some unknown reason, this county has always been regarded as a "red-headed step-child"--the government of a collection of rural farmers. The "power structure," which has never been specifically defined, either has chosen to ignore the rapid urbanization of the county or has been afraid of the growth and changing importance of county

¹²Appendix 1, p. 68.

government. In either case, the insistence of City dominance in almost all cases has created and perpetuated the greatest stumbling block to a county considered by some to be one of the potentially best-governed counties in the country.¹³ Forsyth County is wealthy in intelligent manpower, resources, and dreamers with determination.

The "dog lovers" were constantly ringing the phones of the Aldermen creating unbearable pressure. The Aldermen pressured the Commissioners to take over. The newspapers pressured the Aldermen and the Commissioners with their daily articles and editorials. Each member of the Board of Commissioners felt not only these pressures but also the pressures from within themselves . . . this was an opportunity to do something not yet accomplished by any other county in North Carolina.

The stage was set with only one possible conclusion . . .

This chapter has outlined some of the dimensions of the dog problem, some of the factors affecting decisions of elected officials in developing public policy, and the effect of newspapers in molding public opinion. Further discussion of pressure groups and the mass media is continued in the next chapter.

¹³Appendix 1, p. 87.

CHAPTER III

PRESSURE GROUPS - HUMANE SOCIETY AND MASS MEDIA

Any public issue that is weighted with emotionalism will have pressure groups. This chapter elucidates on the two known pressure groups pushing for specific solutions to the animal control problem. First is the Humane Society, with a presentation of the philosophies of the national organization and the local chapter being set forth. The tactics used by the Humane Society to gain supporters and the pressures used on elected officials are explained. In addition the influential resources used by the Humane Society are listed. The second pressure group described is the local newspapers, with the good and bad roles played by the editors and reporters.

In 1967, the Forsyth County Humane Society was a relatively small organization with a few determined vocal members. At least one of the determined members managed to visit the Dog Pound daily, and often there were other members present. One member in particular would take a dog out of its kennel, hold it on his lap and pet it until the animal control officer took it from him in order to take it to the back of the building and shoot it through the head. The deceased dogs lay in a heap until the sanitation truck took them away.

At that time, there were only five small kennels, but the

stray and unwanted dogs and cats kept coming in after being picked up by the animal control officers. Unfortunately, the kennels had been too small and cramped for some time. Because of these cramped facilities, the animals could be held for only a few days before some had to be exterminated to make room for others.¹

During a discussion the author had with a representative of the Humane Society of the United States, the representative said that its philosophy is to treat all animals in a humane manner. He also said that it knows that some animals must be exterminated and that experiments are necessary, and therefore, the efforts of the Society are directed toward seeing that it be done humanely.

The philosophy of the local Humane Society is a bit more specific. It believes extermination is the extreme and last resort. It also believes experimentation with animals should be outlawed. This explains the basis for credibility of the relentless pursuit of the local Humane Society to get deeply involved in making changes in the existing practices of dealing with the dog situation.²

Sometime in 1967 the members of the Humane Society launched a telephone campaign to call members of the Board of Aldermen daily.³ They had a reporter and photographer at the Dog Pound

¹Appendix 1, p. 58, 66.

²Appendix 3, p. 9, 13, 24.

³Appendix 1, p. 58, 63.

three or four times a week. The publicity gained many supporters for the Humane Society and its crusade. The supporters came from all walks of life. The more affluent supporters became very active by raising funds⁴ for printed circulars and by influentially talking with both Commissioners and Aldermen privately and at public board meetings.

Looking back, it appears that even this writer played an important role in the unfolding events of animal control in Forsyth County. The number of Humane Society members and supporters that called this author during the year that was spent researching and writing the report was astounding. It almost seems as if they were trying to influence the content and flavor of the report. Since it was necessary for this writer to become familiar with all the laws relating to dogs, he was at least one step ahead of the crusaders. This slight edge provided the opportunity to educate them. At one point the President of the Human Society quoted a law⁵ that said the County had to provide an animal shelter (Dog Pound). She was very adamant in her knowledge of the law. However, she had read only what she wanted to find. She was most chagrined to learn that the same law she was quoting from began with, "The board of county commissioners in each county in which a county dog warden is appointed under this article shall establish and maintain a dog pound" It was a big let-down for her

⁴Appendix 1, p. 75.

⁵N. C. General Statute § 67-32

to learn that the county personnel records showed that a Rabies Control Officer was appointed and that the County had been operating under the rabies laws for twenty years, not under the dog warden laws.⁶

Perhaps the most important point of law that was learned by many people during that year was the difference between permissive (may) law and mandatory (shall) law. It was a bitter pill to swallow because it reduced the validity and basis of the Society's argument in attempting to force the Board of Commissioners to construct a new animal shelter. Once the basic facts were known, the heavy verbal attack died down, but the pressure of publicity became stronger.

The affluent supporters continued their quiet conversations with the members of the Board of Commissioners. Most of the new supporters were female, and they proved beyond a doubt that they had the power to bring about change. These ladies contracted for the services of a professional advertising agency to develop the circulars soliciting the support of the public. The campaign was well under way both subtly and openly. With the resources of money and influence, many things can be accomplished. The influence resources used were: (1) first and foremost, a Society member who happened to be an old line aristocrat with both unlimited private financial resources and powerful friends in strategic positions; (2) a large number of voters marshalled by the Humane

⁶Forsyth County Personnel records show the position title was "Rabies Control Officer."

Society; (3) newspapers which molded public opinion in favor of the Humane Society; (4) free professional advertising provided by a member's husband, who owned an advertising agency. Apparently, there were no organized groups in opposition to the goal of the Humane Society. This seemed to be one of those issues that one was either for or neutral . . . except when it came to spending public funds to construct an animal shelter.

There is one very important point that needs to be made clear for reference. There are two daily newspapers in Winston-Salem, the morning paper (Winston-Salem Journal) and the evening paper (Twin City Sentinel). Each paper had its own reporting staff very much in competition with each other. However, at that time the editorial staff was the same for both papers.⁷ They used the same building, the same offices, and both papers were printed on the same presses. Also, they were primarily the same. Since that time, a Virginia corporation has purchased both papers and has given them separate editorial staffs.⁸ Otherwise, nothing else has changed.⁹

The reporting profession is composed of people with varying backgrounds, varying aspirations, and varying principles. It is well known in the academic profession as well as in the newspaper reporting profession that one must publish or perish. It is also well known that real life is not exciting every day. Most

⁷Appendix 1, p. 79.

⁸Appendix 1, p. 79.

⁹See, however, Appendix 1, p. 88.

days are quite average or even boring. This lack of exciting news makes it very difficult for a local reporter to earn his salary. In order to survive, it is understandable that a reporter will sometimes create controversy in an effort to fulfill his job of reporting. One way or the other reporters working for both the Journal and the Sentinel work under a great deal of pressure. That pressure forces unnecessary controversy. By publishing only one side of a story, they must publish another side later on, and then a rebuttal. With this system, perfectly normal and innocent situations can be manipulated to appear as controversial news for days. The needs and drives of one organization can definitely lead to the destruction of another organization . . . or at least, to the belittling of another.

Throughout the United States, newspapers have been praised and criticized, and probably in both cases, both were well deserved. There is good and bad everywhere. In some cases, there is sufficient recourse, but in the case of newspapers, the only recourse is a retraction, which usually winds up buried somewhere in the back of the paper. In cases of outright fraud by a reporter, there is no real justice or recourse. Freedom of the press means just that . . . the paper is free to print almost anything it chooses, true or false, subject only to the liberal libel laws. Apparently there is no one to reprimand the newspapers. If someone other than a reporter wishes to print an opposing view, he must do it at his own expense.

This explanation is to show the effect of the mass media on the various issues involving local government, not just on the issue of animal control. Whether the issue were animal

control or something else, the newspapers printed a view of the County one day, a view of the City the next day, and a view of the Humane Society the third day. Then, of course, they had to print rebuttals from each, which could possibly drag out a simple point for a week.

One source of pressure not yet mentioned was an interesting sidelight. Several times people in the Sheriff's Office were heard to say they could not use their police radios for dog complaints nor use the word dog on the air. They said it was a Federal Communications Commission (FCC) regulation. After tracing this bit of information through several people, it was learned that the rumor originated from the Winston-Salem Chief of Police. During a conversation this writer had with the Chief, he confirmed that it was true. Later a letter was written by this author to the director of the FCC asking if it allowed dog complaints to be broadcast on a police frequency. His reply was "Yes," and that this was legal. The radio frequency is for the purpose of aiding in the enforcement of laws, whether it concerns dogs or people. A xerox copy of that letter was sent by this writer to both the Chief of Police and the Sheriff with a note that it was merely for their information. Nothing else was heard about this particular "problem." It appears that the Chief was trying to create a problem where none existed . . . hoping to help get rid of the responsibility of dogs. All's fair in love and war?

The pressures grew slowly but surely, and most folks did not even know how they began.

The problems associated with pressure groups will always be present with important public issues. The discussion in this chapter has attempted to focus only on the pressures and groups that presented themselves: the Humane Society and its individual members, and the good and bad of newspapers and reporters. There is, of course, another side of the coin, which is discussed in the next chapter.

CHAPTER IV

POLITICS AND ELECTED OFFICIALS

The previous chapter presented a description of pressure groups. This chapter describes elected officials and the effect of pressure exerted upon them. Explained also are the maneuverings and manipulations by one group of elected officials upon another.

The world of politics is quite different from that which is known and understood by most people. On the local level the political scene is very different from the scene on the national level. Local elected officials, at least in North Carolina, earn their livelihood through a non-political job like other citizens. As a rule, elected officials are professionals in one field or another. The "salary" for an elected official is minor. It would be impossible for one to survive on it. Therefore, the incentive to become an elected official must be other than financial . . . possibly (1) to provide better government (whatever that means), (2) to provide a specific service that was never offered before, (3) to straighten out the "mess" in a particular department, (4) to lower taxes, (5) to reduce costs, (6) to improve efficiency, or (7) maybe even to satisfy a desire for the limelight. Whatever the motive, which is sometimes difficult to determine, it would hardly seem worth it because

of the many headaches.

Elected officials, as a rule, have families and the same kind of problems as other citizens. However, the elected official must spend countless hours away from his (her) business and family attending official meetings, discussing problems with citizens, but most of all going through the heart breaking experience of being "cussed out" by irate citizens because of a difference of opinion or of something he has no control over, such as the number of dogs being exterminated or a neighbor's dog causing a nuisance.

The greatest political pressure that can be applied is for a group of citizens to start a campaign of telephoning an elected official¹ continually, day and night, to complain of a specific problem. This writer has seen the results of such a campaign. Once the elected official has been kept up most of several nights listening to complaints, he apparently thinks that nearly every one of his constituents feels the same way. His vote on the item in question is a foregone conclusion . . . in most cases. The elected official does not relish the idea of going through an ordeal like that again.

When a subject such as dogs becomes a public issue, it also becomes a political football² fortified with emotionalism. This automatically puts every elected official involved in a

¹Appendix 1, p. 58.

²Appendix 1, p. 62.

political hotseat. Unless personal or business problems dictate otherwise, each elected official wants to run for re-election and remain in office. During 1967-1968, the problem of animal control and of provisions for an animal shelter became a threat to the elected official's office, particularly those of the Commissioners and Aldermen. At least that is the way the elected officials appeared to interpret it.

This writer's evaluation of the political situation in 1967 is that the Winston-Salem Aldermen wanted to rid themselves of the terrible daily dog problem at the lowest possible cost.³ The best way to get rid of a problem is to give it to someone else. This they attempted to do by using every subtle and open persuasion they knew or could think up. Everything they did was with the sincerest effort to manipulate the Commissioners into accepting the total responsibility for dogs. The major thrust of the complaints were naturally going to the members of the Board of Aldermen because of the City Dog Pound. This is the prime reason for the political manipulation. It may possibly be called a struggle for survival.

The members of the Board of Commissioners were on the receiving end of much pressure and manipulation, but this time it was for the Board to accept the responsibility for all the headaches surrounding animal control⁴. . . as if the Board of Commissioners could solve all the problems in one fell swoop. But maybe this is exactly where the problem should have come to

³Appendix 1, p. 57, 58, 59, and 68.

⁴Appendix 1, p. 68.

rest. Dogs know no boundary lines. Ostensibly, animal control is a county-wide problem. The provisions of the animal control service simply caused too many problems and cost much money to operate. It is a necessary and costly service that happens to be the worst kind of political liability.⁵

No matter what type of animal control program is provided, it is impossible to please everyone. The simple operation of picking up strays overloaded the kennels in only a couple of weeks. The only alternative was to exterminate them at regular intervals. Even the most acceptable method of euthanasia was criticized by some. Also, administrative procedures (i.e., shelter hours, rules for adoptions and holding period for dogs) became a basis for complaints . . . even when the complaints were unwarranted. Who suffered the brunt of the complaints? The City and County Managers and the elected officials.

This chapter has explored the types of people that run for elective office, some possible reasons why they run, and their reactions to the pressure of telephone campaigns. Furthermore, there has been a discussion of one elected body manipulating another.

⁵Appendix 1, p. 73.

CHAPTER V

LEGAL RIGHTS OF DOGS AND CATS

DOGS

Descriptions of the Humane Society, newspapers, and elected officials have been presented. It is only fair to present a view for the dogs. Some members of the Humane Society feel that dogs have the same rights as humans, but since they cannot express themselves, someone must do it for them. The best way to express the rights of dogs and other animals is in the law. Thus, this chapter presents the rights of dogs from an historical perspective, some significant North Carolina General Statutes, some ordinances from the Winston-Salem Code, and a most interesting gubernatorial veto of the famous "Cat Bill."

As far back in time as records show, the dog has been considered man's best friend and companion. This seems to be accepted as an unwritten law. Even during prehistoric ages, it is purported that the dog was an ally, a friend, and a hunting companion. Today it is common knowledge that the dog is universally respected as occupying a special and usually privileged status. Many people consider their dog another member of the family. It is a fact that dogs have been the sole heirs of millions of dollars, which graphically illustrates the deep attachment and feeling placed

upon them. The tears that are shed at canine movies are illustrative of the deep affection felt by millions of people for dogs.¹

Archeological discoveries in Egypt, China, Babylon, and Ethiopia show that even in ancient times dogs held a common law status as valuable hunters and pets, and they were given special protection. During the Middle Ages, the European feudal system protected dogs belonging to noblemen . . . even at the expense of peasants. A decree by Napoleon early in the 19th Century protected dogs for use by his armies. The English Parliament, in 1822, passed a law that recognized the rights of animals and provided for their humane care.² Also in the early 19th Century, the Scandivavian countries enacted laws to protect dogs and other animals from rabies. Because of the enforcement of these laws, which included quarantine, Norway, Sweden, and Denmark were declared free of rabies by 1826. However, it was not until 1884 that Louis Pastuer discovered the actual cause of rabies and developed a serum.

Down through the ages cultures all over the world have enacted laws to protect dogs and other animals. Ten years ago (1966), two very significant things happened. One was that the United States Congress passed a bill entitled the Laboratory Animal Welfare Act. When the President signed it into law, it

¹Appendix 1, p. 56.

²It is interesting to note that England waited until 1933 to pass a law protecting children and young persons, (Children and Young Persons Act, 1933 (23 & 24 Geo. 5 c. 12)). Ref: Halsbury's, The Laws of England," 3rd ed., Simonds Ed., vol. 10, Butterworth & Co., Ltd., London, 1955.

empowered the United States Department of Agriculture to regulate the care of dogs and other animals destined for experimental use. The second significant happening was that the State of Kentucky enacted the first state law establishing the rights of dogs to procreate and exempting noncommercial kennels from zoning regulations. In some cities this law is hailed as a milestone in the protection of dogs.³

There are other very important and interesting laws in the Federal, State and local codes. Only a few of them are mentioned here for two reasons. First, the number of laws concerning animals is too numerous to include all of them in this report; and second, to provide the reader with an idea of the type of laws enacted, and in some cases, of the extent to which dogs are intended to be protected. Some of the noteworthy North Carolina General Statutes are:

1. The larceny of any dog is a misdemeanor and any person convicted of same shall be fined or imprisoned in the discretion of the court.⁴

2. If any person shall cause or willfully overdrive, overload, wound, injure, torture, torment, deprive of necessary substence, cruelly beat, needlessly mutilate or kill any useful beast,⁵ fowl or animal, every offender, shall for each offense, be guilty of a misdemeanor punishable by a fine not to exceed

³Lewis Sharpley, DOGS,-ANIMALS AND THEIR LEGAL RIGHTS, by Emily Stewart Leavitt and others, Animal Welfare Institute, 1970, pp. 73-77.

⁴N.C. Gen. Stat. § 14-84 (1969), (1919, c. 116, s.9; C.S., s. 4263; 1955, c.804.)

⁵A dog is a useful animal within the meaning of this section. State vs. Dickens, 215 N.C. 303, 1 S.E. 2d 837 (1939).

five hundred dollars (\$500.00), imprisoned for not more than six months, or both.⁶

3. It is unlawful for any owner or keeper of a dog to permit the same to run at large on the Captiol grounds . . . or to pursue, worry or harass any squirrel or other wild animal kept on said grounds.⁷

4. It is unlawful for any innkeeper or guest owning, keeping, or who has in his care a dog or dogs, to permit such a dog or dogs admittance to any bedroom or rooms used for sleeping purposes in any inn or hotel.⁸

5. Every visually handicapped person shall have the right to be accompanied by a guide dog, especially trained for the purpose, in any of the places listed in G.S. 168-3, which includes all modes of public transportation and lodging, provided that he shall be liable for any damage done to the premises or facilities by such dog.⁹

In 1969, the North Carolina Legislature enacted an article providing for a civil remedy for the protection of animals. This remedy makes it possible for a person to obtain a preliminary injunction, a temporary restraining order or permanent injunction.¹⁰

The City of Winston-Salem Code contains a number of laws concerning dogs and other animals; however, since the responsibility for the control and shelter of animals lies with the County, only three of the City Code sections will be mentioned.

One section deals with the nuisance of barking, howling or whining dogs resulting in serious annoyance to neighboring residents.¹¹ (It is assumed that this section is enforced by the

⁶N.C. Gen. Stat. § 14-360 (1969), (1881, c. 34, s.1; c. 368, ss. 1, 15; Code, ss. 2482, 2490; 1891, c. 65; Rev., s. 3299; 1907, c. 42; C.S., s. 4483; 1969, c. 1224, s. s.)

⁷N.C. Gen. Stat. § 14-396 (1969).

⁸N.C. Gen. Stat. § 72-7 (1975), (1927, c. 67).

⁹N.C. Gen. Stat. § 168-4 (Supp. 1975), (1973, c. 493, s. 1).

¹⁰N.C. Gen. Stat. § 19A-1 et seq. (Supp. 1975).

¹¹Code of the City of Winston-Salem § 3-11 (1975).

City Police Department.)

Another section states that the Forsyth County Animal Control Ordinance shall be applicable within the corporate limits of the City.¹²

Still another section states that all dogs must be kept on the owner's or keeper's property unless the dog is under the control of a competent person and restrained by a leash, chain, rope or other means of adequate physical control.¹³

(Note: This section has always been controversial.)

The depth and extent of laws protecting dogs varies throughout the 50 states, the Virgin Islands, and countries all over the world. The most important point is that the laws are real and are enforced in most areas.

CATS

Anytime the legal rights of domestic dogs are considered, it is inevitable that cats will be included, because they, too, are endeared by millions of people. Even though the legal rights of cats do not compare with those of dogs, they are significant. In our relatively recent history, the most significant thing that has occurred involving cats was a negative action for a positive purpose. In 1949, the Governor of Illinois, Adlai Stevenson, vetoed what was known as the "Cat Bill." His message contained clear, objective reasoning for the veto:

¹²Code of the City of Winston Salem § 3-17 (1975).

¹³Code of the City of Winston-Salem § 3-18 (1975).

"I herewith return without my approval, Senate Bill No. 93 entitled 'An Act to Provide Protection to Insectivorous Birds by Restraining Cats.' This is the so-called 'Cat Bill.' I veto and withhold my approval from this bill for the following reasons:

It would impose fines on owners or keepers who permitted their cats to run at large off their premises. It would permit any person to capture, or call upon the police to pick up and imprison, cats at large. It would permit the use of traps. The bill would have statewide application-on farms, in villages, and in metropolitan centers.

This legislation has been introduced in the past several sessions of the Legislature, and it has, over the years, been the source of much comment-not all of which has been in a serious vein. It may be that the General Assembly has now seen fit to refer it to one who can view it with a fresh outlook. Whatever the reasons for passage at this session, I cannot believe there is a widespread public demand for this law or that it could, as a practical matter be enforced.

Furthermore, I cannot agree that it should be the declared public policy of Illinois that a cat visiting a neighbor's yard or crossing the highway is a public nuisance. It is in the nature of cats to do a certain amount of unescorted roaming. Many live with their owners in apartments or other restricted premises, and I doubt if we want to make their every brief foray an opportunity for a small game hunt by zealous citizens-with traps or otherwise. I am afraid this Bill could only create discord, recrimination and enmity. Also consider the owner's dilemma; To escort a cat abroad on a leash is against the nature of the cat, and to permit it to venture forth for exercise unattended into a night of new dangers is against the nature of the owner. Moreover, cats perform useful service, particularly in rural areas, in combatting rodents-work they necessarily perform alone and without regard for property lines.

We are all interested in protecting certain varieties of birds. That cats destroy some birds, I well know, but I believe this legislation would further but little the worthy cause to which its proponents give such unselfish effort. The problem of cat versus bird, is as old as time. If we attempt to resolve it by legislation who knows but what we may be called upon to take sides as well in the age old problems of dog versus cat, bird versus bird, or even bird versus worm. In my opinion, the State of Illinois and its

local governing bodies already have enough to do without trying to control feline delinquency.

For these reasons, and not because I love birds the less or cats the more, I veto and withhold my approval from Senate Bill No. 93."

Respectfully,
Adlai E. Stevenson, Governor¹⁴

Some states have laws that protect cats and some do not. Apparently, there is general, worldwide acceptance of cats that overrides the need for protective legislation. However, in many cases, legislation covering dogs also specifically includes cats.

The fact that laws are passed or vetoed are graphic illustrations that certain animals do have legal rights. Specific laws of any state, may be obtained from the Attorney General of the specific state.

The legal environment relating to animals, from antiquity to the present, provides the basis for a different view of the dog and cat situation. It tells us what has happened in the past and what is supposed to be happening in the present. The law sets the stage for elected officials to set policy, for public administrators to manage an animal control program, and for public interest groups to act as a catalyst for change. This chapter has related a brief history of how dogs have been respected as man's best friend and companion since antiquity, early North Carolina laws relating to dogs, ordinances from the Winston-Salem Code relating to dogs, and finally, a significant action by the Governor of Illinois concerning the freedom and protection of cats.

¹⁴Emily Stewart Leavitt, CATS, -ANIMALS AND THEIR LEGAL RIGHTS, Animal Welfare Institute, 1970, pp. 78-80.

CHAPTER VI

ALTERNATIVES AND FINAL DECISION OF COUNTY COMMISSIONERS

This chapter deals with the formulation of public policy in an urban environment. It describes the alternatives available to the Board of Commissioners concerning the building of an animal shelter and the type of animal control program to provide. Historically, counties have had no powers except those granted by the State. This is the reason the number of alternatives was limited. However, the 1969 North Carolina General Assembly granted counties the authority to enact and enforce ordinances. This was a new power, and the Commissioners were uncertain how to deal with it and did not wish to convey this uncertainty to the public. This may explain why the Commissioners talked so little publically about possible actions in the dog situation. Their discussions remained private and were limited to certain members of the staff. The main points are covered in the following pages.

Based on the laws existing in 1967, the Board of County Commissioners appeared to have four alternatives:

1. Continue with its rabies control program which carried with it no legal obligation to build a dog pound;

2. Adopt the Dog Warden program and be obligated to build and operate a dog pound;

3. Provide a county-wide program meeting the general needs of the whole county; or

4. Negotiate with the City of Winston-Salem for a joint operation.

In the latter part of 1969, the Board of County Commissioners made the decision to build an animal shelter with the cost to be divided three ways: (1) County funds, (2) City funds and (3) a \$25,000 bequest held by the Winston-Salem Foundation for the specific purpose of an animal shelter.¹

Members of the Board of Commissioners considered several questions with regard to the animal control situation, constantly keeping in mind that the dog problem was county-wide because dogs do not know boundary lines and that citizens within the municipalities were also citizens and taxpayers of the County:

1. Can a county-wide animal control program operate satisfactorily for a city that usually requires a higher level of service because of the greater density of population?

2. What is the most equitable method of providing animal control services for all citizens throughout the 419 square miles of the County?

3. How should a county-wide animal control operation be financed annually?

4. Should the City of Winston-Salem or the Town of Kernersville be asked to participate in financing a county-wide animal control program?

¹Appendix 1, p. 77.

5. How can a county-wide animal control program operate satisfactorily within the existing laws?

These are only a few of the items that had to be considered by the Board. On the one hand the Board of Commissioners had to consider the totality of the County and its citizens in relation to the dog problem; on the other hand each separate aspect had to be carefully considered because of the possible consequences effecting even a segment of the citizenry. In the opinion of this writer, the Board knew the only equitable thing to do was to build a new, modern and adequate animal shelter . . . and to provide animal control county-wide, including the municipalities. However, the real problem was how the Commissioners could operate satisfactorily a county-wide animal control program using only the Rabies laws² or the Dog Warden laws.³

Within the decision-making process, the Commissioners decided early that they would accept the total responsibility of animal control and providing an animal shelter. The major problems within the process arose when the Commissioners began trying to decide how to go about making such an operation work. The original contract, with the City operating the Dog Pound, was due to expire mid-1968. The Commissioners' philosophy on this point was to stall for time, allow the contract to expire, make their decision, then let the City continue operating the Dog Pound while preparations for the new operation were being formulated. The Board of

²Appendix 3, pp. 28-35.

³Appendix 3, pp. 36-54.

Commissioners did not remain idle during that time. It worked closely with the State legislators planning legislation that would benefit the cause. The tactic of delaying for time paid off. The General Assembly, at its 1969 session, passed a law⁴ granting counties the authority to enact and enforce ordinances. Fortunately, this authority solved the main problem. The only real stumbling block remaining was financing the construction of an animal shelter.⁵ Time and the Humane Society solved that problem. Thus, the slow, methodical decision-making process was observed in action.

The Board then proceeded with preparations to construct a new animal shelter on County-owned property adjacent to the airport. The site was within an industrial zone and a good distance from the nearest dwelling. There was also a good bit of forestation between the site and any houses. The site recommended by this writer in the 1967 report was on the east side of the runway and accessible only in a roundabout way. The site actually chosen by the Board was on the south side of the runway, which had easier accessibility to the North-South Expressway.

An architectural firm was employed to draw plans and specifications for the new animal shelter. A strategic move by the Board of Commissioners was to assign the local Humane Society to act as consultants to the architect. Preliminary estimates for a new shelter approximated \$150,000. The next question was

⁴North Carolina Session Laws and Resolutions-1969, Chapter 36.

⁵Appendix 1, pp. 69, 70, 74, 75, 77.

how to finance the new shelter.

The Commissioners had been planning a bond referendum and decided to include the animal shelter along with other county buildings. Needless to say, after the newspaper referred to the animal shelter as the "Canine Hilton"⁶ that was to be built with bond funds, the voters overwhelmingly turned down the question on county buildings, which included the animal shelter. With that avenue of financing closed, the Commissioners sought other alternatives.

Members of the Humane Society began to solicit contributions and pledges.⁷ After they had acquired \$40,000, they asked the County and City to each match that amount. They also informed the Board of Commissioners that the architect could design the shelter to be constructed within the \$120,000 sought.

The County and City did put up \$40,000 each and the plans were put out for bids. Construction began in the later part of 1969 and was completed in the middle of 1970. That was the fulfillment of a dream for which many had worked long and hard.

Large metropolitan areas are besieged with problems, and the solutions involve a decision-making process. This chapter lists the alternative solutions to the problem of animal control and providing an adequate shelter. Also listed are the major questions considered by the Commissioners which led the way to the ultimate decision.

⁶Appendix 1, p. 75.

⁷Appendix 1, pp. 75, 77.

CHAPTER VII

CURRENT COUNTY ANIMAL CONTROL AND SHELTER OPERATION

Previous chapters have presented an historical perspective of the many problems associated with animal control prior to Forsyth County's assumption of the total responsibility for animal control. This final chapter describes: (1) the new shelter and method of euthanasia; (2) the number of animal control officers and their duty hours; (3) the hours that kennels are open to the public; (4) current problems facing County administration and procedures for handling same; (5) a five year comparison of operational costs; (6) the appointment of a new animal shelter superintendent; and (7) additional problems created by a newly enacted City leash law.

Forsyth County's new animal shelter has a total of thirty-five kennels, of which thirty-three are for dogs, one is for cats and one is for kittens. Each kennel is four feet wide by ten feet long. One-half of each kennel is inside the building for protection against the weather. The other half of each kennel is on the outside with a chain-link fence to retain the animals but also to allow them the benefit of the sunshine. Extermination is now accomplished by carbon monoxide in a specially constructed chamber as recommended by the Humane Society. In addition to these improvements, there is a special crematorium on the property

for disposing of the dead animals,

The present operation maintains four trucks for picking up animals, seven animal control officers, three kennelmen, one dispatcher, one secretary and the superintendent, for a total of seventeen employees. The shelter is open to the public ten hours per day for five days a week, nine hours on Saturday, and four hours on Sunday.¹ The animal control officers are on duty from 8:00 a.m. until 12:00 midnight every weekday. Officers are also on standby duty for emergency needs on Saturdays and Sundays.

Prior to completion of the animal shelter construction, plans and procedures had to be formulated and finalized for the overall control program as well as for the shelter itself. The Board of Commissioners adopted an animal ordinance² that was to be enforced county-wide. During the same period of time, the Winston-Salem Board of Aldermen wrote a new animal ordinance, and one of the subsections stated that the County animal ordinance would be in effect within the Winston-Salem city limits.³

The City Animal Control Officers were transferred to the County. The Board of Commissioners personally appointed the Animal Shelter Superintendent. This immediately became a point of conflict with the Humane Society. It said his appointment was a political payoff, which has resulted in much criticism of the whole program.

¹Appendix 1, p. 85.

²Appendix 2.

³Code of the City of Winston-Salem § 3-17 (1975).

The Board of Commissioners also appointed an Animal Shelter Advisory Committee. The majority of the committee members were and are members of the Humane Society. The purpose of this strategy was to provide a method of in-put for the total animal control operation by the most outspoken public interest group.

The position taken by the Board of Commissioners in the dog situation was to accept the responsibility of animal control county-wide in spite of the many problems associated with it. Apparently, it thought that a new, modern, adequate shelter under its control would reduce the number of complaints. In addition to that, Forsyth County would be the only county in the State providing an animal shelter with complete animal control for the entire county, including all municipalities. The possibility also exists that Forsyth County might be one of only a few counties throughout the nation providing animal control at such a level. The idea itself seems to produce a feeling of some measure of accomplishment. Apparently, this is one of the few intangible rewards a local elected official might enjoy.

Once the Board of Commissioners has made its policy decision, it is then up to the administration and line department to carry out the responsibilities resulting from the Board's decision. One of the goals of administration is to reach a viable solution which accommodates as many concerns of a problem as possible. With an issue like animal control, it is almost impossible to please everyone. With advice from the Advisory Committee, administrative and operational procedures were designed for both the shelter and the mobile animal control officers.

In the latter part of 1970, Forsyth County assumed the responsibility of animal control and animal shelter county-wide. The program progressed under the watchful eyes of the Advisory Committee. There were many complaints, and actions were taken to remedy the situation. Several complaints went directly to the County Manager to the effect that the shelter superintendent had told the callers by telephone that they could pick up a specific well-bred dog the following day. The next day the callers found that that same dog had already been adopted by someone else. The County Manager instructed this writer to have the animal shelter telephone lines connected to a tape recorder for 24-hours per day surveillance. Once this was completed and the public became aware of it, those particular types of complaints ceased. It causes one to wonder just how much truth there really was in the earlier complaints.

The first animal shelter superintendent was appointed by a Republican Board of Commissioners. Many people voiced the opinion that it was a political payoff. In all fairness, one point needs to be made clear. Strictly from a management point of view, the Superintendent ran a tight ship in that he operated within the funds allotted and never requested more funds during the fiscal year.⁴ This could be interpreted by some to be too conservative.

Members of the Advisory Committee were primarily Democrats and felt that the Republican conservatism was too much for the

⁴This was stated by the Budget Analyst for the Animal Shelter.

good of the animals. The Committee members continually pressured the Superintendent with demands to change his methods of operation. They also pressured the County Manager to fire the Superintendent. According to the County Manager, the Advisory Committee was trying to protect the dogs from human beings. In addition to this, the Manager's office, on various occasions, received many complaints by phone of maltreatment of dogs at the shelter plus requests to fire the Superintendent.⁵

During an interview with the Animal Shelter Superintendent he stated, "The Advisory Committee is responsible for investigating complaints. They listen to the citizen's complaints and make their judgments without giving me an opportunity to explain my point of view. They also feel they have the authority to walk in at any time and make any demand they wish."⁶

Complaints from the Advisory Committee concerned primarily administrative procedures. On several occasions, the Advisory Committee suggested that the total animal control operation be turned over to the Humane Society to run as they felt best, but to be funded by the County. For the most part, this suggestion has been ignored because of past experience, which revealed that operations run by independent authorities tend to cost more than those run by the County, i.e., the Forsyth County Hospital Authority. This means only that the County does not necessarily go first class in everything it does, whereas an independent

⁵Interview with the County Manager on Feb. 5, 1976

⁶Interview with Animal Shelter Superintendent on Feb, 10, 1976.

authority has a high tendency to go first class . . . especially when someone else is footing the bill.

The cost of the animal control program is necessary and significant, and therefore, worthy of mention. The total cost of animal control for the City of Winston-Salem and Forsyth County for the year 1965-66 was \$33,199.00. The total revenue from sources relating to dogs for that same year, for both governmental units, was \$25,453.00, of which \$10,182.00 went to the school fund.⁷ The following comparison figures will show the significant growth and emphasis in the animal control program. All figures relate only to the governmental unit of Forsyth County.

<u>FISCAL YEAR</u>	<u>ACTUAL EXPENSES</u>	<u>TOTAL REVENUE</u>
1969-70	\$ 7,636*	\$ 32,245**
1970-71***	98,319	48,752
1971-72	99,421	53,008
1972-73	104,418	53,384
1973-74	114,484	55,632

- * Rabies Control Program only-still using Dog Pound provided by the City of Winston-Salem.
 ** \$26,097 of the total revenue went to the school fund.
 *** The first year the new Forsyth County Animal Shelter was in operation

Source: Annual independent audit reports.

On February 20, 1976, the Animal Shelter Superintendent retired at the age of 65. The appointment of a new superintendent was called "a new beginning" by the Animal Shelter Advisory Committee.⁸ The new Animal Shelter Superintendent is a 27-year-old college graduate with a major in Animal Science. The Board of Commissioners and the County Manager are interested and

⁷Appendix 3, p. 61.

⁸Appendix 1, pp. 84-86.

willing to improve the animal control and shelter operation. This is illustrated by the appointment of the new animal shelter superintendent. They are listening to the Advisory Committee and are, within good administrative practices, making appropriate changes.

What does the future have in store for the animal control program in Forsyth County?

This writer predicts that the Animal Shelter Advisory Committee will work closely with the new superintendent, and some operational changes will take place. The new superintendent will probably do everything in his power to please as many people as he can. Invariably, the Humane Society will tire of the small improvements and will begin to look into larger, more costly areas. They will make more and larger requests. Along with each request, the County Administration will require justification. If there is sufficient justification and proof of need, the request will be considered, based on available financing, along with health, education, social services, environmental protection and other county services.

In the opinion of this writer, the Board of Commissioners probably feels that it has provided sufficient physical facilities for the dogs that should last for many years to come. The Board will probably go along with small improvements, but the Humane Society will more than likely fare poorly when the dogs have to compete with health, mental health and education for the few tax dollars that are available.

In July, 1975, the Winston-Salem Board of Aldermen passed

a leash law to be enforced by the County Animal Control Officers.⁹ City ordinances can be enforced by the County only if the County officials agree to do so. The Board of Commissioners did agree to enforce the leash law. However, if the City wishes, at some time in the future, to have the leash law enforced to such a level that it requires additional personnel, it is quite probable that the Board of Commissioners will request financing from the City.

There will probably be a period of quiet, but intense, work by the Humane Society in planning and implementing new strategies and changes. Some of their requests will more than likely be denied because of a lack of logical justification for need and available financing. The probability is they will feel thwarted in their efforts and frustrated, which will prompt renewed pressures toward the County Administration and the County Commissioners.

It is anticipated that the animal control problem will never be completely solved as long as the dog is considered "man's best friend," and as long as organizations like the Humane Society exist.

The author has attempted in this chapter to present for the reader a picture of: (1) the new County animal shelter and countywide animal control program; (2) the animal control officers; (3) the hours the animal shelter is open to the public; (4) the problems being encountered by County administration; (5) a five year comparison of the operational cost of the animal control program;

⁹See supra, p. 23 and Appendix 1, p. 80-83.

(6) the appointment of a new animal shelter superintendent recommended by the Humane Society; and (7) the new problems created by the City's leash law.

CONCLUSION

The history of the animal control problem in Forsyth County has graphically illustrated several points of view and proved, once again, that human emotion is a powerful force. Apparently, dogs have occupied a very special place in the hearts of people throughout the world for thousands of years. In many instances, dogs are considered as members of a human family, and they are loved and defended as such. There have been numerous criminal and civil laws enacted in an effort to protect dogs. Human emotions are aroused just as much against dogs as they are for them. Uncontrolled dogs are dangerous from both the possibility of rabies and physical attack. Also, it appears that everyone is interested in some type of animal control program; however, there is some disagreement as to the level of the control program that should be provided.

The general public wants to be protected from wild dogs or potentially dangerous pets. Pet owners do not want unreasonable restrictions placed upon either themselves or their pets. Humane societies want the best possible treatment for dogs, cats and other animals. They also choose to make every effort to find a home for the animals rather than put any to death. Elected officials are responsible for providing the animal control program and the animal shelter. Consequently, they are also responsible

for providing the funds necessary for the program.

Involvement in the research for this thesis has resulted in several observations: (1) the formulation of public policy on animal control is a complex process; (2) the management of an emotional problem such as animal control never ceases to be a problem; (3) a pluralistic metropolitan area provides many opportunities for intergovernmental cooperation involving mutual problems; (4) some pressure groups are indeed powerful and influential; (5) gathering factual data on animal control is very difficult because it becomes confused with opinion; (6) newspapers are both good and bad, and, in either case, are influential in molding public opinion; (7) reporters are struggling for survival and should be dealt with cautiously; (8) a group of elected officials will band together for a common cause even if it is in opposition to another group of elected officials; (9) the Federal Code, the General Statutes and local Codes provide some protection for dogs, cats and other animals; and (10) the political process with many of its ramifications is evident in even a seemingly simple problem such as animal control.

The different viewpoints of the overall problem serve as a challenge to any interested person to bring them all together into the formulation of a single, cohesive, operational program. It is the responsibility of each governmental unit to formulate the program that best meets its needs . . . and to maintain the flexibility to change as circumstances change. Forsyth County has, indeed, accomplished a first in North Carolina

by providing a higher level of animal control and shelter service over a wider geographical area than any other county in North Carolina.¹

¹See Appendix 3, pp. 15-18.

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2. Organizations

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American Pet Products Manufacturers Association, Inc., 157 West 57th St., New York, N. Y., 10019.

Animal Welfare Institute, P. O. Box 3492, Grand Central Station, New York, 10017.

Forsyth County Humane Society, 955 Burke St., Winston-Salem, N. C., 27101.

Greenville Humane Society, Route 7, Greenville, S. C.

Humane Society of the United States, 1145-19th St., N.W., Washington, D. C., 20036.

Humane Society of W^hastenaw County, Route 2, Ann Arbor, Michigan.

Pet Food Institute, 333 North Michigan Ave., Chicago 1, Ill.

Winston-Salem Foundation, Wachovia Bldg., Winston-Salem, N.C., 27101.

3. Governmental Agencies

Buncombe County Health Department, P. O. Box 7525, Asheville, N.C.

City-County Planning Department, City Hall, Winston-Salem,
N.C., 27101.

Forsyth County Sheriff's Department, Winston-Salem, N.C.

Gaston County Health Department, Gastonia, N.C.

North Carolina State Board of Health, P. O. Box 2091,
Raleigh, N.C.

Rockville City Police Department, 111 South Perry St.,
Rockville, Md., 20850.

United States Department of Agriculture, Animal Health Division,
Federal Center Building, Hyattsville, Md., 20782.

Wake County Health Department, 3010 New Bern Ave., Raleigh, N.C.

Winston-Salem Police Department, City Hall, Winston-Salem, N.C.

4. Personal and Written Interviews

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N.C. (1967).

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N.C. (1967).

Clowers, J.D., Assistant County Accountant, Forsyth County,
Winston-Salem, N. C. (1967).

Craven, Van, Animal Shelter Superintendent, Forsyth County,
Winston-Salem, N. C. (1976).

Durham County Manager, Durham, N. C. (1967).

Ericson, Martin, Forsyth County Health Department, Winston-Salem,
N.C. (1967).

Folkner, Mrs. R. F., President, Forsyth County Humane Society,
Winston-Salem, N. C. (1967).

Godsey, Reuben, Department of Public Works, Stadium Dr.,
Winston-Salem, N. C. (1967).

Gold, John, City Manager, Winston-Salem, N. C. (1967).

Guilford County Manager, Greensboro, N. C. (1967).

Hauser, Fred D., Chairman, Board of County Commissioners,
Winston-Salem, N. C. (1967).

House, G. R., Jr., Forsyth County Manager, Winston-Salem,
N. C. (1967).

Jones, Edward A., Management Analyst, Forsyth County,
Winston-Salem, N. C. (1976).

Lancaster, Manley, Sheriff, Forsyth County, Winston-Salem,
N. C. (1976).

Ligon, Roddey M., Jr., Forsyth County Attorney, Winston-Salem,
N. C. (1967).

Luper, Reginald D., Associate Personnel Director, Forsyth
County, Winston-Salem, N. C. (1967 & 1976).

Mecum, J. E., Assistant Rabies Control Officer, Forsyth County,
Winston-Salem, N. C. (1967).

Meiszer, Nicholas M., Forsyth County Manager, Winston-Salem,
N. C. (1976).

Nash, Mr., Guilford County Animal Shelter Superintendent, Red Rd.,
Guilford County, N. C. (1967).

Perry, Fred, Forsyth County Tax Supervisor, Winston-Salem,
N. C. (1967).

Powell, Orville W., City Budget Director, City Hall, Winston-
Salem, N. C. (1967).

Shore, Ernie, Sheriff (Retired), Forsyth County, Winston-Salem,
N. C. (1967).

Smith, Mrs. Betty, Animal Control Radio Dispatcher, Forsyth
County, Winston-Salem, N.C. (1976).

Southard, Dewey, Animal Shelter Superintendent (Retired),
Forsyth County, Winston-Salem, N. C. (1976).

Town Manager, Emporia, Va.

Tucker, Justus, Chief of Police, Winston-Salem, N. C. (1967).

Warren, Mrs. Bess, Forsyth County Commissioner, Winston-Salem,
N. C. (1967).

NEWSPAPER ARTICLES ON ANIMAL CONTROL

Twin City Ordinances Place Many Restrictions on Dogs

By ROM WEATHERMAN
Staff Reporter

If city ordinances regulating dogs were completely observed and strictly enforced, the City of Winston-Salem might well erect a sign reading: "No Dogs Allowed in Public Places," followed by an asterisk.

The asterisk would refer to the exceptions: a dog on a leash or chain, in a motor vehicle or otherwise under the direct control of the person in charge of it.

Mayor M. C. Benton's call yesterday for a crackdown on loose-running dogs called attention to the city's stringent dog laws.

Section 4-25 of the code is the key law. It reads:

"It shall be unlawful for the owner or person in charge of any dog to permit it to run at large, or to permit it to be or to remain upon the streets, parks, public squares or other public places in the city, unless the dog is under control by chain, leash or other device, or is sufficiently near the owner or person having it in charge to be under his direct control. A dog left in a motor vehicle shall not be deemed to be at large."

Dog Pound

Section 4-27 requires the superintendent of garage and shops to establish and maintain on city premises a dog pound.

The city's dog pound is located at the City Yard on Stadium Drive.

Section 4-28 provides authority for the canine inmates. It says:

"All dogs found running at

large in the city shall be taken up by the police, or by a special dog catcher designated by the chief of police, and impounded."

The police department has three full-time animal control officers.

What about noisy dogs?

Section 4-31 declares them a nuisance. It says:

"Any person keeping within the corporate limits of the city, or within one mile thereof, one or more dogs which habitually and regularly bark, howl or whine in such a manner as to result in serious annoyance to neighboring residents and as to interfere with the reasonable use and enjoyment of the premises occupied by such residents shall be guilty of maintaining a nuisance."

Section 4-32 required a person maintaining a barking-dog nuisance to abate it within 24 hours.

Section 4-33 declares that any person failing or refusing to abate such a nuisance be guilty of a violation of the code.

Barking Dogs

The next section applies the barking-dog law to veterinarian offices and commercial dog kennels only if the premises and the dogs thereon are used and kept in "a negligent and unreasonable manner."

And Section 4-35 makes it unlawful for any person to procure, incite or cause a dog fight within the city limits.

The disposition of impounded dogs is covered by Section 4-29. They may be killed, sold or redeemed by the owner.

An impounded dog must be kept for two days, not count-

ing the day it is caught. Then it "shall be killed by means of lethal gas or other humane manner."

Or the owner may reclaim the dog within the two days by showing that the dog has been vaccinated against rabies within 12 months by a licensed veterinarian; by paying a fee of \$1, and by furnishing proof that all taxes on such dog have been paid.

(Forsyth County taxes dogs at the rate of \$1 for each male and \$2 for each female more than six months old.)

Or the poundmaster, instead of killing an impounded dog, may sell it after the expiration of the two-day period, provided the price exceeds the pound charges.

Vaccinations

It is further provided that no dog which has not been vaccinated within one year shall be released until it has been vaccinated. And for the purpose of permitting vaccination at the pound, the poundmaster shall, at the request of the owner or buyer, keep any dog one additional day.

The poundmaster is required, if the owner of an impounded dog is known, to attempt to notify the owner of the dog's confinement.

(State law requires all dogs four months old to be vaccinated against rabies.)

And there are two special prohibitions against dogs in the city code. It is unlawful to take a dog into the city market or city produce market. And it is against the law to take a dog into a city-owned cemetery, whether on a leash or in an automobile.

A Sunday Thought

Man's Best Heartstealers

By H. Clay Ferree



When Kipling wrote: "Never give your heart to a dog to tear," perhaps he was thinking of how one's heart goes out to a pup and is never quite recovered, even if the cute puppy grows into an unlovely mongrel.

We didn't want Whitey, the little female French poodle-terrier mongrel, to have puppies for a number of reasons: they are often hard to give away, one cannot keep too many dogs, and to drown young puppies or dispose of them summarily in similar fashion seems heartless, cruel.

So after she had one litter sired by Squire, a purebred Cocker I acquired from Chester Davis and kept for several years, we successfully shielded Whitey from motherhood over a long period. But there was a slip in what we thought was our eternal vigilance a few months ago.

The result was three little brown puppies that I found recently with Whitey in her bed though one was stillborn. The other two were healthy enough, and were as cute as kittens.

Now these little rascals are everywhere underfoot. While only a little over a month old, they can run like rabbits and have a very playful sense of humor. Their paternal ancestry is uncertain, but I think they are part bulldog. Whatever they are, we can't keep them, but . . .

There's something about little pet animals like these that tugs at the heart of both children and adults — something appealing in their yelps or meows; their tail-wagging friendliness; their playful antics; their way of developing individual characteristics and personalities of their own; their cries for food and attention—that really gets under the skin.

Out at our place now a lot of nature's wild things have almost become household pets. We have a squirrel that feasts on apples in the sideyard and plays hide and seek in the shrubbery near the house. Young rabbits dart

across the lawn from time to time, and birds of every variety are so tame that one can't scare them out of apple trees or the grape vines.

★ Withal, the affinity between man and his dog is one of the strongest of all man-animal relationships, and the appeal of the growing, playful pup to the heart of man, woman or child claims every season for its own.

So what to do with Whitey's puppies? We shan't keep them, I'm sure. But every day they stay around the premises makes more unpleasant the very thought of parting from the little rascals.

Gadsden Cocker Is at Pound

The Forsyth County Humane Society is trying to find the owner of a brown and white cocker spaniel wearing Gadsden, Ala., tags. The dog is in the city pound.

An inquiry about the dog was made at the Guilford County Animal Shelter, but the inquirer's name was not taken.

A Humane Society spokesman said when a dog is lost, its owner should report it to the pound and place a classified advertisement in the newspaper. The spokesman said that recently a dog was put to death at the pound a day before its owner reported it was missing.

TUESDAY MORNING, NOVEMBER 8, 1966

An Issue Finally Arises For City Election: Dogs

By Joe Goodman
Staff Reporter

At the 11th hour of an aldermanic campaign otherwise devoid of major issues or political hassles, the city fathers learned last night that Winston-Salem might be going to the dogs.

It was still early in the evening. The Board of Aldermen had just whizzed through a 63-item agenda in a record-smashing 37 minutes — in plenty of time to get back to the precincts for a little last-minute campaigning.

The aldermen were shuffling their papers in anticipation of adjournment when — wham — the dog issue came up again.

Alderman Franklin B. Shirley of the Northwest Ward dropped the bombshell. He had received a call from a constituent on Arbor Road, he said. It seems that the dogs in that area "came through in a great herd," creating a public nuisance.

Shirley recalled that he had lost a registered dog to a pack of animals roaming his neighborhood. He let his dog out for a few minutes one night, and it never returned. The only clues were some blood stains and a howling pack of dogs.

"What are we doing about this?" asked Shirley.

Police Chief Justus M. Tucker told the aldermen that the city is manning two trucks 12 to 14 hours daily responding to the mounting number of animal calls. Thirty-six per cent of the department's general service calls are complaints about animals, Tucker said.

"There are too many dogs running at large," Tucker said. "There are too many unleashed." Later he added, "It's reaching the point where the dogs are about to get out of hand. If we had an outbreak of rabies, it would be terrific."

"They're almost like wolf-packs. They lie low during the daytime, then come out at night," Tucker said.

Shirley wasn't the only alderman with intimate knowledge of the dog problem. Virtually all the aldermen have been called about it.

Mayor M. C. Benton said a man got him out of bed after midnight recently after the complainant's dog had been picked up by the animal control officer. Benton said that the complainant had heard that he (Benton) had ordered the dog picked up.

Alderman Floyd S. Burge Jr. called for stricter punishments for dog owners who fail to restrain their animals. He called for fines growing increasingly heavier with additional violations.

The dog problem came to light recently when the aldermanic Public Safety Committee had a public hearing on the issue. As a result of the hearing, the committee ordered that police officers draw warrants against persons who fail to correct persistent animal nuisances.

Last night a woman in the audience invited the aldermen to South Fork School to witness the activities of dog packs.

Aldermen George Chandler quipped that the schools should get back to teaching "Mary Had a Little Lamb."

Benton replied, "We outlawed lambs a long time ago."

Stray Dogs Outgrow Shelter

Another Report, Page 31

By ROM WEATHERMAN
Staff Reporter

★ Mayor M. C. Benton says most of the complaints he receives are about stray dogs and cats.

A report made yesterday to the City-County Planning Board tells why: Forsyth County already has more dogs and cats running loose than it can handle. And the situation is going to get much worse unless an adequate animal shelter is provided.

The report is a forecast of long-range needs for a Forsyth County animal shelter prepared by Mrs. Jean M. Stewart, advance planner.

The report documents what city and county officials have already acknowledged: the city-operated pound at the City Yard is grossly inadequate and poorly located.

Crowded Pound

The pound, which the Board of Aldermen has already voted to discontinue, will accommodate only 150 animals with maximum squeezing. But the accumulation sometimes soars to 300. When this happens the excess are eliminated prematurely — "put to sleep by shooting" is the way City-County Planning Director J. Ben Rouzie put it.

Furthermore, the old pound has none of the facilities now being incorporated in modern animal shelters.

It has no room for food storage, no kitchen for food preparation. It has no euthanasia chamber for really "putting animals to sleep." The heating system does not warm the pens or dry them after their frequent washings. There are not enough pens for large and small animals and no isolated observation pens. There is no waiting room for the public.

Animals Multiplying

★ Meanwhile, the dog and cat population continues to grow and wander. The county has an estimated 72,000 dogs now. There will be 78,000 dogs by 1970 and 127,000 dogs by the year 2000.

Last year, 4,225 dogs were impounded. By 1970, 4,700 will be rounded up, and 7,700 by the year 2000.

Cats are not far behind. Last year, 1,640 cats were impounded. The figure will go to 2,350 by 1970 and to 3,850 by the year 2000.

The report recommends that a new shelter, serving the entire county, should be built according to today's animal shelter standards.

To meet the needs of 1985 a shelter containing 9,400 square feet will be needed. In addition, 4,500 square feet will be necessary for outdoor runs. The estimated cost would be from \$94,000 to \$103,000, depending on the construction market at the time.

Estimate Basis

The forecast was based on extending the holding period of animals from three to five days.

The goals would be to return to their owners or otherwise place a maximum number of stray animals and to dispose of unclaimed animals, when necessary, in a humane manner.

The report suggests radiant floor heat to dry the floors of the pens quickly and provide a comfortable surrounding for the animals. And the office for the supervisor should be air conditioned.

The report says the shelter should be located near major highways so the public can reach it easily and quickly. It should be screened and preferably wooded to provide shade for the animals.

The report suggests a four-acre tract on city-owned property at the R. A. Thomas Filtration Plant south of Reynolds Park Road, east of Stadium Drive and north of Salem Creek. The report says a knoll could be graded down, leaving an earth bunker on the east to increase the effectiveness of natural barriers around the site.

Barking Problem

Some members of the planning board question whether an animal shelter containing hundreds of dogs should be located within barking distance of any large residential area. They noted that barking dogs can often be heard two miles away at night.

But the board authorized Rouzie to send the report to the Board of County Commissioners, which asked for a study of the county's animal shelter needs and the drawing up of a plan. The study is being headed by Fred Pettyjohn, research analyst and assistant to the county manager.

★ The city decided to get out of the dog-pound business after attorneys ruled that the county has the legal obligation to establish and maintain a countywide animal shelter.

Problem of Strays Grows

New Dog Pound Suggested

The City - County Planning Board heard a report yesterday that could keep the city from going completely to the dogs by the year 2000.

The report was on the growing stray dog (and cat) population and suggested that a new city-county dog pound be constructed to provide for the humane impounding of these strays.

The Board of Aldermen voted in September to discontinue the present city dog pound and give the county government the responsibility for an animal shelter.

★ The action was based on an attorney's opinion that the county has the legal obligation to establish and maintain a county-wide animal shelter.

The county is conducting a study before drawing up a formal animal shelter plan. The planning board study, prepared by Mrs. Jean Stewart, will be forwarded to the county to be incorporated into this plan.

Mrs. Stewart's report says the

present city pound, which serves both the city and county, is inadequate and lacks necessary facilities. As a result some animals are put to death prematurely, says the report.

The number of stray dogs and cats is increasing rapidly. The report says there were 225 stray dogs impounded in the city and county last year; there will be more than 4,600 by 1978; and 7,700 in 2000.

The report added that 1,610 cats were impounded last year; more than 2,300 will be impounded in 1970; and more than 3,800 in 2000.

Mrs. Stewart concluded that adequate facilities should be built to meet present needs and room for expansion should be provided.

She suggested a four-acre tract on city-owned property at the R. A. Thomas Filtration Plant south of Reynolds Park Road, east of Stadium Drive and north of Salem Creek. A knoll would screen the site from

Reynolds Park Road. The city owns the property west, south and east of the site. The land west of the site is low and swampy and unsuitable for development. The land north of the tract is undeveloped and zoned Residence A-2 and Industrial B. The nearest dwelling is 800 feet away, the report says.

The report suggests a five-day holding period to allow owners more time to reclaim their pets and to spare some animals from death.

The estimated cost of a minimum shelter would be \$60,000 based on present costs. A shelter built to meet the needs of 1985 would about \$103,000 the report says.

The present pound, operated by the city and used by the city and county, holds 150 animals when the animals are crowded. The report suggests the maximum range should be from 52 to 124 animals, according to their size.

Increase in Dog Pound Fee Proposed

J. 2-15-67

Ways of dealing with the city's dog problem were recommended by the aldermanic Public Safety Committee last night.

One proposal would have people whose animals are picked up and taken to the city pound pay a \$5 fee to get them back, instead of the current \$1 fee.

The \$5 was broken up into \$2.50 for picking up the animal and \$2.50 for housing and feeding it.

James I. Waller, director of public safety, said the fee would only partly cover the city's cost.

An owner of a dog more than six months old still would have to pay the current \$5 for rabies vaccination unless he can prove his dog has already been inoculated.

The proposal, as prepared by Waller and Police Chief Justus Tucker and passed by the committee early in its meeting, would have required a person adopting a dog from the pound to pay the \$5 fee.

After the meeting apparently was over, Gordon Boyles, a member of the Forsyth Humane Society, reopened the discussion on dogs. He urged that the committee amend its proposal to allow a person getting a dog not his own to pay \$1 and, if the dog is more than six months old \$5 for vaccination.

He said a \$5 fee would mean fewer dogs would be adopted and more would be killed.

The committee voted to accept the change.

Humane society members attending the meeting said they strongly approved the entire proposal.

Another provision is that the city would hire another animal control officer and provide another truck for bringing in animals. There are now three animal officers and trucks.

The Board of Aldermen asked Waller Feb. 6 to prepare recommendations on dogs after hearing a complaint from A. E. Mondy.

Mondy charged that the city has "an 8-to-5 dog ordinance" because animal control officers are on duty only from 8 a.m. to 5 p.m. Monday through Friday.

Waller proposed that, with the added officer and truck, the city could provide better animal control Monday through Friday and add weekend service.

He said two officers could be available from 7 a.m. to 3 p.m. on Saturday and one from 3 p.m. to 11 p.m. Saturday. On Sunday, one officer would be on duty from 7 a.m. to 3 p.m. and another from 3 p.m. to 11 p.m.

Mrs. Ruth Folkner, president of the Humane Society, said the county, which collects taxes on dogs, should give each dog a numbered license tag and keep the numbers in a numerical file. She said such a system would enable the poundmaster to look up a dog's number, find his owner and call the owner.

Alderman Carl Russell said the city has stopped issuing dog tags since starting a system of letting citizens list taxes by mail.

Then Boyles, who came prepared with a briefcase full of papers, read a state law requiring that a governmental unit taxing dogs issue numbered tags.

Mrs. Folkner noted that in past years, when the county did issue dog tags, the numbers were not in any order. "The

pound only keeps the dogs two days before they are killed and it would be impossible to find the dog's number in two days," she said.

Waller said he would talk with county officials about providing numbered tags and filing the numbers in order.

The committee also passed a number of traffic proposals. The recommendations will be considered by the Board of Aldermen when it meets at 7:30 p.m. Monday at City Hall.

TWIN CITY SENTINEL Winston-Salem, N. C. SATURDAY, JANUARY 28, 1967

Editorials

A Place for the Dogs

THOSE planners can come up with amazing statistics. They predict that in the year 2000, for example, Forsyth County will have about 127,000 dogs. They further predict that in the year 2000 approximately 7,700 of those dogs will go astray and wind up in the dog pound.

How's that for looking ahead?

Amazing. But not funny. Not funny at all. The meaning of these statistics is that Forsyth County, for the sake of decency and kindness, needs to move ahead now on establishing an adequate animal shelter.

The city is closing its dog pound soon because it is small, inadequate and expensive. It will hold only 150 animals even if you squeeze them in, but sometimes as many as 300 are brought there. Some of these are given away; a great many have to be killed.

This brutal and unpleasant arrangement has existed too long. But what to do? Apparently the next move is up to the county. Mrs. Jean M. Stewart of the City-County Planning Board staff has prepared an excellent report estimating the county's dog and cat population in the years ahead and recommending construction of a large animal shelter to serve the entire county.

Mrs. Stewart's statistics are based on the Humane Society's estimate that there will continue to be one dog for every three people in the United States. More than likely this is a conservative esti-

mate; there is no birth control program for dogs and cats. So obviously Forsyth County's worrisome stray animal problem can only get worse. We might as well prepare to handle it as we handle any other public need.

Handling it will, of course, be expensive. It is estimated that a shelter to meet the needs through 1985 would cost \$94,000 to \$103,000. That may sound like a plush puppy pen, but consultants say it would include only the necessary facilities to house animals decently. A smaller shelter to meet the needs of 1970 would cost about \$72,000.

Perhaps immediate needs could be met with a less expensive shelter. (We still believe, too, that a tagging law and a dog registration system would help reduce the number of strays.) But in the interest of simple decency, the county has an obligation to do something soon.

Agree or Disagree?

"No school that teaches French has any business not teaching Chinese . . . Chinese is a language spoken by more people in the world than any other; and it is an enormously rich literary, historical and intellectual heritage." — Dr. Ward Morehouse, quoted in the *North Carolina Public School Bulletin*.

JOURNAL

SUNDAY MORNING, FEBRUARY 5, 1967

Readers' Opinions

Letters should be brief and must be accompanied by the names and addresses of their writers. The editors may condense any letter or correct spelling and grammar. No letter will be published without the name of the writer.

Unwanted Animals

To the Editor of the Journal:

Winston-Salem is to be commended for making arrangements for painless destruction of unwanted animals and eliminating the practice of shooting pound dogs, as reported in the Journal (Dec. 24). Additional provisions for heat indicate a sincere desire to prevent any possible discomfort to these homeless animals the short time they are there.

The city has borne an increasingly heavy burden in the care of impounded animals for both the city and the county for a long time, with inadequate provisions for underwriting this cost. Pound programs are usually financed from dog license fees from the total area in which the control of dogs is enforced. Because of an old city-county agreement, this money has not been available as it should be.

With this long-term agreement due to expire soon, there has been some consideration of making plans for the future, to modernize and improve animal control functions and build new impoundment facilities. The Humane Society has already made initial recommendations for new programs, and has offered technical advice and assistance in their development, if the decision is made to go ahead.

Something obviously has to be done to relieve the present unfair burden on the city facilities and provide more adequate space for a larger pound. It would be reasonable to assume this could be done for both city and county in a joint program, but under county auspices, since the bulk of dog license revenue for its operation is under county jurisdiction.

Homeless, stray animals, and pets not kept under their owner's control, continue to multiply and they or their progeny will suffer deprivation, starvation, and disease from lack of care.

It is public responsibility, for the sake of these animals, and good order and protection from property damage in the community, to provide for their rescue and impoundment. We hope readers will encourage the development of a new, improved county-wide program and suitable facilities for this purpose. This society stands ready to assist with additional technical services if they are requested.

—DALE HYLTON

Humane Society of the United States
Washington, D.C.

-TWIN CITY SENTINEL Winston-Salem, N.C. WEDNESDAY, FEBRUARY 8, 1967-

Editorials

Call Off the Dogs

WHAT Winston-Salem needs is a Pied Piper capable of leading about one million stray dogs out of the city's backyards and into the adjoining counties. Barring this kind of solution — and mass dog-execution by mortar and machine-gun — what the city needs is an animal-licensing-and-control system that works.

(Lest the Humane Society take offense, let it be noted immediately that we do not recommend mass execution of dogs by mortar and machine-gun. We like dogs, in groups of no more than two and on the condition that they have reasonably tolerable manners.)

Judging from the recent rash of complaints in both the city and county about scavenger dogs, the present system of control is not working. It is impossible, for example, to determine how many unvaccinated dogs are running free in the area today. And under present ordinances, owners of pest dogs and cats are allowed to reclaim their animals without fine — a system that encourages lax control over pets. The result is confusion about what to do and even more confusion over the means required to establish a truly effective animal-control operation. Meanwhile, the dogs — who are not as dumb as they appear to be nor as loyal and home-loving as most humans like to believe — take full advantage of this indecisiveness.

The problem seems to be partly political. Most dogs have masters, and most masters are registered voters. An anti-dog stance is one not lightly undertaken by elected officials.

But the city or county could remedy the problem, objectively and judiciously, by enacting an effective leash ordinance and by devising an animal-registration law that would tag all dogs with identification numbers or names.

There is some argument to be made for fining the owners of pest animals on an ascending scale. Alderman Floyd Burge suggested that a fee of \$1 be charged an owner the first time he has to claim his pet from the city pound, \$3 the second time and \$5 the third time. This sounds reasonable enough, but the principal need at the moment is simply to identify these animals and to separate them from other strays that do not have owners — those animals, in other words, most likely to be diseased or vicious.

Agree or Disagree?

All wars are planned by old men in council rooms apart, who plan for greater armament and map the battle chart.—Grantland Rice, in *Two Sides of War*.

TWIN CITY SENTINEL Winston-Salem, N. C. TUESDAY, FEBRUARY 14, 1967-

Plan Listed To Control Stray Dogs

By ROM WEATHERMAN
Staff Reporter

Public Safety Director James I. Waller recommended today the hiring of an additional animal control officer and the purchase of a new truck to improve the city's handling of stray dogs. He also recommended that the fee for releasing an impounded animal to owners or others be increased from \$1 to \$5 to partially defray the cost of picking up, maintaining, housing and disposing of dogs and other animals.

In addition, he said that in the future animal control officers and police officers would summons to court dogs owners whose animals violate the city code after the owners have been given one warning.

Waller's recommendations went to City Manager John Gold in the form of a memorandum and will be presented at 7:30 p.m. today to the aldermanic public safety committee.

Study Made

The Board of Aldermen asked Waller for a study of the animal problem here and for recommendations on how it might be abated. The aldermen and other city officials have been plagued in recent months by complaints about stray dogs and cats.

Waller said the additional animal officer and new truck would afford better coverage during the week and allow coverage from 7 a.m. to 11 p.m. on Saturdays and Sundays.

An animal control officer is not on duty on Saturdays and Sundays now because of a shortage of personnel.

Waller noted that the \$1 fee for recovering animals from the pound has been in effect for many years and falls far short of covering the actual cost. He said the recommended \$5 fee would still pay only part of the cost.

He said the new animal control officer, the new truck and allied equipment would cost approximately \$7,562.

4,037 Complaints

In 1966, the police department answered 4,037 calls about animals. As a consequence, 2,378 dogs and 1,020 cats were picked up.

One of the most pressing enforcement problems, he said, is that between the time the police department receives a complaint and an officer responds to the call the dog cannot be located or the officer cannot catch it.

He said the additional officer would help alleviate this problem by extending coverage to Saturdays and Sundays.

Another major problem is the fact that neighbors, although they complain about stray dogs, are reluctant to obtain a warrant against a neighbor or to be a witness in court in the event the officer gets the warrant.

The officer cannot always obtain the warrant himself because he has not seen the offense, which is only a misdemeanor.

Only Warn

In such cases, the most the officer can do is warn the owner of the dog that he is subjecting himself to possible prosecution in court.

"Experience over many years has shown that continued warnings to many of the violators produce little or no results," Waller said.

Waller said Police Chief J. M. Tucker had talked with officials of Municipal Court and worked out the following procedure for future cases:

The owners is to be given one warning and if, thereafter, the animal control officer or a police officer observes a violation then a representative of the police department will go to the clerk's office and a summons will be issued for the dog owner, requiring that he come into court and answer the charges.

The issuance of a summons in these cases will depend upon the animal control officer or a police officer observing a violation—unless the person making the complaint is a willing witness.

Colors Listed**Five Killer Dogs Described**

The manager of the Methodist Children's Home farms today described by colors—one by type—the five dogs that have killed two hogs on farm property recently.

He believes they are some of the same dogs that early Sunday morning killed several zoo animals on the Peace Haven Road property of James G. Hayes Jr., attorney.

B. L. Angell told the Sentinel today that he and farm helpers got shots at the dogs after they had downed one hog and slashed seven others Tuesday, Feb. 14, in the farm hog lot three-fourths mile off Peace Haven on Alistair Road. Another hog was killed Feb. 9.

Mrs. John Milos, wife of one of the farm helpers, called Angell when the dogs attacked about 4 p.m. Feb. 14. He and helpers armed themselves with shotguns and ran to the lot but the dogs saw them and escaped.

"We shot at them but we might as well have had sling-shots," Angell said. "I only had No. 6 shot in my gun, an open bore, and they were 50

yards away. There wasn't much of a chance."

Angell said one of the five dogs looked like an "extra large" German shepherd. The others he described as a large red dog of unknown breed, "then there was a black and white spotted dog of pretty good size, another small, almost purely white dog and another little greyish cur dog."

Angell said he has a .22 caliber semi-automatic rifle for which he plans to buy hollow slugs that spread on impact to be ready if the pack returns.

He thinks it will.

Angell doesn't believe the dogs are wild dogs.

"I don't think they're holding up anywhere," he said. "I think they're dogs that belong to somebody. They get together like a bunch of boys get together to play ball in a cow pasture. They range the countryside and when they get through killing they go back to their respective homes and are fed a good supper. They didn't kill for any food."

Angell said domesticated

dogs can do this. They can be affectionate as ever around the home during the day, gentle with children, then get together and turn killer.

"Exactly right," he said. "They can be nice with children during the day and turn to killers at night."

When they turn to killers, they can turn on a child, he believes.

"I think they definitely would. Anytime when they are in a pack like that I think they definitely would."

"If they get to running in a pack and get a little bit bloodthirsty they will attack a child, or an adult for that matter. And a man would be helpless unless he had a defensive weapon."

"This hog. Oh, you could see where they bit it on the top of the neck, tore the skin off, the ears. The skin was just torn all to pieces. We couldn't salvage the meat; it was in pieces."

Angell said the large hog, killed Feb. 9, would have dressed out at around 300 pounds. The smaller one, downed Feb. 14, would have dressed about 100 pounds, he said.

Only a couple of days before the first hog was killed, he said, a pack of dogs chased John Milos to his home, Angell said.

Angell thinks homeowners in the Sherwood Forest area should take precautions.

If a pack of dogs is spotted, he said, children playing outside should be hustled inside quickly. "It's the safest thing to do."

"I'm hoping citizens of the county will assume a little more responsibility in looking after their dogs to keep them from running around," he said. It leaves you in a sort of helpless feeling when you see something like this."

First the Birds, Now Dogs

By BILL EAST
Sentinel City Editor

KERNERSVILLE — The Town of Kernersville joined other parts of Forsyth County last night in the "battle of dogs."

Disclosing that a town employe and a fireman had been bitten, the aldermen declared an emergency and ordered a 30-day dog quarantine.

During that period, police will be permitted to pick up any dogs running at large and hold them until they are either claimed by the owners or disposed of.

Town manager Gus Ulrich said the beginning of the quarantine period would have to be delayed until the required legal notice can be published.

He said that in the meantime he will have a dog pen fixed up. Jack Morgan, superintendent of public works, asked that his workroom not be used this year.

Ulrich estimated that the quarantine period for dogs will begin about March 24.

Alderman W. T. Robbins brought up the subject when he told the board, "The dog situation is getting warmed up again."

He said a large pack of dogs was "running loose behind First Baptist Church . . . some of them are vicious dogs."

Kernersville usually has some trouble with dogs in the spring months, but the aldermen indicated that the problem is more serious this year.

Other parts of Forsyth County have been having dog problems, too. Recently dogs attacked a zoo owned by attorney James M. Hayes Jr. in the Peace Haven area. The dogs have been hunted in that section since then.

Moving from dogs to birds,

the aldermen were told that Kernersville's bird problem is "not much improved — and there appears to be no immediate solution in sight."

Kernersville has been playing unwilling host this winter to thousands of starlings and blackbirds which have been roosting at night in the trees in the Harmon Park area.

The aldermen already have agreed the birds are a health and safety hazard and have asked for ideas on how to get rid of them.

Ulrich had said that poisoning the birds might be the only "sure-fire" solution.

But he said last night that the State Division of Wildlife and Fisheries had told him that "the idea of poisoning birds is not encouraged."

He said the state agency told him that people who poison birds must have permits, but Ulrich said he was not certain that this applied to municipalities.

Ulrich said that he had been assured that the bird problem would take care of itself "in a month or two." The birds are expected to leave for their summer homes by that time.

"But they probably will be back in the fall," Ulrich said. "And we will have to continue our efforts to get rid of them."

Editorials

The Dog Problem

TOWN CITY SENTINEL
FRIDAY APR 29, 1967

Taxpayers should
get something
for their money

AS THE city aldermen contemplate the stray dog problem, some thought might be given to passing a city ordinance requiring dog owners to put identity tags on their pets listing the owner's name, address and telephone number.

With this identification, strays could more easily be distinguished from wanderers, and not so many would have to be chased down by policemen or dog catchers and transported to the crowded city pound.

If Joe Doe caught a dog digging up his flower bed, he could look at the tag and call the owner. Or if a policeman were called to retrieve a nuisance dog, he could telephone the owner instead of hauling Fido to the pound.

At present, there is no effective way of identifying dogs here unless their owners take the initiative and attach identity tags. Tags certifying that a dog has had rabies shots can sometimes, but not always, be traced through a veterinarian.

The city-county tax assessment system might, however, provide the machinery of a new dog identification system. At tax listing time, citizens who own dogs are now given a small tag certifying that a dog tax has been paid. But no record is kept of who gets these tags, so no dog can be traced that way.

Would it be possible, then, to have a

tag mailed to each taxpayer who lists a dog? The tag could include name, address and telephone number—or perhaps just a number that could easily be traced by calling the tax office or the dog pound.

An expanded system, which dog owners would support through a tag fee, would involve some extra expense for the city. But it might be less expensive than the man-hours now lost by policemen and pound employes chasing dogs and dog-owners around town.

Of course, not all dog owners would be conscientious enough to obey the ordinance. But if even half of them did, it would undoubtedly help to relieve the dog problem. Moreover, a few fines or phone calls would encourage compliance.

Agree or Disagree?

"As long as the armed services can use only a sixth of the men available this year, a better way must be found to pick them. It shouldn't be because they are expendable—fair game because they are a little short of education or money. Perhaps a lottery is the answer."—From an editorial in *Life* magazine of April 29.

Editorials

SENTINEL 6-25-67

Kindness for the Dogs

"I GET discouraged . . . I feel like I'm fighting a losing battle." According to Gordon Boyles, a member of the Forsyth Humane Society, the struggle to find permanent homes for city pound dogs within the limited two-day grace period sometimes seems hopeless. Mr. Boyles' "losing battle" was discussed by the humane society this week as it questioned Reuben R. Godsey, superintendent of the city garage and shops, about the city pound.

The society is having to grapple with several difficult problems. Foremost among these are the limited facilities and the method of extermination. In recent weeks, members of the society have reduced the strain on pound facilities by taking puppies from the pound and feeding them at their homes. This practice not only allows more time to find permanent homes for the puppies but also assures them of having digestible food.

However, limited facilities cannot be disassociated from the method of extermination. When space is overcrowded and cramped, elimination is inevitable at the end of only two days. In an effort to delay or prevent the use of that .22 bullet,

members have asked for extended pound hours to give people more time to see about adopting dogs. But this plan is somewhat more complicated than it seems. It would involve hiring guards to protect city vehicles that are parked in the area.

Yet, the Humane Society's efforts may soon take a turn for the better. Within the year, the city - county contract for pound maintenance expires. At that time the Humane Society will promote sweeping reforms to be incorporated into an animal shelter operated as a joint endeavor with the city-county governments. Such reforms would provide adequate care for stray animals and ought to command the support of all who are interested in decent treatment of animals.

Agree or Disagree?

"A penny for most people's thoughts is a fair price." — *Atchison* (Kan.) *Globe*.

SENTINEL 9-12-67

City to Ask County To Take Animal Shelter

★ The City of Winston-Salem is going to ask Forsyth County to take over the responsibility next year of providing a county animal shelter.

The aldermanic finance committee will consider the formal request to the County Board of Commissioners at 2 p.m. Tuesday at City Hall.

The city will propose that the county assume responsibility for housing and disposing of all impounded animals by September, 1967.

That is the expiration date of a 15-year, city-county agreement under which the city has operated the local animal pound at the City Yard.

The Forsyth County Humane Society has already asked the county to take over animal-shelter operations and has offered its assistance in setting one up.

The Board of Commissioners indicated it was receptive to the proposal at the time humane so-

ciety officials presented the request about a month ago.

The intention of the city to get out of the dog-pound business could result in the creation of a modern animal shelter of the kind the humane society has been advocating for years.

The society has had plans drawn for a shelter that would have about 50 cages and 23 runs, with a minimum capacity of 184 animals. The plans include a home for a full-time caretaker.

The society has offered the county these plans and also plans available from the national humane society as a guide for whatever facilities might be built.

The society has suggested that the new county shelter be patterned after the Guilford County shelter, which is located on Jamestown Road, about eight miles from Greensboro.

That shelter was a joint ven-

ture of Guilford County and the cities of Greensboro and High Point.

It is a large fenced-in tract with the caretaker's residence located inside the compound.

The Guilford Humane Society helps operate the shelter and holds regular animal sales every week, advertising the animals for sale. Income from the sales together with other fees and charges make the shelter almost self-supporting.

★ The county's legal authority for maintaining an animal shelter, according to city and county attorneys, is based on the county's levy of an annual dog tax on all dogs over six months old.

This tax brings in more than \$22,000 a year and is used to pay the salary of a county dog warden and for damages caused by dogs. Any excess goes to the county school fund.

SENTINEL 9-11-67

Editorials

An Adequate Animal Shelter

★ FORSYTH COUNTY'S government now has another opportunity to take over and offer a service that has been provided by the city but is increasingly needed on a countywide basis. With the expiration of the 15-year city-county agreement under which Winston-Salem has operated the dog pound, the county commissioners are being asked to assume responsibility for its operation.

★ The step makes good sense. With the increasingly urban nature of Forsyth County, the two governments ought to take every reasonable opportunity to provide services on a countywide basis.

Moreover, there is an urgent need for an expanded and improved animal shelter. The Forsyth County Humane Society has asked the county commissioners to provide such a shelter, and the preliminary indications are that the commissioners will oblige. As the city attorney, William Womble, suggests, the legal responsibility rests with the county. And since the present city pound cannot be expanded, it is only reasonable that the present site be abandoned.

So small is the present pound that 70 per cent of the 6,000 dogs picked up last

year had to be killed. The pound cannot hold them long before it disposes of them. Many of these animals could make a child happy somewhere in the county if they did not have to be eliminated so quickly.

★ Let us hope, then, that the county commissioners will respond to the plea of the city and of the Humane Society. The cost of an improved animal shelter will not be excessive, and it is a kindness we ought to perform for man's best friend.

Bond Vote May Come In Spring

J 9-21-67
A group of citizens is already forming to support a small part of what might develop into a \$20-million to \$40-million bond issue likely to be put before the voters in the spring.

The bond issue would be to finance a massive capital building program for the county, including schools, an addition to the health and welfare departments, a Hall of Justice and a dog pound.

The citizens group being formed now is to support the

Editorial, Page 12

construction of a new dog pound.

It is likely that a new pound would be among the smallest items in the proposed capital improvements program. Tentative estimates put its cost at more than \$100,000 and less than \$500,000.

But such items as new school facilities could run as high as \$20 million. And a new Hall of Justice could cost \$4 million.

Dog Pound Appeal

The group is being formed by Mrs. Reid Bahnson in an effort to support a new pound. She said last night that probably R. Gordon Boyles, a prominent Humane Society member, will appear on a WSJS television program Friday morning with one or two dogs to appeal to the public for a better animal shelter. Mrs. Bahnson said the idea is to establish the need for the new shelter and to encourage citizens to talk with the county commissioners about it.

The Board of County Commissioners has not called for the bond vote. They have not even received the consultant's recommendations on which their decision will be based.

A County Pound

The report is being prepared by Hennington, Durham and Richardson, a Charlotte engineering consultant firm. The results of the study are expected to be handed to the commissioners within three weeks.

The present dog pound was financed by the county 15 years ago, but has been operated by the city for both the city and county. Early this year the Board of Aldermen voted that

See Bond, P. 16, Col. 6

Continued From Page 1

the city should go out of the dog pound business and turn the responsibility over to the county.

The action was based on an attorney's opinion that the county is responsible for maintaining the pound. The city has been operating the pound under contract with the county. This contract is due to expire next year.

Although the county commissioners have not indicated one way or the other whether they will assume the responsibility of the new pound, it appears now that they will.

County Manager Robert House said yesterday the fact that the commissioners called for a study

of the dog pound indicates they are interested in improving the situation.

The Winston-Salem Foundation is trustee for about \$19,000 that can be used for a suitable animal shelter. The money was originally a \$10,000 bequest from Mrs. Lydia Schouler to form a D.D. Schouler Society for the Prevention of Cruelty to Animals in Forsyth County. The sum has grown with interest since Mrs. Schouler died. Her will was drawn in 1925.

In January the City-County Planning Board conducted a study of the pound and proposed that a four-acre site on city-owned property at the R.A. Thomas Filtration Plant on

Stadium Drive be set aside for a new pound.

Once the consultant's report is sent to the commissioners, the dog pound portion of it is expected to be incorporated into a second report being prepared by Fred Pettyjohn, an administrative assistant to the county manager. Pettyjohn has been working on a specific dog pound study for several weeks.

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WINSTON-SALEM, NORTH CAROLINA, THURSDAY, SEPTEMBER 21, 1967

Providing for a Pound

NEXT June, the contract by which the city operates the Dog Pound runs out, and chances are good that a new facility will be built and operated by Forsyth County.

Two studies are being made in preparation for a county take-over of the operation, according to County Manager Robert House. One is a feasibility report being prepared by a research assistant, and the other is a capital improvements report being done by a private consulting agency.

These reports are to be presented to the County Board of Commissioners within a month or two, and plans for an animal shelter costing possibly as much as \$250,000 are expected to result. Cost of the shelter would be incorporated into an omnibus \$20-40 million construction bond issue to be presented to the voters in February.

Careful planning, and adequate financing, will ensure that the shelter will not be "a haphazard sort of barbed-wire and orange crate arrangement," House says, but a first-class facility. The future looks good.

But what of the nine-month period between now and next June, and the construction period which would follow that? Hundreds of animals will see the inside of the Dog Pound in that time, and the treatment they will receive is a matter of present concern.

The city, in co-operation with the Forsyth Humane Society, has made improvements in its set-up in past months. Unwanted animals are no longer shot to death; they are killed by an injection from a veterinarian. Cages have been painted, and visiting hours extended.

But improvements still need to be made, and they cannot be put off a year or more. Visiting hours can be lengthened further. Overcrowded quarters can be enlarged, and food can be improved.

One need stands above the others. The time given for an owner to reclaim his pet is pitifully short—only two days after the date of capture. The period of grace between pick-up and execution should be extended as far as possible.

The city has a contractual obligation to operate the pound until the end of the fiscal year, but the contract — negotiated 15 years ago — does not suit the present situation. The animal problem is now a county-wide problem, and the county ought to consider giving some financial support to the pound in this interim period. Dog owners license their pets through the county, but none of the money taken in goes toward upkeep of the Dog Pound. The county's tentative plans for a new shelter are excellent, but current needs should also be seen to. County financial aid for upkeep of the present institution would be a fine gesture of cooperation. ★

Letters to the Journal

10-5-67

Pack Dogs

To the Editor of the Journal:

Does a tragedy have to happen before something is done about dog owners who not only neglect to vaccinate their pets but

who also leave them to run loose in packs?

I am a property owner and have two dogs of my own which are kept inside a fence at all times. To get to our home one must drive through a trailer park where about forty families live. They don't seem to realize the danger of letting a pack of dogs run loose. Whenever I have mentioned anything about this problem, the reply is "Why should I keep my dog tied if no one else does?"

Recently I followed my 11-year-old son home in my car. He was on his bicycle. As we got in the park two dogs started chasing my car and a German Shepherd croached down on the ground like a cat and jumped at my son as he rode by on his bike. My son started kicking and yelling and I jumped out of the car and started throwing rocks at the animal. Only then did he run away. This dog wasn't in his yard or anywhere near it and the owners were both at work.

After a child or an adult has been mauled and bitten by one or more of these dogs, and possibly scarred for life, then maybe someone will want to do something about it.

—MRS. PAT SMITH

Kernersville

★ ★ ★

EDITORIAL
11-16-67

Help for the Hounds

LONGTERM prospects for misplaced hounds in Winston - Salem look bright indeed. The ramshackle quarters now kept by the city should be replaced by a sparkling county animal shelter sometime next year. Plans for the new shelter may be made public within a few weeks.

But future aid does not help the cold, dirty pup who spends his days fighting for food in a crowded pen. Conditions at the city pound are better than they once were, thanks mainly to the Forsyth Humane Society, but they are not yet satisfactory.

It would be easy enough for the Board of Aldermen to let the pound remain in its current state until the responsibility for it passes into county hands. But the Board's Finance Committee, at least, has shown a concern for the city's animals. The committee has recommended a \$1,000 appropriation for temporary repairs to the pound, including \$650 for a temporary building for puppies during the winter. The uses of this money may be short-term, but the benefits will be genuine and permanent. The Board of Aldermen ought to pass the full appropriation without delay. ★

S. 12-20-67

Dog Packs Roam Runways, Menace Landings at Airport

By GENE WHITMAN
Staff Reporter

A stray dog may be harmless in the woods, but on an airport runway he is a menace.

Dogs are overrunning Smith Reynolds Airport, Manager Louis E. McConnell said today.

Many of them are wild dogs which breed in the woods nearby. They are so wild they cannot be caught. They are creating a terrific hazard.

"This dog situation is serious," said McConnell. "As I sit in my office now, I can see three trotting along a runway—a huge white dog and two smaller ones. The other day, there were two packs—one with eight; the other, with 13 dogs.



"When a plane lands at 100 miles an hour, even one dog on the runway is a serious hazard. If the pilot tries to avoid it, he may lose control and crash.

"Pilots of the big airliners know they cannot change course. They have to let the propellers chop up the dogs. But the plane may be damaged.

"With a small plane, it's

worse. A dog can cause major damage, maybe a wreck."

It takes iron nerve for a pilot not to swerve, to take a chance on a dog smashing against his windshield. And, of course, if a dog should be sucked into a jet engine on takeoff—you can figure what that could mean.

"We are responsible for the safety of passengers using the airport," said McConnell. "And these dogs have become a real threat.

"Every now and then, Carlyle Anderson, our maintenance manager, organizes a safari out on the runways and picks up a few. But many of them are so wild we can't catch them.

"They breed in the woods, or they make their homes out on the field. We have to check the runway banks carefully. They dig tunnels, water seeps in, then you have a washout."

McConnell has asked the city and county for help. Just what assistance he can get is a question.

It is against the law inside Winston-Salem for an owner to let a dog run at large. The 1967 legislature gave the county authority to pass the same law, and the county board is considering doing so.

An owner is probably responsible for civil damages, as well as criminally.

But many of these dogs are wild, obviously without owners. Even if they are not, it would be pretty hard to identify ownership of a dog after the dog has been chewed up by plane propellers.

WINSTON-SALEM, NORTH CAROLINA. WEDNESDAY, DECEMBER 20, 1967

New Job for the County

ARMED with a positive recommendation from County Manager Robert House, a fact-finding report and statements from a citizen's delegation, the county commissioners must decide whether the county will take on the job of animal control for both the city and the county.

This will entail an investment of as much as \$100,000 for a new shelter, and the addition of several employees to the county payroll, so it is by no means a minor undertaking.

Yet we strongly believe that the county should add this burden to its other responsibilities, for only under county administration can quality treatment of animals begin here. Technically, the commissioners have until next March to make a decision, but practically, they ought to state their intentions soon, perhaps as soon as their next meeting.

The city no longer has the means or the desire to administer a county-wide animal program, and the condition of the dog pound demonstrates this. The place is ugly and overcrowded, and it quite literally stinks. Because there is such an acute lack of space, stray animals are given only two days' grace from the time they are picked up until the time they are killed. Correction of these conditions requires nothing less than a new facility.

Plans and cost estimates for a shelter will be included in an omnibus building program to be presented to the commissioners January 8. If voters approve a construction bond issue to finance this program, the problem of paying for a new animal shelter will be solved. If the bond issue does not succeed, there are other ways of getting money.

One method, suggested at Monday night's commission meeting, is improved collection of dog taxes. If figures presented at the meeting were substantially correct, then present income from dog taxes could be quadrupled. And if this revenue alone could not pay for a new pound, some money could be allocated from general funds.

Two sites are now proposed for an animal shelter, one near Smith Reynolds Airport and the other on Reynolds Park Road. Other factors being equal, the commission should give first consideration to the Reynolds Park Road site, since airport noises could keep animals, and especially cats, in a constant state of terror.

If the commissioners do agree to build a new shelter, they will probably ask the city to continue its present operations until the shelter is built and ready for use. This seems little enough to ask, and the city should acquiesce in this, even though it may mean extending its program several months beyond its legal obligation.

After 15 years of the present balky operation, the transition period will undoubtedly present opportunities for strife between city and county governments already at odds on other issues. But hard work and cooperation can make the changeover smooth and rapid.



Two recent residents of the city's present pound

Staff Photo

Old Dog Tray May Fare Badly in Hassle Over Bonds

By Joe Goodman
Staff Reporter

When Old Dog Tray emerges from the county's capital improvements bond campaign, his image is going to be sorely damaged.

The stray mutt which used to be man's best friend is now being spoken of as society's worst enemy.

It all began when the county announced that its \$37.9 million bond issue would include \$150,000 for a new animal shelter.

The shelter is the central feature of a new county animal control department which will take over operations now carried out primarily by the city.

Some opponents of the bond issue have singled out the animal shelter as the most objectionable item in the issue.

So some supporters of the bond issue have zeroed in on animal control and the proposed animal shelter as the central feature of their campaign.

Packs of Dogs

And Old Dog Tray is surely going to be the victim of the fallout.

The spokesmen so far for the animal shelter have been Dr. James W. Eubanks and Dr. Martin G. Lorber, Winston-Salem veterinarians.

They talk about the roving packs of dogs seen lately in Forsyth County and how they have attacked farm animals. They tell of recent cases elsewhere when household pets have attacked and killed small children.

Then they say that a certain amount of this killing and property damage can be eliminated by an effective animal control and licensing program. And a key feature of this program, they say, is an adequate animal shelter.

Lorber has proposed this program to the county commissioners:

Require each dog owner to register his animal at the tax

office. This is required now as a part of listing taxes. But Lorber says most of the county's dogs are not listed this way.

As the dogs are listed, give the owners numbered dogtags to be attached to the dogs' collars.

If the animal control officers find a dog wandering at large without a dog tag, it would be considered a stray and impounded.

On the other hand, according to Eubanks, if a stray dog is found with a tag, the owner can be traced by the tag's number. Numbers would be kept on file in the animal control office.

Dog tags have been issued to people listing taxes in the past, but the practice was discontinued in 1967. The numbers on those tags were meaningless in tracking down the owners of strays since the tag numbers were not indexed or cross-referenced.

Eubanks said 17,000 dogs are listed for taxes in this county. But the county administration has estimated that there are at least 70,000 dogs in the county.

Loss Is Large

He said this means the county is losing thousands of dollars in dog taxes each year. Dog owners are required to pay \$1 for each male and spayed female and \$2 for each unspayed female.

The dog tax is used for the animal control program and the excess turned over to the school system. The county now gets about \$23,000 annually in dog taxes. Most of this is used for the animal control program.

If the estimate of 70,000 dogs is right, then the county is losing from \$60,000 to \$70,000 in dog taxes each year. Even if the licensing program is only 75 per cent effective, the county could bring in \$50,000 it is not now collecting.

What does this have to do with a new animal control shelter?

Eubanks and Lorber say that, if the animal control program is conducted as strictly as it should be, there will be more animals brought to the shelter and more room will be needed.

Among the animals picked up will be some household pets and these should be kept in fairly humane quarters.

The critics of the shelter say the cost is too great for just a dog pound. They have asked, half seriously, "Will it be air-conditioned, and will it have carpets on the floors?"

In fact, county officials say, the cost estimate is reasonable, considering the number of animals that can be housed (almost 6,000 in the present pound this year) and considering that the holding period will be increased from three to five days.

Animal Shelter Gifts Likely

S. 2-12-68

The county has earmarked \$150,000 of its proposed \$37.9 million bond issue for an animal shelter.

But County Manager Robert House said today, in noting some public criticism of that amount, that there is only an outside chance that much would be spent on the facility.

"Conceivably," he said, "with gift funds and other savings only half those funds would be needed."

The building itself will cost about \$36,800, he said.

The major portion, \$72,800, would be spent on 262 outside pens and runs. Another \$8,400 would go for a parking area of 28 spaces. The rest of the money would be spent for site preparation, architect's fees and "unanticipated contingencies."

The pound is being built so it can accommodate up to 500 animals at one time. Between 200 and 300 is the projected daily average.

Gift funds are available for the animal shelter, House said, but the donors do not plan to commit themselves until they see whether voters approve the bond issue March 16.

Ready for Drive

Mrs. Ruth Folkner, president of the Forsyth Humane Society, and Mrs. I. W. Straughn, a supporter of the proposed shelter, have indicated they and others are ready to seek gifts for the project and believe that a considerable amount of money is available for it.

House said the most important part of the facility will be the outside pens and runs. They will have built-in drainage facilities to cut down on maintenance. "This will provide us with continuing savings in the operation of the pound," he said.

The average cost per pen will be \$27.86. He said this figure is not excessive when compared with the cost of other tax-supported animal shelters in the Southeast.

The building itself will have approximately 1,840 square feet. The construction cost of this part of the facility will be \$20 per square foot, he said. This is about what other commercial construction costs are in this area now.

J. 4-12-68 ☆ ☆ ☆
Barking Dogs

To the Editor of the Journal:

The following article appeared in the April 22, 1966 paper:

CITY TO ARREST DOG OWNERS AFTER WARNING

Police Chief Justus Tucker told his officers yesterday to draw summonses against people who continue to violate city dog ordinances after one warning.

Anyone who allows his dog to run free after being warned once will be cited to appear for trial in Municipal Court's criminal division, Tucker said.

N. C. statute sets the maximum penalty at 30 days in jail or a fine of \$50 and court costs, with the defendant being liable for any damage to property caused by his dog.

For many months, Tucker said police have called people—some of them two or three times—asking them to restrain dogs.

Complaints about trespassing dogs were discussed Monday by both the City Board of Aldermen and the Forsyth County Commissioners.

The city code prohibits letting a dog run at large, saying it can only be in public places if restrained by a leash or if the person in charge of the dog has it close to him and under his control.

Another city ordinance makes it a misdemeanor, knowingly to allow a dog, older than six months to run at large after dark.

What has happened to the enforcement of this law? Of course barking dogs are in a much worse category and the owners are penalized accordingly, as these type dogs present a nuisance problem.

—MRS. HAZEL F. MCGHEE

Winston-Salem.

Group Here To Discuss New Shelter

People interested in getting a new animal shelter for Forsyth County have scheduled a "reorganization of efforts and membership drive" meeting for 7:30 p.m. Monday at the Ardmore Methodist Church recreation hall.

He said no one is interested in building a "canine Hilton", as the shelter bond issue was criticized. He said they are interested only in making the animal control and animal shelter situation in Forsyth a satisfactory one.

He said the situation now is not satisfactory, and people interested hope to get private funds to improve things. He said they hope to have city and county approval and coordination of their efforts.

Dr. James W. Eubanks, a member of the animal shelter committee, said that since the bond issue for a shelter was soundly defeated by Forsyth County voters recently, it is apparent that efforts will have to come from private citizens.

He said no one is interested in building a "canine Hilton", as the shelter bond issue was criticized. He said they are interested only in making the animal control and animal shelter situation in Forsyth a satisfactory one.

He said the situation now is not satisfactory, and people interested hope to get private funds to improve things. He said they hope to have city and county approval and coordination of their efforts.

Animal Controls Urged Here

Using a slightly revised cost for a new animal shelter — \$120,000 — a group of citizens have recommended a comprehensive animal control program to the county commissioners.

The commissioners endorsed the program yesterday and pledged to seek the necessary legislation from the General Assembly to allow for the licensing of dogs here.

This dog licensing program is expected to make the proposed animal control program self-sustaining.

The report was prepared by a committee composed of Mrs. Reid Bahnson, Gordon Boyles, Dr. James Eubanks, Dr. Martin Lorber, Mrs. John V. Spitz and Mrs. I. W. Straughn.

They were appointed by the commissioners to study the animal control situation after the failure at the polls of a bond issue in March including a new animal shelter. The cost of the shelter outlined in the bond program was an estimated \$150,000.

Much Criticism

The cost met a great deal of criticism from opponents of the issue.

The committee called in an architectural firm, Colvin, Hammill and Walter, to study the proposed shelter and received a cost estimate of \$120,000.

The committee proposed that the building be constructed with contributions of one-third from the city, one-third from the county and one-third from private donors.

Pet Department

The committee further proposed the creation of a county pet department to see that all dogs are licensed and inoculated against rabies, to investigate complaints against animals and to run the animal shelter.

Stray dogs found without tags would be picked up. This would tend to encourage dog owners to have their pets licensed. This would increase the licensing of the dogs and the revenue.

The pet department would also keep a cross-reference of tag numbers and pet owners to speed the return of lost dogs to their owners.

The program suggested by the committee was modeled after Mecklenburg County's. But County Manager Robert House said that special legislation is needed to give the county dog-licensing ability.

Dogcatcher's Job Can Be Hair-Raising

Most people say that if a dog is wagging his tail, he won't bite you.

R. L. Walker is one man who does not believe it.

"Any dog will bite you," said Walker, one of four animal control officers for the city. "It all depends on the circumstances. The friendliest dog can become excited on a playground and bite somebody."

As an animal control officer, it is Walker's duty to answer complaints from people about dogs running loose, barking dogs, dog bites and other animal problems. While an occasional call concerns a snake, loose horse or stray cow, most of Walker's time is spent picking up loose dogs.

Does his dogcatcher job make him the meanest man in town?

"Some people think so," the affable Walker said. "Some people will stick up for their dogs more than they will for their kids."

Walker said that most people, when told that their

dog is disturbing neighbors by barking or running loose, will blame the offense on a neighbor's dog. "My Fido wouldn't bark if it weren't for Joe's dog running loose" is a common defense, Walker said.

Dogs in a pack are especially mean if there is a female among them, Walker said. Animal control officers are equipped with a tranquilizer gun with which to shoot the female, dulling her enough to get her onto the truck.

But it is difficult to remove a female in heat from a pack without at least two or three of the dogs turning on you, Walker said. He said dogs have attacked him in the cab of his truck when he has taken a female from a pack.

Walker said some people become outraged when an officer shoots an animal.

"A lot of people think the dogcatcher is superhuman," he said. "They think he can cast a spell on the dogs and they'll stand there. But catching a stray is like trying to

catch the birds in the sky." He said he shoots animals that have been hit by cars, that are eaten up with mange and sometimes those that attack him.

Summer brings out the family instinct in cats, and a lot of his time will be spent rounding up litters of cats that people will complain about as a nuisance, Walker said.

He added that he answers an average of 18 calls a day. The calls could be reduced if people realized that it is against the law to let their dogs run at large, he said. There is no ordinance restricting cats.

And, it is not true that big dogs are meaner than small dogs, Walker said. "Big dogs just bite harder."

City Finance Group Okays Shelter Grant

The Finance Committee of the Board of Aldermen approved a request of \$40,000 yesterday from the Forsyth Humane Society toward building an animal shelter.

At the same time, the aldermen asked the county to assume full responsibility for animal control in Forsyth County.

The county agreed May 22 to take over control of the proposed animal shelter and the control program, and to contribute \$40,000 to build it, provided that the city give an equal amount.

An estimated \$120,000 is needed to build the shelter, Mrs. Reid Bahnson told the Finance Committee yesterday.

The Winston-Salem Foundation has donated \$25,000 and other donations amount to \$15,000, Mrs. Bahnson said. She is a member of the advisory committee of the humane society.

The finance committee will recommend to the entire board Monday night that the money be allotted for shelter construction.

Also Monday night, the humane society will ask the county commissioners to approve a site for the shelter, which Mrs. Bahnson said will be modeled after a facility at Charlotte.

The society is studying three sites on county-owned property near the airport.

City Manager John M. Gold recommended to the Finance Committee that the request be approved. He suggested that the city allot the \$40,000 only "if the county will assume responsibility for the animal control program in Forsyth County."

Gold also recommended that the city contribute its two trucks and other equipment.

The humane society has suggested creating a pet department to be run by the county.

The report sent to the aldermen and county commissioners May 22 said the pet department should have the responsibility of:

—Seeing that all dogs in the county are licensed and inoculated against rabies.

—Cooperating with the health department and assisting in the enforcement of state laws regarding dogs.

—Investigating all complaints concerning dogs.

—And supervising the county's animal shelter.

Approval of the humane society's request marks the end of a long struggle to secure funds for an animal shelter.

Forsyth County voters turned down March 17 a bond issue which would have provided \$1.16 million for county buildings, including a county animal shelter.

Animal Shelter Funds Sought

Members of the Forsyth Humane Society discussed ways last night to raise the final \$2,000 the society needs to construct an animal shelter here.

Architect George W. Colvin, who is designing the building, estimates that it will cost \$120,000. The society already has \$118,200. It has received \$40,000 from the county, another \$40,000 from the city, \$25,000 from the Schouler Fund of Winston-Salem Foundation, \$5,000 from the Hanes Foundation, and \$8,200 from private sources.

Members were told to ask their friends and neighbors for contributions.

The county has approved a site near Smith Reynolds Airport as the location of the shelter.

Plans Being Prepared For New Dog Shelter

Working drawings of Forsyth County's new animal shelter are being prepared, and bids will be asked early in February.

Construction should begin by the end of March "if everything goes according to plan," George Colvin of Colvin, Hammill and Walter,

architects for the shelter, said yesterday.

Despite the defeat of a bond issue last March, \$120,000 has been raised to build the shelter — \$40,000 each from the city, the county and the Forsyth Humane Society.

The shelter will be built on Fairchild Road near Smith Reynolds Airport. It will have a wood frame roof, concrete floors and walls of concrete blocks.

The shelter will be divided into three general areas: a kennel area with 40 runs; a service area with room for treatment, six isolation pens and a euthanasia chamber recently purchased by the humane society; and an administrative area with a public lobby and two offices.

"There are two general approaches to animal shelter design," Colvin said. "Some use three buildings, but we have combined all three so that animals can be moved from one area to another without having to go outside in bad weather."

"We are striving to make the building functional as well as pleasing — all on a limited budget," Colvin added. "We think we will have one of the finest shelters in the state."

Animal Shelter Committee Wants Steel Traps Banned

The Animal Shelter Advisory Committee agreed last night to ask the county attorney if it has the authority to recommend banning steel-jaw animal traps in Forsyth County.

The five members present agreed that the traps are inhumane and should be banned, but there was disagreement over whether such a recommendation to the Forsyth County commissioners would be within the committee's jurisdiction.

David Seaford, director of the Forsyth Humane Society, which has a close working relationship with the animal shelter, distributed literature calling the trap "one of the cruelest devices invented by man."

"I am very much against steel traps. They don't discriminate between children and household pets and the animal you're trying to get," Dr. Bert Kalet, the committee's chairman, said.

As a veterinarian, Kalet said, "I have seen the hurt that comes from them. They're just plain bad." (The humane society literature says that "as the pain becomes unbearable, many animals completely chew or twist off their own legs to free themselves.")

Betty Pitt, who is a member of both the advisory committee and the humane society, said she has discussed legislation to ban the traps with state Rep. Fred Hutchins and County Commissioner David L. Drummond. Mrs. Pitt said legislation could be sought at the state or county level.

Committee members noted that the Forsyth County Animal Shelter loans to the public, free of charge, a

humane, box-type cage that can be used to trap animals.

Kalet said animals caught in steel-jaw traps often lie in rain until they freeze or starve to death. He said that when people bring dogs to his veterinary hospital with the trap still on the animal, he breaks the trap into pieces so it cannot be used again.

The committee also discussed a clinic to spay or neuter animals put up for adoption at the shelter, and agreed that local veterinarians should be encouraged to participate. Dr. J. Harry Spillman, a committee member, said founda-

tion money might be available to set up such a project at the shelter.

Committee members also decided to hold an open house at the shelter for veterinarians and county commissioners to meet P. Van Craven Jr., the new animal control director.

Craven reported that the shelter, humane society and radio station WSJS teamed up last weekend to find homes for 20 puppies that had been brought to the shelter. (During his job interview with the committee, Craven said he would stress adoption of animals over destroying them.)

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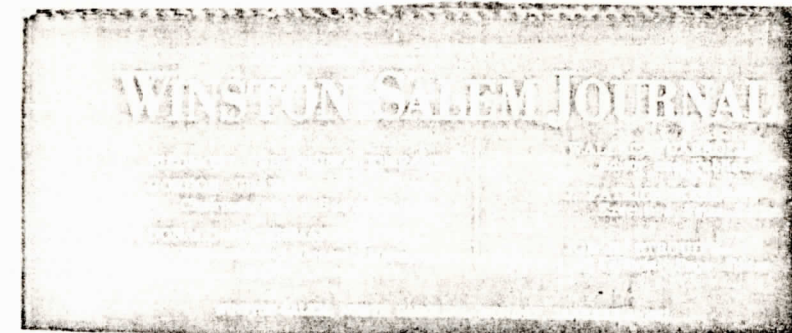
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Winston-Salem, N. C., Saturday, March 13, 1976



3 Aldermen Recommend

Leash Ordinance

By Tom Dillon
Staff Reporter

With some dog owners nipping at their heels, three of Winston-Salem's aldermen recommended a leash ordinance for dogs last night.

The action seemed to be supported by most of the 50 or so people who attended the meeting of the aldermanic public safety committee at City Hall. But predictably, there were arguments for both sides. And they probably will continue when the full board considers the law Monday.

"This whole leash law thing is a sham," said Gene A. Conrad, a dog owner of 1907 Georgia Avenue. Conrad said no one has shown him that an ordinance will affect dog bites. Most bites occur in homes, he said.

But Earl F. Williams of 641 Dover Drive told the committee that a law is needed. He said his wife and child were riding bicycles one day when they were chased by a Saint Bernard. They were almost hit by a car while trying to evade the dog, he said.

Spokesmen for the Forsyth Humane Society and the Winston-Salem Dog Training Club said they support the ordinance. And the three members of the public safety committee said most of their calls have been in favor of it.

Floyd S. Burge Jr., John G. Palmer and Richard N. Davis voted for the proposed law, which would allow dogs to leave home only "under the control of a competent person and restrained by a leash, chain or rope or other

means of adequate physical control." Alderman Ernestine Wilson missed the meeting.

There have been some reservations about whether the ordinance will work, and Palmer underscored those. He said some people are worried that they will be criminals if they let their dogs run in the parks. "I think they would be," he said, but he said he doubts charges would be pressed.

At any rate, he said there are enough dog bites in Forsyth County that something has to be done. He said there are 30,800 dogs in Charlotte and 28,000 dogs in Forsyth County, but he said there were 880 bites in Forsyth County last year, against 286 in Charlotte. He said he got those figures from Nicholas M. Meiszer, county manager here.

Palmer said he thinks the animal shelter here, which is operated by county government, has a "two-bite policy" — in other words, each dog gets a free bite before he is declared vicious. That needs to be looked into, he said.

The committee called for the ordinance to be effective Oct. 1. Davis said Meiszer has told him that the county, which will have to enforce the law, has told him it can be ready to enforce it in 45 to 60 days.

In other business last night, the public safety committee recommended installing stoplights at the entrances to Hanes Mall, the new shopping center off Silas Creek Parkway. It also approved continued planning for bicycle paths in the event some federal money for construction becomes available.

Leash Law Approved by Aldermen

By Tom Dillon
Staff Reporter

Winston-Salem's Board of Aldermen passed a leash law for dogs last night, but only after a warning that they may be in for another dogfight with the Forsyth County officials who must enforce it.

"We're passing a law for another unit of government to enforce, said C. C. Ross, East Ward alderman and mayor protem. "We should have some type of agreement. If not, we're going to get a bill from the county asking us for help enforcing the law."

Alderman Richard N. Davis of North Ward disagreed with Ross. "I asked Mr. Meiszer (Nicholas M., county manager) how much time it would take them to gear up to enforce the

law," Davis said, "and he said 45 days." Mayor Franklin R. Shirley said he has met with Meiszer and others about the law.

But John P. Bond III, assistant city manager, said he can't attest to anyone's having sent the county a copy of the law. "Are we supposed to have somebody whose job is liaison with the county?" he asked a reporter who inquired about the communication.

And Ross said, "We should have some understanding in writing before we pass this" — though he eventually voted with the six other aldermen to pass the law. Alderman Carl H. Russell of Northeast Ward is recuperating from a heart illness and missed the meeting.

The two-paragraph law, which was debated nearly two hours, says that dogs must stay in

their own yards unless they are on a leash. It will become effective Oct. 1.

One of its effects will probably be an increase in minor court cases. The law will make it possible for someone to take his neighbor to court if his neighbor has a dog running loose.

But the pick-up of strays and other loose dogs falls to the Forsyth County government, which runs an animal shelter and hires dogcatchers. And that will probably require some coordination between city and county — which are already disagreeing frequently about water and sewer matters and planning.

Proponents of the law say it will reduce the number of dog bites. But opponents challenge their figures. Gene A. Conrad, a dog owner who opposes the law, said John G. Palmer,

Northwest Ward alderman, is using inflated dog-bite figures to justify the law.

Palmer has complained that the animal shelter allows dogs a free bite before declaring them vicious. He says Meiszer has told him there were more than 800 bites in the county last year, but Conrad said hospital figures include only about 300.

In other matters, the aldermen approved seven appointments to a commission to push professional sports, approved low-interest loans to homeowners in decaying neighborhoods and passed a street-lighting plan for recently annexed areas near the Jos. Schlitz Brewing Co.

They approved plans to pave Bolton Street sidewalks near Bolton Elementary and Dalton Junior High schools.

WINSTON-SALEM JOURNAL

Winston-Salem, N. C. Wednesday, July 23, 1975

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Effect of Newly Passed Leash Law Is in Question

By Rick Edmonds
Staff Reporter

Now that the Winston-Salem Board of Aldermen has passed a strict new leash law, officials of Forsyth County government must decide how — and whether — to enforce it.

Several of them indicated yesterday that the county's animal control department will try to enforce the new ordinance. But how much to spend on keeping dogs from wandering and what tactics to use are still open questions.

John H. Tandy, chairman of the Board of County Commissioners, said he plans to talk about enforcement when the commissioners and aldermen meet for their

monthly breakfast at the Hyatt House this morning.

Which is the same as saying: the effect of the law the aldermen passed Monday on John Q. Dogowner and Fido is far from clear at this point.

The new leash law will not take effect until Oct. 1.

Until then, a wandering dog is likely to be impounded only if he behaves so obnoxiously as to prompt a complaint from a neighbor. Animal control officers often let a dog owner off with a warning on the first complaint (Alderman John G. Palmer calls this the "free bite" rule).

The owner's basic penalty, if his dog is caught running loose and creating a nuisance, is paying \$5 plus \$1 a day to get

him out of the animal shelter.

(The minority of county residents who register their dogs for taxes and have county dog licenses are a step ahead in recovering the pet. The shelter will call them up when the dog is picked up.)

The new city ordinance says that a dog may not leave its owner's premises unless restrained by some kind of chain. Theoretically the animal control officers could pick up any dog running free. In practice this would be a sharp break with enforcement geared to answering complaints.

Violating the leash law would be a misdemeanor. Again in theory, pet owners who did could be taken to court. But Tandy and other county officials indicated no

enthusiasm yesterday for initiating this sort of prosecution.

A more likely alternative is that impoundment fees here will be raised. "I know of one county that has a \$1,000 fee (to pick up a dog)," Tandy said. "Not many people try to get theirs out."

The county has been looking for ways to spend several million dollars on temporary public service jobs. One possibility would be to convert unemployed workers into an ersatz corps of dogcatchers. But this would just postpone deciding on a final level of enforcement. Those who see city-county feuding everywhere, suspect the alderman have used stray dogs for a neat political coup. It is at least a peculiar situation, as Alderman C.C. Ross noted Monday night, when one body of govern-

ment passes a law that another has responsibility for enforcing.

In the case of the leash law, the aldermen have placated citizens who are annoyed by wandering dogs. But it appears the county will have to bear both the expense of enforcement and the howls of protest from people whose pooches are seized.

This is only speculation, though, and Tandy said yesterday he is confident commissioners and aldermen can agree on an enforcement plan.

Opinion seems unanimous, though, that there will be an additional cost — that the present county animal control staff has its hands full now answering complaints under a weaker ordinance.

A Winston-Salem resident had an il-

lustrative experience not long ago. Half-an-hour after calling the shelter about two strays who sometimes camped in his yard, he saw a truck pull up and a man with a looped stick step out.

The dogs by this time had roamed off, though one was making her way cautiously back down the street. The man in the white uniform called the dog weakly, and that prompted the resident to suggest, perhaps without much tact, that the man would have to do more than that to capture the stray.

"Mister," the animal control officer replied without a hint of a smile. "If I chased after dogs all day, I'd never get my work done." And with that, he got in his truck and drove away.

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Dog Owners Start Barking Over Leashing Their Pets

By Vivian Brown
AP Newsfeatures Writer

In some neighborhoods, city, country, suburban, when they say "these are dog days" they literally mean it. There are more dogs than people or so it seems.

Some of the biggest neighborhood feuds are precipitated by man's best friend. There are the let-the-dogs-roam-and-have-fun exponents vs. the keep-your-dog-on-a-leash set.

In between may be the referee — the dog warden who doesn't really want to level fines even if regulations call for it, but who gets a little annoyed coping with the telephone calls of irate people night and day.

For some people the neighbor vs. dog bit defies solution.

"If it is a nice quiet morning, what does it matter if my dog goes off for a stroll in the pre-dawn?" argues one suburban householder, who says it is really the only way his dog can be properly aired before he himself goes off to work.

But what happens before Fido returns to his own premises is what concerns the dog-on-the-leash proponents.

"Let him trail his pet one morning and see what happens. Our cat is bullied on his own porch, garbage cans are sometimes a dog arrives in a pack, a threat to our own animal who is in his dog run on his own property . . ."

Then there is the working

couple who must lock up a pet when they go off to work. The animal may bark at every sound.

"Unless people want us to let our dog roam, we must keep it in the house and if it is disturbed it will bark. The whole idea is to have that kind of protection. Our dog is aired on a leash or he walks along with us unleashed, morning and evening and at other times. We wanted a watch dog and that is what we have . . ."

That couple stubbornly refuses to build either a run or to put their dog on the long leash on a line, the less attractive alternative. In either case, the dog would bark more, they have told neighbors.

Then there is the elderly city couple who want a pet mainly for security reasons, but they do not have a chance to break one in.

"We've had the nicest little puppies — one we really loved — but our neighbors couldn't tolerate the whining even for a few nights. So three times we've returned puppies to the pound."

The dog pound has suggested putting a clock near the puppy so that the ticking would provide a soothing effect, but it hasn't worked. It often takes a few weeks before a little puppy feels at home in his new surroundings. Meanwhile the pound is trying to get a younger puppy for them which may become acquainted with its new home sooner. Younger puppies are often more difficult to train in other ways, though. They often miss the

other puppies at meal time, but at least the yipping would be curbed. Intensive training cannot really be applied to puppies as it is said to make them nervous.

Another elderly couple adopted a little dog for their small apartment for security reasons and say that is has "grown as big as an elephant." It not only has a voracious appetite, but it dominates their small place, takes up the sidewalk when they walk near their suburban home and "scares children" even though it is quite docile.

If one has a choice it is always better to take a purebred but these are seldom given away. A purebred is assurance of what you are getting. The appearance, disposition, habits, size and all the rest are built-in features that may be prejudged. On the other hand, a mixed dog, although attractive and lovable, may give no indication of what he is going to be when he matures.

As for all those people who argue that dogs are into their flower beds, vegetable gardens, etc., with a growing dog population, maybe they should do some protecting, too. If a dog owner is required to leash a dog and so on — perhaps build an expensive run or other alternative — perhaps the flowerbed people should fence in their little gardens.

The growing crime rate has escalated people's dependence on dogs. In cities everybody complains about dogs being nuisances, but the poor beast

doesn't know what he is doing wrong, unless his high-IQ master has taken the time and energy to train him. Many do not bother. Nor does a dog know a flower bed from a garbage dump unless he has been trained.

In any event, to keep everybody happy and for his own peace of mind, each dog owner should try to find a solution to his problem. In the country and suburban areas, an enclosed dog run is a good way to provide exercise for the dog and, of course, he should be trained to run free on his own property. Although another solution is to attach a dog's long leash to a line, between two trees or whatever, it is very risky for the dog who could be attacked by other animals and bigger dogs. If he became wildly excited he could also choke on the line if it became twisted.

Sentinel 3-15-76

Animal Control Director Working on Shelter's Image

By PAUL SLATER
Sentinel Staff Reporter

The Forsyth County Animal Shelter, the target of continuous complaints and bad publicity in recent years, is embarking on a major effort to improve its image and help the public understand its role.

At the helm is the county's new animal control director, Van Craven, who wants to forget the past and turn to what the Animal Shelter Advisory Committee calls "a new beginning."

Craven, 27, began work at the shelter three weeks ago after the forced retirement of Dewey F. Southard, who headed animal control since the shelter opened six years ago. Southard was blamed for most of the shelter's image problems over the years.

Sitting in his office at the modern, spotless facility on Fairchild Drive south of the airport ("It's beautiful, and most people don't even know what we've got here"), the soft-spoken Craven talked about his fondness for animals as well as his awareness that "we have a job to do."

Enforcement

That job is to enforce the county's animal control ordinance, which now includes the Winston-Salem leash law. The job is naturally a difficult one because people generally don't like other people messing with their pets — especially a uniformed man with a menacing-looking snare and wearing a gun.

*continued
next page*

Shelter

Continued

"These are not guys who hate animals," Craven said of his seven animal control officers and three kennel men. Craven himself was sharing his office last week with "Smoky," a golden retriever that belongs to his fiancée, and says he has always had animals of his own — dogs, cats, ducks, chickens, and at one time a monkey.

Craven, who owns an Irish setter named "Ginger" (female and spayed), said one of the most troubling aspects

of his job is deciding which dogs to put to death. In January, 472 of the 727 dogs impounded had to be humanely destroyed in the shelter's carbon monoxide chamber — which is why Craven wants to stress adoption of strays and licensing of household pets.

"Our objective is not to pick up more dogs, but to have to pick up less," he said.

The key to this is for owners to register their dogs at tax-listing time and obtain an identification tag. Craven said that when someone loses his dog (or cat) he should contact the shelter immediately. The shelter is required to keep dogs at least five days before destroying them.

Craven estimated that only 30 to 40 per cent of the lost dogs in Forsyth are reclaimed, and said that only 10 per cent of the dogs picked up have registration tags. There are about 29,000 registered dogs in Forsyth, and a survey is under way to find out just how many dogs are not registered.

Craven also is stressing courteous conduct by his employes — which is sometimes not easy when confronted with an irate dog owner. "If you calmly explain why a dog was picked up,

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they'll understand," he said.

Significantly, Craven has opened channels of communication with the Forsyth Humane Society, which over the years has had a stormy relationship with the shelter but is now well represented on its advisory committee.

As soon as he was hired, Craven visited animal shelters in Charlotte, Greensboro and Raleigh to find out how they do things. "As far as facilities, we have the nicest," he said, but he picked up some operating ideas from his counterparts around the state.

Craven's plans for the shelter include the possibility of having two rabies clinic this year — one in the spring and one in late summer, in cooperation with local veterinarians.

In his budget he is requesting another animal control officer so there will be four men patrolling the city and county during the day and more than one man at the shelter at night. Three of his seven officers are public service employes whose salaries are paid by federal funds that run out in June.

He would like to have a stepped-up adoption program,

and is receptive to the idea of spaying or neutering dogs before they are put up for adoption.

Craven also would like to see the county adopt a system of citing dog owners in violation of the leash law. A citation system works well in Charlotte, he said, but in Forsyth County the animal control officers are helpless to do anything if a dog is in violation of the law but is on private property.

Dogs running loose on private property, without tags, are the biggest control problem, Craven said, yet "there's nothing we can do." Craven is not asking for authority for his men to enter private property, but he would like to be able to cite owners for a violation — much like a parking ticket.

The shelter's advisory committee, which picked Craven over seven other applicants for the position, is planning an open house later this month for the commissioners and veterinarians to get acquainted with Craven and his staff.

In discussing the "meet the director" gathering, one committee member said it sounded like they were planning an event to pay their respects to someone who died.

Not at all, replied committee member Sharon Smith. "We're living again."

Shelter Fees, Hours

The Forsyth County Animal Shelter on Fairchild Drive south of Smith Reynolds Airport is open from 8 a.m. to 6 p.m. Monday through Friday, 8 a.m. to 5 p.m. Saturday, and 1 to 5 p.m. on Sunday.

During these hours, visitors may inspect the shelter's 34 pens and select a dog or cat for adoption. The county charges \$5 for a dog and \$3 for a cat. That fee includes the license for the current year, but those who adopt a dog must take it to a veterinarian for a rabies shot at their own expense.

Dogs picked up by animal control officers may be redeemed for \$5, plus \$1 a day for boarding. Stray dogs are required to be held at least five days before they are destroyed or put up for adoption. Dogs that have bitten someone are quarantined for 10 days.

During January, the shelter destroyed 472 dogs, found new homes for 182 dogs, returned 76 dogs to their owners, and sold 30 for medical research. An average of about 750 dogs a month pass through the shelter in winter, and many more in the summer months.

Editorial The New Dogcatcher

As much as Van Craven, the new animal control director of Forsyth County, seems to merit encouragement and appreciation by the community, he will suffer a burden that was none of his making in the months to come.

Craven will be the man responsible for cleaning up the reputation of the county animal shelter. For the six years of its history, the shelter has received complaints ranging from the emotional outbursts of citizens who have had their stray pets seized by the dogcatchers, to charges that the animal shelter was not just treating its captives brutally, but was selling them down the river in droves as laboratory experiment fodder.

The one thing that was clear during this long barrage of criticism was that someone was not doing a proper job. Craven has the thankless task of redeeming the image of his department, while establishing his own reputation with the community at the same time.

He is off to a good start. One of his first acts has been to begin talking and working with the Humane Society. He thus bridges a gap that has remained open far too long. There is no reason why the animal shelter and the Humane Society should pretend that they have nothing to do with one another, as has been the cause too often in the past. Cooperation with local humane groups should

produce active programs for vaccination, spaying and neutering and public education in animal care, to go along with the county's fine shelter facility.

Craven is also making it public policy to stress adoption policies of stray animals. While it has never been "policy" systematically to slaughter animals at the shelter, neither has much positive effort been made to encourage the community to adopt homeless strays facing extermination.

Craven thinks one of the most important jobs he will have will be enforcing the new city leash law. This duty is not likely to win him very many friends among pet owners. Enforcing the leash law through a citation and fine system is Craven's approach to city-wide pet control. The rapid growth of the pet population makes this a logical, practical solution. We trust that seizure and confinement will continue to be the policy when single animals or packs of strays become an active nuisance or danger, however.

Dogcatchers are not often popular, and we wish Craven success in what will be largely a thankless task. His regard for animals and concern for the total environment of people and their pets gives him a promising head start in his new job.

Sentinel 3-18-76

County Government Here Impresses Official of City Managers Association

J. 5-1-68

By Joe Goodman
Staff Reporter

Orin F. Nolting seems to have a deep respect for county government and how it can help solve some of the problems of urban sprawl.

This is significant, since Nolting is the executive director emeritus of the International City Managers Association — that's city managers, not county managers.

Nolting spent Monday and part of yesterday here with County Manager Robert House seeing how Forsyth County's government works. A report on his visit will be published as part of a larger report on county government in the United States to be done later.

Nolting's visit here is something of a distinction since he is visiting only five counties of the nation's 43 with county managers. The other four are Montgomery County, Md.; Fairfax County, Va.; Fulton County, Ga.; and McMinn County, Tenn.

Why Forsyth County? Nolting said in an interview that the county has one of the best government organizations in the nation.

He said he is impressed with the consolidation of certain city and county functions such as schools and libraries.

"And you've done all these things without a huge debt," he said. The county has a bond indebtedness now of less than

\$10 million, and voters recently approved another \$25 million for bonds.

Much of the interview was devoted to describing the problems of the cities and how county governments can deal with them.

He said the best city taxpayers have moved to the suburbs. Left in the city are groups that pay little in taxes and expressways that have been taken off the tax books.

So, he said, the central cities must turn to the federal government for support. "There aren't many things a city government does for which it doesn't get federal support."

Still, the city is called on for services. For example, Evanston, Ill., a suburb of Chicago, buys water from Chicago. Some suburbs pipe sewage to Detroit treatment plants.

Nolting said that these smaller suburban towns refuse to become parts of the big cities, but they work out agreements

with the big cities for services. He said that, in time, the trend might be simply to transfer most government functions to the county, because it usually has the legal and constitutional structure to conduct these functions. Another way is to consolidate, with only one government surviving, he said.

Wasting Money

Your editorial "City - County Hall" (March 10), endorsing the \$22 million bond issue proves two things to me: Your editorial staff is the most biased in the U.S. and they must think Forsyth County property owners and taxpayers are a bunch of bumbling idiots that would vote for it on the pretext that all of the new justice building is needed for court space. Anyone that would believe that could not find his way home. Ever since the contract was let for the present Hall of Justice, you have written editorial after editorial lambasting the building of it. The building was paid for without a tax increase or a bond issue. That was bad because the commissioners were Republicans. Now we have Democrats and it is just fine to borrow \$22 million and pay \$10 million in interest and get it by later on raising taxes to pay the 20-year debt.

What the whole thing boils down to is, our present board of commissioners has sold out the county people outside of Winston-Salem to the whims of Frank Shirley and his cohorts, the board of aldermen. An example is giving the city our county water system and taking over Reynolds Memorial Hospital that was built to pay off a Democrat political debt and this bailed the city out of financial disaster unless city taxes were raised. Your statement about a showcase for better government is a bunch of hogwash. Each time you liberals want to gouge the taxpayers for more money you cite better service. The present board of commissioners has spent millions more than the previous board, added over 500 employes and I challenge you to find anyone out in the county that says his service has been improved.

One final note: The idea of a special election to cost the tax payers an extra \$30-\$40,000 when there is an election 45 days later is absolutely ridiculous.

—GRADY P. SWISHER

Kernersville.

Sentinel 3-16-76

APPENDIX 2

FORSYTH COUNTY ANIMAL ORDINANCE

Chapter 6

ANIMALS*

- Art. I. In General, §§ 6-1-6-23
 Art. II. Rabies Control, §§ 6-24-6-43
 Art. III. Impoundment, §§ 6-44-6-50

ARTICLE I. IN GENERAL

Sec. 6-1. Definitions.

As used in this chapter, the following words mean:

Animal shelter: Any premises designated by the county for the purpose of impounding and caring for all animals found running at large or otherwise subject to impounding in accordance with the provisions of this chapter.

At large: Any animal shall be deemed to be at large when he is off the property of his owner and not under the control of a competent person.

Exposed to rabies: An animal has been exposed to rabies within the meaning of this chapter, if it has been bitten by, or been exposed to, any animal known or suspected to have been infected with rabies.

Kennel, dealer, breeder or pet shop: Any person, group of persons, partnership or corporation engaged in buying, selling, breeding or boarding pet animals.

Neutered male: Any male which has been operated upon to prevent reproduction.

Owner: Any person, group of persons, firm, partnership or corporation owning, keeping, having charge of, sheltering,

*Editor's note—By resolutions adopted by their governing bodies, the ordinance from which this chapter is derived is applicable within the corporate limits of the City of Winston-Salem and the Town of Kernersville.

Cross references—Noisy animals, § 15-1(b)(4); keeping of swine, goats, geese or peafowl prohibited except on bona fide farms, § 23-5L.

State law reference—Authority of county to levy taxes to support animal protection and control programs, G.S. 153A-149(c)(6).

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feeding, harboring or taking care of any animal. The owner is responsible for the care, actions and behavior of his animals.

Restraint: An animal is under restraint within the meaning of this chapter if he is controlled by means of a chain, leash or other like device; or is sufficiently near the owner or handler to be under his direct control and is obedient to that person's commands; or is on or within a vehicle being driven or parked; or is within a secure enclosure.

Spayed female: Any female which has been operated upon to prevent conception.

Vicious animal: One who has made an unprovoked attack on a human by biting or in any manner causing abrasions or cuts of the skin; or one who habitually or repeatedly attacks farm stock and other pets. (Ord. of 12-1-69, § 4)

Sec. 6-2. Establishment and composition of animal control department; appointment and compensation of department employees.

There is hereby created an animal control department of the county, which shall be composed of such employees as shall be determined by the board of county commissioners. Such employees shall be appointed and compensated in accordance with policies of the board of county commissioners. (Ord. of 12-1-69, § 1)

State law references—Authority to create departments, G.S. § 153A-76; authority to appoint animal control officers, G.S. § 67-30.

Sec. 6-3. General duties of animal control department.

The animal control department shall be charged with the responsibility of:

- (1) Enforcing, in this county, all state and county laws, ordinances and resolutions relating to dogs or to the care, custody and control of animals.
- (2) Cooperating with the health director and assisting in the enforcement of the laws of the state with regard to

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animals and especially with regard to vaccination of dogs against rabies and the confinement or leashing of vicious animals.

- (3) Investigating cruelty or animal abuse with regard to dogs, cats and other animals.
- (4) Making such canvasses of the county, including the homes in the county, as it deems necessary for the purpose of ascertaining that all dogs are duly and properly listed for tax purposes, and that all dogs are vaccinated against rabies.
- (5) Operating, pursuant to policies of the board of county commissioners, the county animal shelter.
- (6) Issuing tax tags for dogs and maintaining a reference file in connection therewith, all in accordance with the provisions of this chapter and the policies of the board of county commissioners. (Ord. of 12-1-69, § 3)

Sec. 6-4. Records to be kept by animal control department.

It shall be the duty of the animal control department to keep, or cause to be kept, accurate and detailed records of:

- (1) Impoundment and disposition of all animals coming into the animal shelter.
- (2) Bite cases, violations and complaints, and investigation of same.
- (3) All monies belonging to the county which were derived from impoundment fees, penalties and sales of animals.
- (4) All other records deemed necessary by the county manager. (Ord. of 12-1-69, § 16)

Sec. 6-5. Animal control advisory committee.

There is hereby created an advisory committee to advise the board of county commissioners and the county manager with respect to animal control matters. The advisory

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committee shall be composed of members appointed by the board of county commissioners to serve at the pleasure of the board. (Ord. of 12-1-69, § 2)

State law reference—Authority to create commissions, boards and other government agencies, G.S. § 153A-76.

Sec. 6-6. General duties of keepers of animals.

It shall be unlawful for any person to keep animals under unsanitary or inhumane conditions or to fail to provide proper food and water daily, shelter from the weather and reasonably clean quarters for such animals, or to fail to provide proper medical attention for sick, diseased or injured animals, as well as adequate inoculation against disease, according to the species of the animal kept. (Ord. of 12-1-69, § 10)

Sec. 6-7. Cruelty to animals.

It shall be unlawful for any person to molest, torture, torment, deprive of necessary sustenance, cruelly beat, needlessly mutilate or kill, wound, injure, poison, abandon or subject to conditions detrimental to its health or general welfare any animal, or to cause or procure such action. The words "torture" and "torment" shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted; but such terms shall not be construed to prohibit lawful shooting of birds, deer and other game for human food; nor to prohibit the animal control department or its agents or veterinarians from destroying dangerous, unwanted or injured animals in a humane manner. (Ord. of 12-1-69, § 11)

State law references—Similar provisions, G.S. § 14-360; authority of county to prohibit abuse of animals, G.S. § 153A-127.

Sec. 6-8. Confinement, muzzling and control of vicious or dangerous animals.

It shall be unlawful for any owner to keep any vicious, fierce or dangerous animal within the county, unless it is confined within a secure building or enclosure, or unless it is securely muzzled and under restraint by a competent person

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who, by means of a leash, chain or rope, has such animal firmly under control at all times. (Ord. of 12-1-69, § 9)

State law reference—Similar provisions, G.S. § 106-381.

Sec. 6-9. Dogs creating nuisance prohibited from running at large.

It shall be unlawful for any owner to permit his dog to run at large, if such dog is reported as creating a public nuisance and an animal control officer determines, after investigation, that the reports are supported by the evidence. In such cases, and only in such cases, the owner must keep the dog that has been found to be creating a public nuisance on his own property at all times, unless the dog is under restraint. (Ord. of 12-1-69, § 8)

Sec. 6-10. Listing of dogs for tax purposes; tax tags.

(a) It shall be unlawful for any dog owner to fail to provide his dog, subject to listing for ad valorem tax purposes in this county, with a tax tag to be issued by the county showing that the dog has been listed for tax purposes in accordance with law, and to take such action as is necessary to insure that such tax tag is worn by the dog at all times, except as herein provided. It is the purpose of this section to supplement state law by providing a procedure for the enforcement of laws requiring dogs to be listed for tax purposes.

(b) It shall be the duty of the county administrative staff to furnish all persons listing a dog for ad valorem tax purposes with a tax tag which shall have stamped thereon the year for which issued and which shall be of such color, shape or texture as to distinguish it from the tag issued for the preceding year. Such tag shall be numbered and a record shall be kept of the person to whom the tag is mailed or otherwise delivered.

(c) Tax tags issued under this section shall be valid for the twelve-month period beginning September first and ending August thirty-first of each year.

(d) It shall be unlawful for any dog owner to fail to provide his dog with a collar or harness to which a current tax

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tag issued under this section is securely attached. The collar or harness, with attached tax tag, must be worn at all times, except during the time the dog is performing at shows, obedience trials, tracking tests, field trials, training schools or other events sanctioned and supervised by a recognized organization.

(e) It shall be unlawful for any person to use for any dog a tax tag issued for a dog other than the one using the tag. (Ord. of 12-1-69, §§ 5, 7; Res. of 1-10-72)

Sec. 6-10.1. Annual privilege license tax.

(a) There is hereby levied and imposed an annual license tax in the amount of two dollars (\$2.00) per dog, male or female, on the privilege of keeping dogs within Forsyth County.

(b) The liability for the tax shall be determined annually as of January first. Each owner or keeper of a dog within Forsyth County shall list his or her dog for the annual privilege license tax during the ad valorem tax listing period on a form prescribed by the tax supervisor.

(c) The tax hereby levied and imposed shall be due and payable on the first day of September of the fiscal year for which the tax is levied, and shall be paid at par or the face amount of the tax if paid before the first day of January thereafter. On and after the first day of January, the tax shall bear interest and penalties as provided for ad valorem taxes and shall be subject to collection in the same manner as provided for the collection of ad valorem taxes.

(d) Failure of the owner or keeper of a dog to list for the annual license tax within the listing period shall constitute a violation of this section and a misdemeanor as provided by G.S. 14-4. Additionally, there is hereby imposed for failure to list during the listing period a penalty of ten per cent (10%) of the amount of the tax for the year during which the dog was not listed as required. The penalty hereby imposed shall be computed and collected in the same manner as provided for the late-listing penalty on discovered property for ad valorem tax purposes.

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(e) This section shall become effective on February 1, 1974, and shall constitute permanent provisions that shall stand from year to year until amended or repealed. For the fiscal year 1974-1975, the tax levied and imposed herein shall be determined as of January 1, 1974; and the owner or keeper shall list as of that date. Nothing herein shall affect the requirement pertaining to the listing and taxation of dogs and other animals for ad valorem property tax purposes. (Ord. of 1-7-74, § 1)

Editor's note—Ord. of Jan. 7, 1974, did not expressly amend this Code, hence codification of § 1, as § 6-10.1 was at the discretion of the editors.

Sec. 6-11. Exemptions from chapter.

Hospitals, clinics and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this chapter, except sections 6-6, 6-7, 6-8 and 6-9. (Ord. of 12-1-69, § 14)

Sec. 6-12. Interference with enforcement of chapter.

It shall be unlawful for any person to interfere with, hinder or molest the animal control department or its agents or animal control officers or veterinarians in the performance of any duty authorized by this chapter, or to seek to release any animal in the custody of such agents, except as otherwise specifically provided. (Ord. of 12-1-69, § 15)

Secs. 6-13—6-23. Reserved.

ARTICLE II. RABIES CONTROL

Sec. 6-24. Compliance with state law; article as supplement to state law.

(a) It shall be unlawful for any dog owner or other person to fail to comply with the state laws relating to the control of rabies.

(b) It is the purpose of this article to supplement the state laws by providing a procedure for the enforcement of state laws relating to rabies control, in addition to the criminal penalties provided by state law. (Ord. of 12-1-69, § 5)

State law reference—Rabies control, G.S. §§ 106-364—106-387.
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Sec. 6-25. Inoculation of dogs, cats and other pets.

(a) It shall be unlawful for an owner to fail to provide current inoculation against rabies (hydrophobia) for any dog or cat six (6) months of age or older. Should it be deemed necessary by the county health director, the board of county commissioners or the state public health veterinarian that other pets be inoculated in order to prevent a threatened epidemic or to control an existing epidemic, it shall be unlawful for an owner to fail to provide current inoculation against rabies for that pet.

(b) A rabies inoculation shall be deemed "current" for a cat if the inoculation has been given within the preceding twelve (12) months. A rabies inoculation shall be deemed "current" for a dog if the inoculation has been given within the preceding thirty-six (36) months. (Ord. of 12-1-69, § 6; Res. of 7-6-71; Ord. of 10-15-73, §§ 1, 2)

Sec. 6-26. Inoculation tag for dogs.

(a) Upon complying with the provisions of section 6-25, there shall be issued to the owner of the dog inoculated a numbered metallic tag, stamped with the number and the year for which issued, and indicating that the dog has been inoculated against rabies.

(b) It shall be unlawful for any dog owner to fail to provide his dog with a collar or harness to which a current tag issued under this section is securely attached. The collar or harness, with attached tag, must be worn at all times, except during the time the dog is performing at shows, obedience trials, tracking tests, field trials, training schools or other events sanctioned and supervised by a recognized organization.

(c) It shall be unlawful for any person to use for any dog a rabies inoculation tag issued for a dog other than the one using the tag. (Ord. of 12-1-69, §§ 5, 7)

Sec. 6-26.1. Evidence of inoculation of cats.

Cats shall not be required to wear the metallic tag referred to in section 6-26, but the owner of a cat shall maintain

sufficient written evidence to prove that his cat has a current rabies inoculation. (Ord. of 10-15-73, § 3)

Sec. 6-27. Report and confinement of animals biting persons or showing symptoms of rabies.

(a) Every animal which has bitten any person or which shows symptoms of rabies shall be confined immediately and shall be promptly reported to the animal control department, and thereupon shall be securely quarantined, at the direction of the animal control department, for a period of ten (10) days, and shall not be released from such quarantine except by written permission from the animal control department.

(b) Animals quarantined under this section shall be confined in a veterinary hospital or at the county animal shelter, at the expense of the owner; provided, however, that if an animal control officer determines that the owner of an animal which must be quarantined has adequate confinement facilities upon his own premises, the animal control officer shall authorize the animal to be confined on such premises. The animal control officer may not authorize the animal to be confined on the owner's premises unless the owner has a fenced-in area in his yard and the fenced-in area has no entrances or exits that are not locked. If the animal is confined on the owner's premises, the animal control officer shall revisit the premises for inspection purposes at approximately the middle of the confinement period and again at the conclusion of the confinement period.

(c) In the case of stray animals whose ownership is not known, the supervised quarantine required by this section shall be at the county animal shelter.

(d) If rabies does not develop within ten (10) days after an animal is quarantined under this section, the animal may be released from quarantine with the written permission of the animal control department. If the animal has been confined in the county animal shelter, the owner shall pay a sum equal to two dollars (\$2.00) for each day of confinement to

defray the cost of feeding, upon reclaiming the animal. (Ord. of 12-1-69, §§ 6(a), (b), 13; Res. of 7-20-70)

State law reference—Confinement of animals suspected of having rabies, G.S. §§ 106-378, 106-380.

Sec. 6-28. Destruction or confinement of animal bitten by rabid animal.

Animals bitten by a known rabid animal shall be immediately destroyed, unless the owner agrees to strict isolation of the animal in the animal shelter or at a veterinary hospital for a period of six (6) months; or if the animal has a current rabies inoculation, revaccination and confinement for a period of six (6) weeks. (Ord. of 12-1-69, § 6(e))

State law reference—Similar provisions, G.S. § 106-377.

Sec. 6-29. Area-wide emergency quarantine.

(a) When reports indicate a positive diagnosis of rabies, the county director of public health shall order an area-wide quarantine for such period as he deems necessary. Upon invoking of such emergency quarantine, no pet animal shall be taken into the streets or permitted to be in the streets during such period. During such quarantine, no animal may be taken or shipped from the county without written permission of the animal control department, and each member of the animal control department and the police and sheriff's departments is hereby fully authorized, during such emergency, to impound any animal found running at large in the county. During the quarantine period, the animal control department or the local health authorities shall be empowered to provide for a program of mass immunization by the establishment of temporary emergency rabies vaccination facilities strategically located throughout the county.

(b) In the event there are additional positive cases of rabies occurring during the period of quarantine, such period of quarantine may be extended at the discretion of the county director of public health. (Ord. of 12-1-69, § 6(d), (f))

State law reference—Quarantine in districts infected with rabies, G.S. § 106-375.

Sec. 6-30. Postmortem diagnosis.

(a) If an animal dies while under observation for rabies, the head of such animal shall be submitted to the county health department for shipment to the state laboratory of hygiene for diagnosis.

(b) The carcass of any dead animal exposed to rabies shall be surrendered to the animal control department. The head of such animal shall be submitted to the county health department for shipment to the state laboratory of hygiene for diagnosis. (Ord. of 12-1-69, § 6(c), (h))

State law reference—Similar provisions, G.S. § 106-379.

Sec. 6-31. Unlawful killing, releasing, etc., of certain animals.

It shall be unlawful for any person to kill or release any animal under observation for rabies, any animal suspected of having been exposed to rabies, or any animal biting a human, or to remove such animal from the county without written permission from the animal control department and the county director of public health. (Ord. of 12-1-69, § 6)

Sec. 6-32. Failure to surrender animal for quarantine or destruction.

It shall be unlawful for any person to fail or refuse to surrender any animal for quarantine or destruction as required in this article, when demand is made therefor by the animal control department. (Ord. of 12-1-69, § 6(b),(i))

Secs. 6-33—6-43. Reserved.

ARTICLE III. IMPOUNDMENT**Sec. 6-44. Generally.**

Any animal which appears to be lost, strayed or unwanted, or which is found to be not wearing a currently valid tax tag or a currently valid rabies vaccination tag, as required by state law or this chapter, or which is found at large or not under restraint in violation of this chapter,

shall be impounded by the animal control department and confined in the animal shelter in a humane manner. Impoundment of such an animal shall not relieve the owner thereof from any penalty which may be imposed for violation of this chapter. (Ord. of 12-1-69, §§ 5, 7, 8, 12)

State law reference—Authority of county to establish and operate animal shelters, G.S. § 153A-442.

Sec. 6-45. Notice to owner.

Immediately upon impounding an animal, the animal control department shall make reasonable effort to notify the owner and inform such owner of the conditions whereby the animal may be redeemed. If the owner is unknown, notice of such impoundment shall be posted for five (5) days, or until the animal is disposed of, on a bulletin board at the animal shelter, and the time and place of the taking of such animal, together with the time and date of posting the notice shall be stated therein. (Ord. of 12-1-69, §§ 12(b), 13)

Sec. 6-46. Redemption by owner generally.

The owner of an animal impounded under this article may redeem the animal and regain possession thereof within one hundred twenty (120) hours (five (5) days) after notice of impoundment is given or posted, as required by section 6-45, by complying with all applicable provisions of this chapter and paying a redemption fee of five dollars (\$5.00), plus a boarding fee of one dollar (\$1.00) for each day the animal is held at the animal shelter. If a dog has been impounded for failure to wear a tax tag, the dog must be listed for taxes, together with any interest and penalties provided by law, before the dog may be redeemed. (Ord. of 12-1-69, § 13)

Sec. 6-47. Destruction or adoption of unredeemed animal generally.

(a) If an impounded animal is not redeemed by the owner within the period prescribed in section 6-46, it may be destroyed in a humane manner or offered for adoption by any responsible adult who is willing to comply with this

chapter. Such animal may be adopted by the first such person who pays an adoption fee of five dollars (\$5.00) for such animal; provided that, the adoption fee for properly licensed animal dealers who adopt large numbers of animals on a regular basis shall be two dollars (\$2.00) per animal.

(b) No dog owner may be permitted to adopt his own dog under the provisions of this section, but he must comply with the provisions of section 6-46 in order to reclaim a dog that has been impounded pursuant to state law or this article.

(c) The animal control department shall recommend that all adopted female dogs and cats released from the animal shelter be spayed.

(d) No animal which has been impounded by reason of its being a stray, unclaimed by its owner, shall be allowed to be adopted from the animal shelter during a period of emergency rabies quarantine invoked pursuant to section 6-29, except by special authorization of the public health officials and the superintendent of the animal control department. (Ord. of 12-1-69, §§ 6(d), 12(a), (c), 13; Res. of 5-3-71)

Sec. 6-48. Procedure with respect to redemption or adoption of unvaccinated dog.

(a) Unless proof of a current rabies vaccination can be furnished, every person who either adopts or redeems a dog at the animal shelter will be given a "proof of rabies vaccination card" at the time of the redemption or adoption. This card will be stamped with a date stating the maximum time limit allowed to take the dog to the veterinarian of such person's choice for rabies vaccination. The time limit for dogs six (6) months and older will be forty-eight (48) hours, with Sundays and holidays excluded. For puppies under six (6) months, the time limit will vary according to their age.

(b) The "proof of rabies vaccination card" will be completed and returned to the animal shelter by the veterinarian. If this card is not returned to the animal shelter within the time limit specified on the card, an animal control officer will be dispatched to retrieve the dog.

(c) Payment for the rabies vaccination provided for in this section will be the responsibility of the person redeeming or adopting the dog. (Res. of 7-6-71)

Sec. 6-49. Suspected rabid animals not to be redeemed or adopted.

Notwithstanding any other provision of this article, animals impounded which appear to be suffering from rabies shall not be redeemed or adopted, but shall be dealt with in accord with article II of this chapter. (Ord. of 12-1-69, § 12(d))

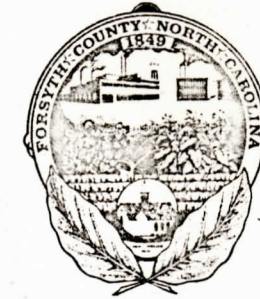
Sec. 6-50. Destruction of wounded or diseased animals.

Notwithstanding any other provision of this article, any animal impounded which is badly wounded or diseased (not a rabies suspect) and has no identification shall be destroyed immediately in a humane manner. If the animal has identification, the animal control department shall attempt to notify the owner before disposing of such animal, but if the owner cannot be reached readily, and the animal is suffering, the animal control department may destroy the animal at its discretion in a humane manner. (Ord. of 12-1-69, § 12(d))

APPENDIX 3

CONTROL & SHELTER OF ANIMALS
IN FORSYTH COUNTY, NORTH CAROLINA

DECEMBER 1967



CONTROL & SHELTER

of

ANIMALS

in

Forsyth County

North Carolina

DECEMBER 1967



G. R. House, Jr.
County Manager

County of Forsyth

Government Center
Winston-Salem, N. C.

December 13, 1967

Mr. Fred D. Hauser
Mr. Jack L. Covington
Mrs. Herman (Bess) Warren
Mr. Grover F. Shugart, Sr.
Dr. Walter L. Thompson, Jr.

Dear Commissioners:

Sometime ago, you directed the County Manager to study and make recommendations to you relative to animal control and shelter provisions.

A very exhaustive study has been completed and is herewith submitted for your perusal. As you read the report, you will find that Forsyth County does not have a legal obligation to build an animal shelter or operate an animal control program; however, in keeping with your Urban County Government Resolution, it is recommended that you provide both.

The cost and method of financing the construction of the shelter is now being studied by your Building Committee and will be presented to you with the Capitol Building Needs Report at a subsequent date.

The operating costs of the shelter will be directly related to the type of animal control program you conduct. As you read the report, you will find that an animal control program is many faceted; and it is recommended that as you develop a County-wide animal control program, that it be a stray dog control program. It is believed that the income from the dog tax will underwrite such a program since you will no longer be paying dog damage claims. This will, of course, be a loss to the school budget; however, this can be discussed at a subsequent date.

It should be stressed that the recommended stray dog control program would not be staffed nor have the authority to enforce City ordinances such as Section 4-31, 4-32, 4-33, 4-34, etc. of the City Code of the City of Winston-Salem, which deals with barking, howling, or whining dogs, notice to abate, or with dog fighting, etc.

The effective date of implementation of this recommendation to operate a County-wide stray dog program should be after the construction of a shelter and would necessitate an extension of the present financial arrangement between the City and County until completion of construction. It is also assumed that any equipment or related animal control program assets will be transferred to the County when the County takes over the entire program.

Sincerely,

G. R. House, Jr.
County Manager

A STUDY
for
FORSYTH COUNTY, N. C.

ANIMAL CONTROL
and
SHELTER PROVISIONS

6611-1

ACKNOWLEDGMENTS

Only through the help and cooperation of many different people and organizations was it possible to obtain the necessary background and information needed to complete this study.

Although the number of persons, groups, and organizations who contributed information is too numerous to list here, special appreciation is extended to: Mr. Fred Pettyjohn, Forsyth County Research Analyst, for compiling, sifting, and arranging the facts and presenting the information; the Forsyth County Humane Society for their sincere concern and continual encouragement; the Humane Society of the United States for their evaluation and suggestions; Mr. Frank Weatherman, Winston-Salem Dog Pound Superintendant, for his cooperation and help in compiling data on animal traffic; Mrs. Jean Stewart, City-County Planning Department, for her comprehensive study on animal shelter needs; Mr. Roddy M. Ligon, Jr., County Attorney, for legal counsel; and to all the others who were so generous in providing aid for this study.

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I N T R O D U C T I O N

THE PROBLEM

Many reliable surveys indicate that dogs and cats are being born in the United States at a rate exceeding 10,000 per hour--night and day, 365 days a year. It is a fact that just one female dog can become the ancestor of nearly 5,000 dogs in just six years. It is also a fact that cats are even more prolific. These facts appear to epitomize the origin of the problem.

This never-ending and increasing surplus of dogs and cats is basically what causes animal control dilemmas for city and county officials. As exemplified by the problems encountered by both governmental officials and citizens, there are not enough homes for the animals being bred. It would seem evident that laws and policies ignoring the surplus breeding can never be more than partially effective. The animals multiply faster than dog-catchers can catch them. Prima facie evidence indicates that regulating dogs and cats would solve the problem. It follows that the only conceivable method by which these regulations would be

effective is to regulate the owners of the animals. Even though cats may be a part of the problem, they have not been included in the presently written laws. Even so, the words "animals" and "dogs" should be construed to include cats.

People, generally, are not aware of the different approaches to animal control. Dog problems fall into several categories. It would be impossible to cover all the problems in one General Statute. There are, at present, 61 separate General Statutes under the headings of Rabies and Dogs. There are also other isolated statutes pertaining to dogs that were enacted because of special situations or circumstances. Apparently there is wide spread misunderstanding of dog laws. However, the 1967 General Assembly did pass a law giving the County Commissioners authority to regulate dogs running at large. Cities have the authority to enact almost as strict laws as they may deem necessary. In broad terms, there are five basic factors involved in the animal control problem. These factors are arbitrary and not meant to be exhaustive.

1. Rabies Control - As set forth in the North Carolina General Statutes 106-364 through 106-387, it is a misdemeanor for any person to violate any provision

of this law. All dogs are to be vaccinated for rabies. Any dog, whose owner cannot be determined, shall be destroyed. This law is concerned with the control of a fatal disease carried by animals. Forsyth County is presently and has always operated its animal control program under the Rabies Control Laws. (A copy of the Rabies Laws is attached to this report, See Exhibit A.)

2. Dog Warden - North Carolina General Statutes 67-1 through 67-36 provide broad laws relating to dog owner's liability, license taxes, and a Dog Warden. (See Exhibit B) The application of some of these laws is optional. Under the dog warden laws, which are broad in coverage but limited in authority, a dog pound must be provided and every dog must wear a collar at all times with the owner's name and address on it. Impounded dogs are to be destroyed if not claimed within a predetermined period of time. Forsyth County has never exercised the above discretionary authority to operate under the Dog Warden Laws.
3. Stray dog pick up - The strays, unowned or unclaimed

dogs, are generally the ones that damage property or kill farm animals. These same dogs, from the need of self-survival, may become vicious. Even domesticated dogs have been known to become destructive when not kept under control. This causes a need for animal control because the citizens must be protected. However, according to the laws, a dog is not considered a stray as long as it is wearing a collar and has been vaccinated.

4. Dog Law Enforcement - The General Statutes pertaining to the control of dogs has already been mentioned. The authority possessed by the Rabies Control Officers in Forsyth County is derived only from the laws enacted by the North Carolina State Legislature. Prior to June 23, 1967, the laws were too limited to be effective. The only authority Rabies Control Officers had was to pick up dogs that had not been vaccinated or dogs that were destroying property. Now, the Board of Commissioners do have the authority to enact regulations dealing with animals running at large. Because of overlapping authority, the Sheriff and the Municipal Chief of Police have a mutual agreement, which in effect, states that the Sheriff will not exercise his authority within the City Limits. Cooperation in this respect has been

excellent in the past.

The municipality, on the other hand, is empowered to adopt broader and more specific local ordinances. This requires only an act by the Board of Aldermen. The primary purpose for this is to give cities the authority to adopt more rigid ordinances. The Police Department is responsible for all dog problems within the City, and the Sheriff's Department is responsible for all dog problems outside the Municipality. The Sheriff's Department in the past had practically no authority in controlling dogs, but cities have for years had almost as much authority as they wish to exert. (See Exhibit C for comments on Animal Control Officers.)

5. Dog Pound - Certain sections of the N. C. General Statutes provide "AUTHORIZATION" for the County to build and maintain a dog pound. The primary purpose of a dog pound is to house the animals that have been picked up. If the animals have not been claimed or adopted within a designated period of time, they are to be destroyed. (See Exhibit D on Animal Shelter Fees.)

A sixth factor could be included which concerns License or Privilege Taxes. General Statute 67-5 states that any person owning or keeping a dog shall pay a license or

privilege tax, two dollars for a female, and one dollar for a male dog. This subject comes under the heading of tax collection; therefore, will not be elaborated upon here. (See Exhibit F for more details on the purpose of licensing dogs.)

MANY PEOPLE FEEL THAT A SOUND ANIMAL CONTROL PROGRAM IS BASED UPON TWO OBJECTIVES: (1) TO DEAL HUMANELY WITH ANIMALS AND (2) TO PROTECT PERSONS AND PROPERTY AGAINST DAMAGE AND UNDUE DISTURBANCE FROM ANIMALS.

Good animal control depends heavily on the laws under which it operates and can only be successful if these laws are properly enforced. This means any governmental unit that undertakes the responsibility of administering any type of animal control program must enforce the laws if reasonable success is to be attained. However, success cannot be guaranteed because of the multitude of problems that are caused by dogs. No matter how comprehensive the animal control program may be, the governmental unit administering it will continue to have insoluble problems. There is no way to avoid it, because this is the type of service that will always cause complaints. You can't please everyone.

Public participation in an animal control program is essential. It is important that the owner of every dog

be familiar with the requirements of the laws and maintains his dog in compliance with them. In every phase of an animal control program, success will be in direct proportion to the public participation which can be obtained through an information and education program.

It is interesting to note the effect of public participation in an animal control program. When the citizens understand the need and cooperate in the method of control, the results can be astoundingly good. The tremendous reproduction capabilities of dogs has already been mentioned, which points out the need for animal control. The method or methods of control is the prime variable. There are many alternatives and degrees to which a program may be conducted. Even in North Carolina some counties have no animal control program of any kind, and some make a concerted effort to pick up all strays. To what extent should a community go in order to control the surplus dogs?

A town in one of our neighboring states appears to have solved this problem for themselves. Following is a quote from the Town Manager's letter:

"The Town Police Department in cooperation with the County Dog Warden disposes of stray dogs once a year over a two week period.

During the two-week period all dog owners are required to tie or pen up their dogs in order that the police department will have these separated from any stray dogs. Realizing that it is difficult to pen up dogs over a long period of time, the dog owners are allowed to let the dogs out over the week-end when the police department is not actively collecting stray dogs. If the captured dog looks as if it may have any breeding, it is carried to the dog pound and retained for a three-day period since some dog owners may have failed to pen them up. Otherwise, the stray dogs may be destroyed on site or taken to the dog pound when captured and then destroyed.

"So far we have had no opposition from the public on this method of eliminating stray dogs."

The above method of control has been used effectively for many years. In a large metropolitan area such as Forsyth County, which has seemingly become cosmopolitan, the decision on the type of control will not be an easy one to make. There are many differences that must be taken into consideration. Some of the sparsely populated areas in the county have little need for animal control. On the other hand cities are more densely populated and have greater need for strict regulations as well as strict enforcement. The most unpredictable variable of all the differences in this scope of study is human action or reaction. As in other similar

cases, the majority of people are apathetic as long as it does not affect them. On one extreme are those who would like to exterminate all dogs. On the other extreme are the ones who scream against any type of control.

For the sake of fair representation, it must be pointed out that, for the most part, Humane Societies are well aware of the need for animal control. They realize that many animals must be destroyed. Their greatest concern is that it be done in a humane manner. Humane Societies have proven themselves to be a good influence. This influence has generated great progress in animal control and humane treatment to all animals. They should be commended for the vast amounts of energy and concern they have displayed.

The dog problems in Forsyth County have now reached such proportions that the City of Winston-Salem has asked the Commissioners to provide a complete county-wide animal control program including an animal shelter. In order to provide the Forsyth County Commissioners with the information necessary to make a decision, the next portion of this report contains the background leading up to this point and other related facts.

ANIMAL SHELTERPART IBACKGROUND

During the Board of County Commissioners meeting held on September 2, 1952, the Winston-Salem City Manager presented the proposition that Forsyth County furnish \$5,500 for the construction of-a dog pound according to plans and specifications which he submitted at that time. The City Manager further stated that the City would maintain the shelter, care for all dogs, pay the keepers salary, furnish a truck AND THAT THE COUNTY WOULD NOT BE ASKED TO CONTRIBUTE ANY FUNDS TOWARD THE OPERATION OF THE DOG POUND FOR A PERIOD OF FIFTEEN (15) YEARS.

During the meeting of the Board of County Commissioners held on March 2, 1953, the Commissioners passed a resolution to appropriate \$5,500 from the General Fund for the purpose of building a Dog Pound in accordance with the above proposition. This contract will terminate in March, 1968.

The following is quoted from the Winston-Salem City Ordinances: Chapter 4 - Animals and Fowl; Article II - Dogs

Sec. 4-27. Dog Pound - Establishment and Maintenance

The superintendent of garage and shops shall establish and maintain on city premises a dog pound (Code 1953, s 4-16)

The Dog Pound was constructed with Forsyth County Funds in 1953 on the City Yard property at Stadium Drive, and has been serving all of Forsyth County since then. Winston-Salem has provided Animal Control Officers (Dog Catchers) who serve only the City. Forsyth County has provided Rabies Control Officers (Dog Catchers) who serve the County excluding the City of Winston-Salem.

The Dog Programs in the past for both the City and the County have been primarily the same. This has been nothing more than picking up stray dogs.

The total number of dogs and cats passing through the Pound has jumped from approximately 1,000 in 1953 to well over 5,000 in 1966. The present facility has become totally

inadequate and much criticism has been received from some of the citizens. O

On September 19, 1966, the Winston-Salem Board of Aldermen adopted a resolution requesting Forsyth County to undertake the responsibility for providing an Animal Shelter adequate to serve the needs of the entire County including the City of Winston-Salem. (See Exhibit F for copy of this Resolution). Apparently the Winston-Salem Board of Aldermen intend to repeal Sec. 4-27 in Article II of Chapter 4 City Ordinances, which has already been quoted.

The Winston-Salem Board of Aldermen has requested Forsyth County to provide a Dog Pound adequate to serve the needs of the entire County including the City of Winston Salem. If the County Commissioners choose to provide an Animal Shelter, as requested, Forsyth will be the only County in North Carolina, providing this level of service.

After the Animal Shelter resolution was adopted by the Board of Aldermen, other City Officials requested that Forsyth County also provide Animal Control Officers for the City of Winston-Salem.

Since the City of Winston-Salem is an integral part of Forsyth County, providing animal control services within the City Limits would present no problems. However, in such a case, County employees would have no authority to enforce city ordinances. The City residents would have to accept the level of animal control services as limited by the General Statutes or the City of Winston-Salem could provide its own men to enforce City ordinances pertaining to dogs. At the present time all the major cities in North Carolina are providing their own Animal Control Officers.

REVENUE AND EXPENSES

Forsyth County has been receiving approximately \$23,000 annually from dog taxes. This revenue is used to defray the expenses of two County Rabies Control Officers, a truck, and dog damages. Ostensibly present revenues is sufficient to include the City of Winston-Salem in the County-wide animal control service. This is possible because Forsyth County is now exempt from dog damage liability. The Board of Commissioners has the prerogative of designating the level of county-wide animal control service. It should

be understood that the level of service is arbitrarily determined. As stated before, any level of service provided by the County is limited by the General Statutes. THE COMMISSIONERS DO NOT HAVE AUTHORITY TO ENFORCE CITY DOG ORDINANCES. However, the City may continue to utilize their Police Department to control City Dog Ordinances.

The money remaining after present expenses (usually \$10,000 or more) is given to the school fund in accordance with the provisions of General Statute 67-13. Since the schools have been receiving these funds for over 15 years, they undoubtedly depend on it as a part of their operating funds. If this practice ceased, the same amount would presumably have to be appropriated from the general fund to make up the loss to the schools. This point should be remembered but will not be mentioned again.

Total operating expenses for both the City of Winston-Salem and Forsyth County was \$33,199 for the fiscal year ended June 30, 1966. This would have resulted in an excess of expenditures over revenue of \$7,746 (See Exhibit G for City and County breakdown of revenue and expenses).

If the Board of County Commissioners wishes to provide a new animal shelter adequate to serve the entire

county, it will be necessary to examine past revenue and expense figures, as well as other income possibilities, to determine the best method of financing.

WHAT OTHER COUNTIES ARE DOING

Seventy out of the one hundred counties in North Carolina have some type of animal control program. We have learned what procedures some of these counties are using:

MECKLENBURG COUNTY

The City of Charlotte has an Animal Shelter and bears the expense of a complete City-wide animal control program. Charlotte is now in the process of building a new larger shelter with the expectation of enlarging it even more later.

Mecklenburg County also has an Animal Shelter and bears the expense of a complete animal control program outside the City of Charlotte. This includes service to five small towns.

GUILFORD COUNTY

Guilford County owns and operates the Animal Shelter that serves the entire county including the cities. The City of Greensboro bears the expense of Animal Control

Officers within its city limits. The same is true for the City of High Point. Guilford County bears the expense of Animal Control Officers for the rest of the County. Both Greensboro and High Point also shared a proportionate part of the expense of the Animal Shelter operation. The cost of construction of the Animal Shelter was shared 50% by the County, 37½ % by Greensboro, and 12½% by High Point. (See Exhibit H for the Guilford County Board of Commissioners Resolution pertaining to the Animal Shelter).

The Guilford County Animal Shelter provides living quarters for the Poundmaster. This includes three rooms and bath. The shelter contains 26 kennels and runways. According to the personnel connected directly with the shelter, the number of kennels presently provided is not adequate for the number of dogs brought in. The total expense for the shelter and shelter personnel for the fiscal year 1964-65 was \$12,810.91; and for the fiscal year 1965-66 expenses were \$13,191.79. (Exhibits J & K show the breakdown of Guilford County's expenses, revenue and other financial support, which pertains only to the Animal Shelter).

DURHAM COUNTY

The animal shelter is owned by the City of Durham and the County pays rent for its use. Expenses incident to the operation within the City are borne by the municipality and the county bears the expense for operating costs outside the City.

BUNCOMBE COUNTY

The City of Asheville bears the expense of Animal Control Officers in the City, and the County bears the expense of their Animal Control Officers. These two different groups cooperate with and help each other whenever the need arises. This need arises often when someone is on vacation or out sick. The shelter itself is owned and supported by the County, but is operated by the Society for the Prevention of Cruelty to Animals. The Animal Shelter was constructed through joint financing by the City of Asheville and Buncombe County.

GASTON COUNTY

The City of Gastonia has its own Animal Shelter and Animal Control Officers. Gaston County owns and finances the County Animal Shelter, but the land it is on

is owned by the Town of Dallas. The shelter is budgeted through the Health Department.

WAKE COUNTY

Wake County employs two full-time Wardens who work county-wide. Each man is furnished with a pick-up truck and other equipment. They are on call at any hour, and serve the entire county including cities, towns, and hamlets. The City of Raleigh does furnish some additional service to city residents. The shelter used by the City and County is a local Veterinary Hospital.

As was mentioned earlier, if Forsyth County provides all the necessary personnel and funds for a total dog control program, it will be the only county in North Carolina to give this wide a service without compensation from a municipality.

PRESENT OPERATION BY FORSYTH COUNTY

Approximately twenty (20) years ago, a Rabies Control Officer was appointed by the Forsyth County Board of Commissioners. The same man still retains this title. Chapter 106-366 of the General Statutes of North Carolina (See Exhibit A) authorizes the County Commissioners to

appoint Rabies Inspectors and to carry out a rabies control program. There is no mention of a Dog Pound; therefore, the County has NO LEGAL OBLIGATION to establish same under this statute. (Ruling by County Attorney)

LEGAL OBLIGATION TO PROVIDE ANIMAL SHELTER

Under Chapter 67-30 of the General Statutes of North Carolina (See Exhibit B) the Board of County Commissioners is authorized to appoint a Dog Warden. IF a Dog Warden is appointed, the County is obligated to establish and maintain a dog pound (G. S. 67-32). The Board of County Commissioners is also AUTHORIZED to establish and maintain a Dog Pound without the appointment of a Dog Warden.

Even though the County Commissioners are authorized to appoint a Dog Warden and to establish a Dog Pound, the County is under no legal obligation to do either. (Ruling by the County Attorney.)

WEIGHING OF ALTERNATIVES

A licensing program is in effect in several cities in the United States and is considered by many as an excellent

approach to animal control. It is not possible, however, for counties to undertake this type of program under existing laws as new legislative authorization would be required. It is not the purpose of this report to state what cities may and may not do, but inasmuch as cities have broader regulatory authority than counties, it would appear possible for a city to have a licensing type program. At any rate, if the Board of County Commissioners thought it desirable to have a licensing-type program, broader legislative authority would have to be procured.

If the Board of County Commissioners wishes to have a Dog Warden Program (which is primarily a round-up of strays program), it has legal authority to do so. In such cases, the County would be required to operate a Dog Pound.

If the Board of County Commissioners wishes to continue with its Rabies Control Program, (which is a program requiring periodic vaccination of all dogs, with the Rabies Control Officer making checks to attempt to discover unvaccinated dogs; if an unvaccinated dog is found, the owner is subject to criminal prosecution, or

if no owner is found, the Rabies Control Officer is to destroy the Dog) it may do so. This service can be provided county-wide including all municipalities. The City may supplement the service if they wish. In such cases, the Board has authority to build a Dog Pound, but no legal obligation to do so.

If the Board of County Commissioners wished to provide a program meeting county-wide needs (as opposed to one meeting all needs, including high incidence population areas,) the Board might wish to continue its present program, leaving it to the cities within the County to supplement the program if they so desire. Traditionally, counties have provided services to meet the average need of the entire county, leaving the providing of a higher level of services to the municipalities where the greater need exists.

Finally, the Board might wish to negotiate with the City to determine if an agreeable joint operation might be possible.

PART IICONSTRUCTION COSTS AND SHELTER SITES

A request was made to the City-County Planning Board to recommend a site for an Animal Shelter in accordance with City-County Planning and to give estimated costs of an adequate shelter. The recommendations were submitted in a separate report. (See Exhibit O)

SHELTER COSTS

According to the City-County Planning Board, the construction costs for an adequate size shelter would range between \$60,000 and \$103,400. If the Board of County Commissioners feel that it is in the public interest to provide an Animal Shelter, two proposed sites are included for their consideration.

SHELTER SITES

The Planning Board has recommended the area on Reynolds Park Road adjacent to the R. A. Thomas Filtration Plant for the site of the Animal Shelter, which is owned by the City of Winston-Salem. The proposed site is also adjacent to the Morningside Manor residential development.

The nearest dwelling is 800 feet from the proposed site, which is about one city residential block. (See Map Exhibit L).

Because of the relatively close proximity of homes to this proposed site, an alternate site is being considered by the planning staff. This second site and its advantages are described below.

The area just east of the airport runways is owned by the County and is on a level below the landing strips. This would reduce considerably the noise from airplanes. The area is covered with trees, which would act as a buffer, and is in reasonable proximity to the North-South Expressway (Highway 52), which is one of the prime considerations for an Animal Shelter site. The entire area around the airport, including more land than the County owns, has been recommended by the Planning Staff to be zoned Industrial 3. It is believed that this location for an Animal Shelter would cause no more of a disturbance than already exists because of the airplanes. For this reason, homes have not been built close to the area. (See Map Exhibit M).

THE WINSTON-SALEM FOUNDATION

As requested by the Board of Commissioners, the Winston-Salem Foundation was contacted to find out if any funds are available to use in the construction of an Animal Shelter. They have some funds for this purpose, but the availability is uncertain. (See Exhibit N). They explain that a formal proposal must be made by the Forsyth Humane Society. The President of the Humane Society has explained that if the Commissioners decide in favor of constructing an Animal Shelter, the Society will then look over the plans and submit a proposal to the Foundation to build a room or some part of the shelter.

The will of Lydia W. Schouler dated March 16, 1925 left \$10,000 in care of the Winston-Salem Foundation to be used to organize a Society for the Prevention of Cruelty to Animals. If the Forsyth Humane Society succeeds in obtaining funds from the Winston-Salem Foundation, they will pay for a portion of the Shelter and erect a plaque in honor of Lydia W. Schouler. All this will be determined only after the Commissioners have made their decision.

S U M M A R Y

The Dog Pound contract between the City of Winston-Salem and Forsyth County will terminate in March, 1968.

Forsyth County has no legal obligation to build and operate a dog pound. Forsyth County does have legal authority to build and operate a dog pound. If the Board of County Commissioners chose to operate under the Dog Warden Law, the Board would then have a legal obligation to build and operate a dog pound. Forsyth County is presently operating under the Rabies Laws.

Since there is no legal obligation to build and operate a dog pound, the obligation, therefore, depends upon the degree to which the Board feels that Animal Control Service should be provided to all the citizens of the County.

If the Board of County Commissioners decides to operate under the Dog Warden Law and provide an Animal Shelter, the estimated cost of construction would be between \$60,000 and \$103,000 depending upon the size of the shelter.

Alternatives available to the Board of County Commissioners appear to include the following:

- (1) Continue the present program under the Rabies Control Law.
- (2) Provide a program under the Dog Warden Law, building a dog pound.
- (3) Provide a minimum level program county-wide, leaving it to the municipalities to supplement the program if they so desire.
- (4) Negotiate with the City of Winston-Salem regarding a jointly financed county-wide program.

E X H I B I T S

RABIES

106-364. Definitions.---The following definitions shall apply to ss 106-364 to 106-387:

- (1) The term "dog" shall mean a dog of either sex.
- (2) The term "local health director" shall be understood to include district health officer, county health officer, city health officer, and city-county health officer, county superintendent of health, or any other administrative head of a local health department.
- (3) The term "vaccination" shall be understood to mean the administration of antirabic vaccine approved by the United States Bureau of Animal Industry, the North Carolina State Department of Agriculture, and the North Carolina State Board of Health. (1935, c. 122, s. 1; 1949, c. 645, s. 1; 1953, c. 876, s. 1; 1957, c. 1357, s. 3.)

Editor's Note---Session Laws 1953, cc. 120, 252, made all of the provisions of this part, ss 106-364 through 106-387, applicable to Persons and Union counties, respectively. Sessions Laws 1957, c. 277, made all the provisions of this part applicable to Edgecombe County.

106-365. Vaccination of all dogs---In all counties where a campaign of vaccination is being conducted, it shall be the duty of the owner of each and every dog over four months of age to have same vaccinated against rabies annually, or at a time or times determined by the State Board of Health, but no more often than once in each calendar year in accordance with the provisions of ss 106-364 to 106-387. All antirabic vaccine shall be administered by licensed veterinarians or by properly qualified laymen in accordance with the provisions of ss 106-366. (1935, c. 122, s. 2; 1941, c. 259, s. 2; 1953, c. 876, s. 2)

106-366. Appointment and qualifications of rabies inspectors; preference to veterinarians.---It shall be the duty of the local health director with the approval of the board of county commissioners of each county, and in those counties where a local health director is not employed it shall be the duty of the county board of commissioners to appoint a sufficient number of rabies inspectors to carry out the provisions of ss 106-364 to 106-387. In the appointment of rabies inspectors, preference shall be given to licensed veterinarians. No person shall be appointed as a rabies inspector unless such person is of good moral character and by training and experience is qualified in the opinion of the local health director and the board of county commissioners to perform the duties required under ss 106-364 to 106-387. (1935, c. 122, s. 3; 1941, c. 259, s. 3; 1953, c. 876, s. 3; 1957, c. 1357, s. 4.)

Local Modification.---Davie: 1937, c. 255.

106-367. Time of vaccination.---The vaccination of all dogs shall begin on February 1, and shall be completed within ninety (90) days of that date. Provided, however, that the local health director, in those counties having a local health director and the county board of commissioners in those counties which do not have a local health director, may require the vaccination of all dogs within any area of said counties when such vaccination is deemed necessary for the control of rabies. (1935, c. 122, s. 4; 1949, c. 645, s. 2; 1953, c. 876, s. 4; 1957, c. 1357, s. 5.)

106-368. Publication of notice of date of vaccination; duty of owner.---The rabies inspector shall give due notice through the newspaper of the county and by posting notice at the courthouse and at one or more public places in each township of the county of the date on which the vaccination of all dogs shall be started in a county and it shall be the duty of the owner of every dog in said county to have said dog, or dogs, at either of two or more points in the township for the purpose of having same vaccinated, said points and date to be designated by the rabies inspector. (1935, c. 122, s. 5; 1941, c. 259, s. 4.)

106-369. Vaccine and cost; metal tag to be worn by dog; certificate of vaccination.---The State Department of Agriculture may purchase proper rabies vaccine and a uniform metal tag serially numbered, suitably lettered and showing the year issued, provided for in ss 106-364 to 106-387, for resale to the rabies inspectors. The resale price shall include State cost of the vaccine, metal tags, handling and postage. At the time of vaccination the rabies inspector shall give to the owner or person in charge of each dog vaccinated a numbered metal tag together with a certificate. The certificate shall be issued in duplicate, the rabies inspector to retain a copy. The metal tag shall be worn by the dog at all times. (1935, c. 122, s. 6; 1941, c. 259, s. 5; 1959, c. 352.)

Local Modification.---Orange: 1953, c. 367, s. 5.

106-370. Notice to sheriff of each county and his duty to assist.---The rabies inspector shall notify the sheriff of the county of the date when the vaccination of dogs in said county shall begin and it shall be the duty of the sheriff and his deputies to assist the rabies inspector in the enforcement of ss 106-364 to 106-387. (1935, c. 122, s. 7; 1941, c. 259, s. 6.)

106-371. Canvass of dogs not wearing metal tags; notice to owners to have dogs vaccinated; killing of ownerless dogs.---When the rabies inspector has carried out the provisions of ss 106-364 to 106-387 as to ss 106-368 in all townships of the county, it shall be the duty of the sheriff with the assistance of the rabies inspector to make a thorough canvass of the county and frequently thereafter to determine if there are any dogs that are not wearing the metal tag provided for in ss 106-369. If such dogs are found the sheriff shall notify the owner to have same vaccinated by a rabies inspector and to produce the certificate provided for in ss 106-369, within three days. If the owner shall fail to do this he shall be prosecuted in accordance with the provisions of ss 106-364 to 106-387. If the owner of a dog not wearing a tag cannot be found it shall be the duty of said officer to destroy said dog. (1935, c. 122, s. 8.)

Local Modification.---Forsyth: 1949, c. 622, s. 2; Guilford: 1949, c. 462, s. 1; Mecklenburg: 1957, c. 904.

106-372. Fee for vaccination; penalty for late vaccination.--- The rabies inspector shall collect from the owner of each dog vaccinated a vaccination fee in an amount if any to be fixed by the county board of commissioners. Any owner who fails to have his dog vaccinated at the time provided in ss 106-368 shall have said dog vaccinated in accordance with ss 106-371 and shall pay the rabies inspector an additional sum of one dollar (\$1.00) to be retained by him for each dog treated. (1935, c. 122, s. 9; 1941, c. 259, s. 7; 1949, c. 645, s. 5; 1953, c. 876, s. 5; 1959, c. 139.)

Local Modification.--- Guilford: 1949, c. 462, s. 2; Washington: 1955, c. 353; Wilson: 1941, c. 259 s. 7.

106-372.1: Repealed by Session Laws 1953, c. 876. s.6.

106-373. Vaccination of dogs after vaccination period.--- It shall be the duty of the owner of any dog born after February 1 in any year or any dog which shall not be four months old on February 1, in any year to take the dog, when four months of age, or within 30 days thereafter to a licensed veterinarian or to a rabies inspector and have it vaccinated against rabies. (1935, c. 122, s. 10; c. 344; 1941, c. 259, s. 8; 1949, c. 645, s. 6; 1953, c. 876, s. 7.)

Local Modification.--- Wilson: 1941, c. 259, s. 8.

106-374. Vaccination and confinement of dogs brought into State.---All dogs shipped or otherwise brought into this State, except for exhibition purposes where the dogs are confined and not permitted to run at large, shall be securely confined and vaccinated within one week after entry, and shall remain confined for two additional weeks after vaccination unless accompanied by a certificate issued by a qualified veterinarian showing that said dog is apparently free from rabies and has not been exposed to same and that said dog has received a proper dose of rabies

vaccine not more than six months prior to the date of issuing the certificate. (1935, c. 122, s. 11.)

106-375. Quarantine of districts infected with rabies.---The local health director and, in those counties where local health directors are not employed, the county board of commissioners may declare quarantine against rabies in any district when in his or its judgment this disease exists to the extent that the lives of persons are endangered, and in that event each and every dog in such district shall be confined on the premises of the owner or in a veterinary hospital; provided, that a dog may be permitted to leave the premises of the owner if on leash or under the control and in the sight of its owner or other responsible person at all times. (1935, c. 122, s. 12; 1941, c. 259, s. 9; 1949, c. 645, s. 3; 1953, c. 876, s. 8; 1957, c. 1357, s. 8.)

Local Modification.---Cleveland:
1955, c. 306.

106-376. Killing stray dogs in quarantine districts.---When quarantine has been established, and dogs continue to run at large, uncontrolled by owners or persons responsible for their control, any peace officer shall have the right after reasonable effort has been made on the part of the officers to apprehend the dogs running at large to kill said dogs and properly dispose of their bodies. (1935, c. 122, s. 13; 1953, c. 876, s.9)

106-377. Infected dogs to be killed; protection of dogs vaccinated.---Every dog known to have been bitten by another animal which is known or proved to be rabid shall be killed immediately by its owner or by a peace officer; provided that any dog which has been vaccinated in accordance with 106-364 to 106-387 at least three weeks before being bitten but not more than one year before, shall be closely confined for ninety (90) days. At the end of that period of confinement, such dog shall be released if declared free of rabies by a rabies inspector or a licensed graduate veterinarian. If during the period of confinement such dog develops rabies, as determined by a licensed graduate veterinarian, it shall be the duty of the owner to have such animal killed, and properly disposed of, subject to the provisions of ss 106-379. (1935, c. 122, s.14; 1953, c. 876, s. 10.)

106-378. Confinement of suspected animals.---Every person who owns or has possession of an animal which is suspected of having rabies shall confine such animal at once in some secure place for at least ten (10) days, before such animal shall be released. (1935, c. 122, s. 15; c. 344; 1941, c. 259, s. 10; 1953, c. 876, s. 11.)

106-379. Animals having rabies to be killed; heads ordered to a laboratory.---Every rabid animal, after rabies has been diagnosed by a licensed graduate veterinarian, shall be killed at once by its owner or by a peace officer; except, that if the animal has bitten a human being, such animal shall be confined under the supervision of a licensed graduate veterinarian until the death of the animal. All heads of animals suspected of dying of rabies shall be sent immediately to a laboratory approved by the State Board of Health. Care shall be taken not to damage the brain and to submit such specimens in a manner approved by the State Laboratory of Hygiene. (1935, c. 122, s. 16; 1953, c. 876, s. 12.)

106-380. Notice of local health director when person bitten; confinement of dog; reports by physicians.---When a person has been bitten by an animal having rabies or suspected of having rabies, it shall be the duty of such person, or his parent or guardian if such person is a minor, and the person owning such animal or having the same in his possession or under his control, to notify the local health director immediately and give their names and addresses; and the owner or person having such animal in his possession or under his control shall immediately securely confine it for 10 days at the expense of the owner in such place as may be designated by the local health director. It shall be the duty of every physician, after his first professional attendance upon a person bitten by any animal having rabies or suspected of having rabies, to report to the local health director the name, age and sex of the person so bitten, and precise location of the bite wound, within 24 hours after first having knowledge that the person was bitten. (1935, c. 122, s. 17; 1941, c. 259, s. 11; 1953, c. 876, s. 13; 1957, c. 1357, s. 9.)

106-381. Confinement or leashing of vicious animals.---

When an animal becomes vicious or a menace to the public health, the owner of such animal or person harboring such animal shall not permit such animal to leave the premises on which kept unless on leash in the care of a responsible person. (1935, c. 122, s. 18; 1953, c. 876, s. 14.)

106-382. Administration of law in cities and larger towns; cooperation with sheriffs.---In towns or cities with a population of five thousand (5000), or more, the responsibility for assistance in the enforcement of ss 106-364 to 106-387 shall be with the public safety or police department of said town or city, and this department shall be subject to the same rules, regulations and penalties as the sheriffs of the several counties; and it shall further be the duty of the public safety or police department in towns or cities assisting in the enforcement of ss 106-364 to 106-387 to cooperate with the sheriff of any county in the carrying out of the provisions of ss 106-364 to 106-387 for a distance of one mile beyond the city limits. (1935, c. 122, s. 19.)

106-383. Regulation of content of vaccine; doses.---Rabies vaccine intended for use on dogs and other animals shall not be shipped or otherwise brought into North Carolina, used, sold, or offered for sale unless said rabies vaccine shall be approved by the U. S. Bureau of Animal Industry, North Carolina State Department of Agriculture and North Carolina State Board of Health. Rabies vaccine shall be given in doses recommended by the manufacturer of the vaccine. (1935, c. 122, s. 20; 1953, c. 876, s. 15.)

106-384. Law declared additional to other laws on subject.---

The provisions of ss 106-364 to 106-387 shall not be construed to repeal or change any laws heretofore enacted but shall be in addition thereto except insofar as said laws heretofore enacted and enforced shall actually conflict with the provisions of ss 106-364 to 106-387 and prevent the proper enforcement of said provisions. And the said laws enacted and now in force shall remain in full force and effect except as they do actually conflict with the enforcement of the provisions of ss 106-364 to 106-387 in which ss 106-364 to 106-387 and the provisions thereof shall prevail. (1935, c. 122, s. 21.)

106-385. Violation made misdemeanor.---Any person who shall violate any of the provisions of ss 106-364 to 106-387 or any provision of any regulation of quarantine established thereunder shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than ten (\$10.00) dollars or more than fifty (\$50.00) dollars, or to imprisonment of not less than ten (10) days or more than thirty (30) days in the discretion of the court. (1935, c. 122, s. 23.)

Local Modification.---Orange:
1953, c. 367, s. 5.

106-386. Present dog tax limited.---No county, city or town shall levy any additional taxes on dogs other than the tax now levied. (1935, c. 122, s. 24.)

106-387. Disposition of funds.---Any money collected under the provisions of ss 106-364 to 106-387 in excess of the cost of operations and enforcement shall become a part of the agricultural fund of the State of North Carolina. (1935, c. 190.)

DOGSArticle 1Owner's Liability

67-1. Liability for injury to livestock or fowls.--If any dog, not being at the time on the premises of the owner or person having charge thereof, shall kill or injure any livestock or fowls, the owner or person having such dog in charge shall be liable for damages sustained by the injury, killing, or maiming of any livestock, and costs of suit. (1911, c. 3, s. 1; C.S., s. 1669.)

Cross References.--As to dog-fighting, see ss 14-362. As to admittance of dogs to bedrooms by innkeeper or guest, see ss 72-7; but see also ss 67-29, relating to guide dogs.

Editor's Note.--As to owner's liability for personal injury by dog, see Perry v. Phipps, 32 N. C. 259 (1849); Harris v. Fisher, 115 N. C. 318, 20 S. E. 461 (1894). As to property in dogs and liability for

wrongfully killing or injuring them, see Dodson v. Mock, 20 N. C. 282 (1838); Mowery v. Salisbury, 82 N. C. 175 (1880); State v. Smith, 156 N. C. 628 72 S. E. 321 (1911); Beasley v. Byrum, 163 N. C. 3, 79 S. E. 270 (1913). As to right to kill dog attempting to destroy animals used for food, see Parrott v. Hartsfield, 20 N. C. 242 (1838); State v. Smith, 156 N. C. 628, 72 S. E. 321 (1911).

For note on liability of owner for trespass of dogs while hunting, see 33 N. C. Law Rev. 134.

67-2. Permitting bitch at large.---If any person owning or having any bitch shall knowingly permit her to run at large during the erotic stage of copulation he shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days. (1862-3, c. 41, s. 2; Code, s. 2501; Rev., s. 3303; C. S., s. 1670.)

Cited in Pegg v. Gray 240 N. C. 548, 82 S. E. (2d) 757 (1954).

67-3. Sheep-killing dogs to be killed.---If any person owning or having any dog that kills sheep or other domestic animal, upon satisfactory evidence of the same being made before any justice of the peace of the county, and the owner duly notified thereof, shall refuse to kill it, and shall permit such dog to go at liberty, he shall be guilty of a misdemeanor, and fined not more than fifty dollars or imprisoned not more than thirty days, and the dog may be killed by anyone if found going at large. (1862-3, c. 41, s. 1; 1874-5, c. 108, s. 2; Code, s. 2500; Rev., s. 3304; C. S., s. 1671.)

Cross References.--As to what dogs may be killed, see ss 67-14, and see note to ss 67-1. As to liability for killing listed dogs, see ss 67-27.

Cited in Parrott v. Hartsfield 20 N. C. 242 (1838); Daniels v. Homer, 139 N. C. 219, 51 S. E. 922 (1905).

67-4. Failing to kill mad dog.---If the owner of any dog shall know, or have good reason to believe that his dog, or any dog belonging to any person under his control, has been bitten by a mad dog, and shall neglect or refuse immediately to kill the same, he shall forfeit and pay the sum of fifty dollars to him who will sue therefor; and the offender shall be liable to pay all damages which may be sustained by anyone, in his property or person, by the bite of any such dog, and shall be guilty of a misdemeanor, and fined not more than fifty dollars or imprisoned not more than thirty days. (R. C., c. 67; Code, s. 2499; Rev., s. 3305; C. S., s. 1672.)

Cross References.--As to killing mad dogs, see ss 67-14, 67-27. As to rabies, vaccination, etc., generally, see ss 106-364 et. seq.

Dog Can be Destroyed.--If owner refuses to destroy a dog, which is mad or is bitten by a mad dog, he subjects himself to the possibility of a fine and imprisonment and the dog can be destroyed by order of the justice issuing the warrant under this section. Besley v. Byrum, 193 N. C. 3, 79 S. E. 270 (1913).

Actual Knowledge Unnecessary.--In an action under this section it is not necessary to prove that the biting dog was in fact mad. The words "good reason to believe" apply both to the condition of the biting dog and to the fact that the dog was bitten by a mad dog. Wallace v. Douglas, 32 N. C. 79 (1849).

As to contributory negligency of person bitten by a mad dog, see Holton v. Moore, 165 N.C. 549, 81 S.E. 779 (1914)

Article 2License Taxes on Dogs

67-5. Amount of tax.---Any person owning or keeping about him any open female dog of the age of six months or older shall pay annually a license or privilege tax of two dollars. Any person owning or keeping any male dog, or female dog other than an open female dog of the age of six months, or older, shall pay annually on each dog so owned or kept a license or privilege tax of one dollar. (1919, c. 116, ss. 1, 2; C. S., s. 1673.)

Local Modification.---Clay: 1933, is for the privilege of keeping c. 301; Graham: 1931, c. 35; the dog therein and comes under Jackson: 1947, c. 105; Macon: the police regulations of the 1933, c. 301; Swain: 1933 county. It is therefore consti- c. 149. tutional and valid and will not be restrained. Newall v. Green, 169 N.C. 462, 86 S.E. 291 (1915); Cross Reference.---As to credit of vaccination fee on dog tax, see ss 106-372. McAlister v. Yancey County, 212 N. C. 208, 193 S.E. 141 (1937). Constitutional Exercise of Police Power.---A statute imposing a specified tax upon all persons owning or keeping a dog within a certain county

67-6. License tags; optional with county commissioners.---To every person paying the license or privilege tax prescribed in ss 67-5 there shall be issued by the sheriff a metal tag bearing county name, a serial number, and expiration date, which shall be attached by owner to a collar to always be worn by any dog when not on premises of the owner or when engaged in hunting. The Superintendent of Public Instruction shall at all times keep on hand a supply of tags to be furnished the sheriffs of the several counties. Provided, that the county commissioners of each county shall, by order duly made in regular session, make an order determining whether the collar and tag shall be applied to that county. (1919, c. 116, s. 2½; C.S., s. 1674; Ex. Sess. 1920, c. 37.)

Editor's Note.---Prior to the 1920 amendment the metal tags were kept by the Commissioner of Agriculture.

67-7. Dogs to be listed; penalty for failure to list.---It shall be the duty of every owner or keeper of a dog to list the same for taxes at the same time and place that other personal property is listed, and the various tax listers in the State shall have proper abstracts furnished them for listing dogs for taxation, and any person failing or refusing to list such dog or dogs shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days. The owner of the home or lessee of such owner shall be responsible for listing of any dog belonging to any member of his family. (1919, c. 116, s. 3; C.S., s. 1675.)

Local Modification.--- Mitchell Pub. Loc. 1925, c. 265. (see ss 67-18.)

67-8. When tax is due.---The license or privilege tax herein imposed shall be due and payable on the first day of October of each and every year. (1919, c. 116, s. 3; C.S. s. 1676; 1943, c. 119.)

Editor's Note.---The 1943 amendment eliminated a provision as to penalty for failure to pay tax.

67-9. Receipt for tax license.---Upon the payment to the sheriff or tax collector of the license or privilege tax aforesaid, such sheriff or tax collector shall give the owner or keeper of such dog or dogs a receipt for the same which shall constitute a license under the provisions of this article. (1919, c. 116, s. 3; C.S., s. 1677.)

67-10. Tax listers to make inquiry, compile reports; compensation.---The tax listers for each township, town, and city in this State shall annually, at the time of listing property as required by law, make diligent inquiry as to the number of dogs owned, harbored, or kept by any person subject to taxation. The list takers shall, on or before the first day of July in each year, make a complete report to the sheriff or tax collector on a blank form furnished them by the proper authority, setting forth the name of every owner of any dog or dogs, how many of each and the sex owned or kept by such person. The county commissioners may pay the tax listers for such services such amounts as may be just out of the money arising under this article. (1919, c. 116, ss. 4, 6; CS., s. 1678.)

67-11. Purchasers to ascertain listing.---Any person coming in possession of any dog or dogs after listing time shall immediately ascertain whether such dog or dogs have been listed for taxes or not, and if not so listed, it is hereby made the duty of such owner or keeper of such dog or dogs to go to the sheriff or tax collector of his county and list such dog or dogs for taxes, and it is made the duty of the owner or keeper of such dog or dogs to pay the privilege or license tax as is herein provided for in other cases. (1919, c. 116, s. 4; C.S., s. 1679.)

67-12. Permitting dogs to run at large at night; penalty; liability for damage.---No person shall allow his dog over six months old to run at large in the nighttime unaccompanied by the owner or by some member of the owner's family, or some other person by the owner's permission. Any person intentionally, knowingly, and willfully violating this section shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days, and shall also be liable in damages to any person injured or suffering loss to his property or chattels. (1919, c. 116, s. 5; C.S., s. 1680.)

Local Modification.--Buncombe, Halifax, New Hanover, Wake: 1925, c. 314; Watauga: Pub. Loc. 1927, c. 503. (See ss 67-18.)

Cross Reference.--As to permitting dogs to run at large on Capitol Square, see ss 14-396.

Valid Exercise of Police Power.--A city ordinance which prohibits the owner from allowing dogs to run at large without muzzles is a valid exercise of the police power. State v. Clifton, 152 N. C. 860, 67 S.E. 751 (1910)

67-13. Proceeds of tax to school fund; proviso, payment of damages; reimbursement by owner.---The money arising under the provisions of this article shall be applied to the school funds of the county in which said tax is collected: Provided, it shall be the duty of the county commissioners, upon complaint made to them of injury to person or injury to or destruction of property by any dog, upon satisfactory proof of such injury or destruction, to appoint three freeholders to ascertain the amount of damages done, including necessary treatment, if any, and all reasonable expenses incurred, and upon the coming in of the report of such jury of the damage as aforesaid, the said county commissioners shall order the same paid out of any moneys arising from the tax on dogs as provided for in this article. And in cases where the owner of such dog or dogs is known or can be ascertained, he shall reimburse the county to the amount paid out for such injury or destruction. To enforce collection of this amount the county commissioners are hereby authorized and empowered to sue for the same. Provided, further, that all that portion of this section after the word "collected", in line three, shall not apply to Alamance, Anson, Beaufort, Bladen, Caldwell, Catawba, Chatham, Cleveland, Columbus, Craven, Currituck, Dare, Davie, Duplin, Durham, Gaston, Gates, Graham, Harnett, Hertford, Lincoln, McDowell, Mecklenburg, Moore, Nash, New Hanover, Orange, Pamlico, Perquimans, Person, Robeson, Rowan, Rutherford, Scotland, Stokes, Transylvania, Union, Wake, Wayne and Yadkin counties. (1919, c. 77, s. 7; c. 116, s. 7; C.S., s. 1681; Pub. Loc. 1925, c. 54; Pub. Loc. 1927, cc. 18, 219, 504; 1929, cc. 31, 79; 1933, cc. 28, 387, 477, 526; 1935, c. 402; 1937, cc. 63, 75, 118, 282, 370; 1939, cc. 101, 153; 1941, cc. 8, 46, 132, 287; 1943, cc. 211, 371, 372; 1945, cc. 75, 107, 136, 465; 1947, c. 853, s. 1; 1953, c. 77; c. 367, s. 7; 1955, cc. 111, 134; 1957, c. 46; 1961, c. 659; 1963, c. 266, s. 1; c. 725, s. 1.)

Local Modification.---Avery, c. 219; Cumberland: 1935
Forsyth, McDowell, Randolph, c. 361; Davidson: 1925, c. 79
Watauga: 1931, c. 283; Avery, Duplin: 1937, c. 47; Forsyth
Mitchell: 1933, c. 273; Bertie: 1933, c. 547; Granville: 1955,
1943, c. 189; Buncombe: 1937, c. 158, s. 5; Greene: 1937,
c. 119; Burke: 1945, c. 245; c. 92; Guilford: 1933; c. 547
Cabarrus: 1939, c. 225; 1945, c. 138; 1957, c. 203,
Caldwell: 1937, c. 23; Caswell amending 1951, c. 143; Jones
1935, c. 188; 1941, c. 19; 1939, c. 151; Lee: 1949, c.
Chowan: 1925, c. 15; 1949, 349; Madison: 1935, c. 412;

Mecklenburg: 1935, c. 30;
 Mitchell: 1937, c. 73;
 Onslow: 1933, c. 200; 1939,
 c. 85; 1949, c. 137; Pender
 1937, c. 76; Pitt: 1933, c.
 561; Rockingham: 1925, c. 25;
 Sampson: 1949, c. 349;
 Stanly: 1935, c. 30; Surry:
 1933, c. 310; Tyrrell: 1949,
 c. 219; Union: Pub. Loc.
 1927, c. 501; Vance: Pub.
 Loc. 1925, c. 103; Warren:
 1943, c. 545; 1947, c. 443
 Wayne: 1939, c. 39; Wilson:
 1931, c. 37; Yancey: Pub.
 Loc. 1925, c. 57, s. 2.
 Session Laws 1947, c. 853,
 s. 2 repealed Public Laws
 1935, c. 50 relating to
 Alamance County.

Editor's Note.--The 1945
 amendments inserted "Nash"
 "Robeson," "Gaston" and
 "Cleveland", respectively
 in the list of counties in
 the proviso. The 1947 amend-
 ment inserted "Alamance".
 The 1953 amendments inserted
 "Catawba" and "Orange". The
 1955 amendments inserted
 "Mecklenburg" and "Pamlico".
 The 1957 amendment inserted
 "Person".
 The 1961 amendment inserted
 "Craven" in the list of
 counties.
 The first 1963 amendment,
 effective July 1, 1963,
 inserted "Wake" in the list
 of counties. And the second
 1963 amendment inserted
 "Dare".

This section is a police regula-
 tion not estopping the defendent
 in the county's action from estab-
 lishing any defense available to
 him under the pleadings, nor does
 it change the method of procedure
 as to the burden of proof, or
 otherwise, except that it limits
 recovery of the injured person,
 electing to proceed under this
 statute, to a sum not exceeding
 the amount thereunder ascertained
 Board v. George, 182 N.C. 414,
 109 S.E. 77 (1921).

This section is constitutional,
 and does not deprive the defendent
 of a jury trial. Board v. George,
 182, N.C. 414, 109 S.E.77 (1921)
Mandamus Will Lie.--Where a person
 having a legal right to recover
 under this section, makes satis-
 factory proof to the county com-
 missioners of injury inflicted
 by a dog, it is the legal duty
 of the commissioners to appoint
 freeholders to ascertain the amount
 of damage done, and mandamus will
 lie to compel them to perform
 this duty. White v. Holding, 217
 N.C. 329, 7 S.E. (2d) 825 (1940).
Testimony of Nonexpert Witness.--
 Admission of judgment of a non-
 expert witness upon the personal
 observation of the carcass of the
 sheep, as to the length of time
 it had been killed, is not erroneous
 as the expression of a theoretical
 or scientific opinion. Board v.
 George, 182 N.C. 414, 109 S.E. 77
 (1921).

Right to Trial by Jury.--The
 ascertainment of damages by three
 disinterested freeholders, and the

payment thereof by county
 commissioners from dog
 taxes, with the right of
 the county to sue to recover
 the amount so paid from the
 owner of the dog if known or
 discovered, as provided by
 this section, reserves to
 such owner the right to a
 trial by jury in the action
 of the commissioners, and
 does not permit recovery in
 excess of the sum awarded for
 the damages caused as ascer-
 tained under the provisions
 of the statute. Board v.
 George, 182 N.C. 414, 109
 S.E. 77 (1921)

Cost of Assessment.--In an act-
 ion by the county, under this sec-
 tion, the reasonable cost of the
 services of the persons chosen to
 make the assessment, which is
 paid by the county, is a part of
 the money paid on account of the
 injury or destruction caused by
 the dog, and defendent's except-
 tion thereto will not be sustained.
 Semble, the question of the
 reasonableness of this amount is
 a question for the jury, when
 aptly and properly raised and
 presented. Board v. George, 182
 N.C. 414, 109 S.E. 77 (1921)

67-14. Mad dogs, dogs killing sheep, etc., may be killed.---
 Any person may kill any mad dog, and also any dog if he is
 killing sheep, cattle hogs, goats, or poultry. (1919, c. 116,
 s. 8; C.S., s. 1682.)

Cross References.---As to liability of owner who fails to kill mad dog, see SS
 67-4. As to protection of listed
 fails to kill sheep-killing dogs, see ss 67-27.
 dog, see ss 67-3. As to
 liability of owner who

67-14.1. Dogs injuring deer or bear on wildlife management
 area may be killed; impounding unmuzzled dogs running at large.
 ---(a) Any dog which trails, runs, injures or kills any deer or
 bear on any wildlife refuge, sanctuary or management area, now
 or hereafter so designated and managed by the Wildlife Resources
 Commission, during the closed season for hunting with dogs on
 such refuge or management area, is hereby declared to be a
 public nuisance, and any wildlife protector or other duly

authorized agent or employee of the Wildlife Resources Commission may destroy, by humane method, any dog discovered trailing, running, injuring or killing any deer or bear in any such area during the closed season therein for hunting such game with dogs without incurring liability by reason of his act in conformity with this section.

(b) Any unmuzzled dog running at large upon any wildlife refuge, sanctuary, or management area, when unaccompanied by any person having such dog in charge, shall be seized and impounded by any wildlife protector, or other duly authorized agent or employee of the Wildlife Resources Commission.

(c) The person impounding such dog shall cause a notice to be published at least once a week for two successive weeks in some newspaper published in the county wherein the dog was taken, or if none is published therein, in some newspaper having general circulation in the county. Such notice shall set forth a description of the dog, the place where it is impounded, and that the dog will be destroyed if not claimed and payment made for the advertisement, a catch fee of \$1.00 and the boarding, computed at the rate of fifty cents (50¢) per day, while impounded, by a certain date which date shall be not less than 15 days after the publication of the first notice. A similar notice shall be posted at the courthouse door.

(d) The owner of the dog, or his agent, may recover such dog upon payment of the cost of the publication of the notices hereinbefore described together with a catch fee of \$1.00 and the expense, computed at the rate of fifty cents (50¢) per day, incurred while impounding and boarding the dog.

(e) If any impounded dog is not recovered by the owner within 15 days after the publication of the first notice of the impounding, the dog may be destroyed in a humane manner by any wildlife protector or other duly authorized agent or employee of the North Carolina Wildlife Resources Commission, and no liability shall attach to any person acting in accordance with this section. (1951, c. 1021, s.1.)

67-15. Dogs, when listed, personal property; larceny of dog a misdemeanor.---All dogs, when listed for taxes, become personal property and shall be governed by the laws governing other personal property: Provided, the larceny of any dog upon which aforesaid tax has been paid shall be a misdemeanor. (1919, c.116, s. 9; C.S., s. 1683.)

Cross Reference.--As to larceny of listed dog see ss 14-84, 67-27.
Not Larceny in Absence of Statute.--In

the absence of a statute, stealing a dog is not larceny in this State. State v. Holder, 81 N.C. 527 (1879).

67-16. Failure to discharge duties imposed under this article.---Any person failing to discharge any duty imposed upon him under this article shall be guilty of a misdemeanor, and upon conviction shall pay a fine not exceeding fifty dollars or be imprisoned not more than thirty days. (1919, c. 116, s. 10; C.S., s. 1684.)

67-17: Deleted

Editor's Note.--This section has been so repealed in McAllister v. Yancey County, 210 N. C. 208, ed to be local legislation of 193, S. E. 141, (1936). the type contemplated by ss 67-18 and repealed by that section. It was held to have

67-18. Application of article.---This article ss 67-5 to 67-18, inclusive, is hereby made applicable to every county in the State of North Carolina, notwithstanding any provisions in local, special or private acts exempting any county or any township or municipality from the provisions of the same enacted at any General Assembly commencing at the General Assembly of nineteen hundred and nineteen and going through the General Assembly of nineteen hundred and twenty-nine. (1929, c. 318.)

Applied in McAlister v. Yancy County
212 N. C. 208, 193 S.E. 141 (1937).

Article 3

Special License Tax on Dogs.

67-19. Nothing in this article abrogated by article 2; special tax an additional tax.---Nothing contained in article 2 of this chapter shall have the effect of abrogating any of the provisions of this article, and the special license tax on dogs provided for under this article shall be in addition to the license tax on dogs provided for under article 2 of this chapter: Provided that article 2 shall not be construed as repealing any existing ordinance of any city or town or any ordinance of any city or town hereafter enacted, regulating the keeping or use of dogs in cities and towns. (1919, c. 116, s.11; C.S., s. 1685; Ex. Sess. 1920, c. 53)

Editor's Note.--The 1920 admendment added the proviso,

67-20. Special dog tax submitted to voters on petition.---Upon the written application of one-third of the qualified voters of any county in this State made to the board of commissioners of such county, asking that an election be held in said county to adopt the provisions of this article for levying and collecting a special dog tax in said county, it shall be the duty of said board of commissioners from time to time to submit the question of "special dog tax" or "no special dog tax" to the qualified voters of said county; and if at any such election a majority of the votes cast shall be in favor of said special dog tax, then the provisions of this article shall be in full force and effect over the whole of the said county, and the special dog tax hereinafter provided for shall be levied and collected in said county; but if a majority of the votes cast at such election shall be against said special dog tax, then the provisions of this article shall not apply to any part of said county. (1917, c. 206 s. 1; C.S., s. 1686.)

67-21. Conduct of elections.---Every election held under the provisions of this article shall be held and conducted under the same rules and regulations and according to the same penalties provided by law for the election of members of the General Assembly: Provided, that no such election shall be held in any county oftener than once in two years. (1917, c. 206, s. 3; C.S., s. 1687.)

67-22. Commissioners to provide for registration; ballots and machinery.---The board of commissioners of any county in this state in which an election is to be held under the provisions of this article may provide for a new registration of voters in said county if they deem necessary, or they may at the general election for county officers in said county next preceding the holding of the election hereunder, and they shall appoint such officers as may be necessary to properly hold such elections and shall designate the time and places for holding such elections, and make all rules, regulations, and do all other things necessary to carry into effect the provisions of this article. (1917, c. 206, s. 4; C.S., s. 1688)

67-23. Canvass of votes and returns.---At the close of said election the officers holding same shall canvass the vote and certify the returns to the said board of commissioners of said county, and the said board of commissioners shall canvass the said returns and declare the results of said election in the manner now provided by law for holding special tax school elections. (1917, c. 206, s. 4; C.S., s. 1689.)

67-24. Contents and record of petition; notice of election.---The qualified voters of any county who shall make written application to the board of commissioners of said county asking that an election be held under the provisions of this article shall designate and insert in said application the amount of special dog tax to be levied and collected in said county, which tax shall not exceed the sum of five dollars nor be less than the sum of one dollar for each dog,

whether male or female, and the board of commissioners shall have said written application, specifying the amount of said special dog tax to be voted for in said county, recorded in the records of their proceedings, and shall cause to be published in some newspaper published or circulated in said county, and posted at the courthouse door and five other public places in said county, a notice of the time and places for holding said election and specifying the amount of tax to be voted for in said county. (1917, c. 206, s. 5; CS., s. 1690.)

67-25. License Tax.---Any person or persons, firm or corporation, owning or keeping any dog or dogs, whether male or female, in any county which shall adopt the provisions of this article for the levy and collection of said special dog tax shall pay annually a license or privilege tax on each dog, whether male or female, such sum or sums as may be designated and inserted in the written application of the qualified voters of said county asking for said election and as recorded in the proceedings of the board of county commissioners of said county, which shall not exceed the sum of five dollars nor be less than the sum of one dollar for each dog: Provided, the tax voted for and levied on female dogs may be greater than the tax on male dogs, but in no event shall said special tax exceed the sum of five dollars, nor be less than the sum of one dollar for any dog, whether male or female. (1917, c. 206, s. 6; C.S., s 1691.)

Local Tax Valid.---The legislature may empower the authorities of a town to regulate the manner in which dogs may be kept in the said town. Hence, a tax levied under this authority is constitutional and valid. *Mowery v. Salisbury*, 82 N.C. 175 (1880).

67-26. Collection and application of tax.---The special dog tax voted for under the provisions of this article shall be due and collectible at the same time and in the same manner as provided by law for the collection of taxes on other personal property in said county, and shall be collected by the collector of other taxes in said county in the same manner and under the same penalties provided by law for collection of taxes on other personal property in said county, and shall be applied to the road fund, or school fund, of said county, as may be directed by the board of commissioners of said county. (1917, c. 206, s. 8; C.S., s. 1692.)

Cross Reference.---As to application of proceeds of general dog tax, see ss 67-13.

67-27. Listed dogs protected; exceptions.---Any person who shall steal any dog which has been listed for taxation as herein provided shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court; and any person who shall kill any dog the property of another, after the same has been listed as herein provided, shall be liable to the owner in damages for the value of such dog. Nothing in this article shall prevent the killing of a mad dog, sheep-killing, cattle-killing, hog-killing or goat-killing dog, or egg-sucking dog on sight, when off the premises of its owner, and the owner shall not recover any damages for the loss of such dog. (1917, c. 206, s. 9; C.S., s. 1693; 1963, c. 337.)

Cross Reference.---As to listed Editor's Note.---The 1963 amendment inserted "cattle-killing hog-killing or goat-killing" of taxed dogs, see ss 14-84. in the second sentence.

67-28. Application of article to counties having dog tax.---Any county in this state which now has a local law taxing dogs may, by election in the manner herein provided for, accept the provisions of this article, and if adopted by a majority of the qualified voters of said county at such election, the local law taxing dogs in such county shall thereby be repealed and annulled, and the provisions of this article shall be in full force and effect in such county. (1917, c. 206, s. 10; C.S., s. 1694.)

Article 4Guide Dogs

67-29. Accompanying blind persons in public conveyances, etc.---Any blind person accompanied by a dog described as a "guide dog" or any dog educated by a recognized training agency or school, which is used as a leader or guide, is entitled with his dog to the full and equal accommodations, advantages, facilities, and privileges of all public conveyances, and all places of public accommodation, subject only to the conditions and limitations applicable to all persons not so accompanied. (1943, c. 111; 1963, c. 61)

Editor's Note.---The 1963 amendment substituted "guide dog" for "seeing-eye dog" in the section and in the article heading.

Article 5Protection of Livestock and Poultry from Ranging Dogs.

67-30. Appointment of county dog warden authorized; salary, etc.; dog damage fund.---The board of county commissioners in each county in the State is hereby authorized, in its discretion, to appoint one or more county dog wardens, and to determine the amount of his salary and travel allowance, both of which shall be paid out of the proceeds of the county dog tax. When the county dog tax fund is insufficient to pay the salary and travel allowance of the county dog warden so appointed, the board of county commissioners is authorized to appropriate funds from its general fund or from any nontax or surplus funds to supplement the dog tax fund so that the salary and travel allowance of the dog warden may be paid.

After the payment of such salary and allowance, the remaining proceeds of the county dog tax shall be placed in a special county dog damage fund and applied from time to time in satisfaction of claims for damage as hereinafter provided in this article; provided further, that the liability of any county for damage claims filed pursuant to this article shall be limited to the balance remaining in the county dog damage fund after the payment of the salary and the travel allowance of the county dog warden; and provided further, that all proceeds from the dog tax available in the several counties for the payment of claims under this article shall be held intact in the county dog damage fund until the end of each fiscal year in the county; no dog damage claim shall be paid until the end of each fiscal year and, in the event all approved claims cannot be paid in full, all such claims shall be paid on an equal proportionate basis. In the event that any surplus remains in the county dog damage fund after all dog damage claims have been paid at the end of a fiscal year, such surplus may no sooner than six months after the close of such fiscal year, at the direction of the board of county commissioners be paid into the county general fund. (1951, c. 931, s. 1; 1955, c. 1333, s. 1; 1957, cc 81, 840.)

Local Modification.---Franklin: The first 1957 amendment 1953, c. 1005; Harnett: 1963, substituted in the first c. 664; Orange, 1953, c. 367, sentence "one or more county ss. 1-5, 8. dog wardens' for "a county dog warden." The second 1957 amendment added the last sentence.

67-31. Powers and duties of dog warden.---The powers and duties of the county dog warden shall be as follows:

- (1) He shall have the power of arrest and be responsible for the enforcement within his county of all public and public-local laws pertaining to the ownership and control of dogs, and shall cooperate with all other law enforcement officers operating within the county in fulfilling this responsibility.
- (2) In those counties having a rabies control officer, the county dog warden shall act as assistant to the rabies control officer, working under the supervision of the county health department, to collect the dog tax. In those counties having no rabies control officer, the county dog warden shall serve as rabies control officer. (1951, c. 931, s. 2.)

Local Modification.--Orange:
1953, c. 367, ss. 1-5,8.

67-32. Pound; disposition of impounded dogs.---The board of county commissioners in each county in which a county dog warden is appointed under this article shall establish and maintain a dog pound in each county, the same to be under the supervision of the county dog warden, for the purpose of impounding lost and stray dogs for a period to be determined by the board of county commissioners during which time the county dog warden shall make every reasonable effort to locate and give notice to the owners of such dogs, or if such owners cannot be located, to find new owners for such dogs. The dog warden shall keep a permanent bound record of the date on which each dog is impounded, and if at the end of the holding period to be determined by the board of commissioners such dogs remain unclaimed by their owners or by prospective owners, such dogs are to be destroyed in a humane manner, under the direct supervision of the county dog warden. Anyone claiming or redeeming a dog at the pound will be required to pay the actual cost of keeping the dog in the pound, as well as any tax due, before any such dog may be released. (1951, c. 931, s. 3; 1955; c. 1333, s. 2.)

Local Modification.--Orange: exceed 15 days" to "a period to be determined by the board of county commissioners."
1953, c. 367, ss. 1-5,8.
Editor's Note.--The 1955 amendment changed the period of impounding from "not to

67-33. Dogs to wear collars; tags; kennel tax.---Every dog in counties where a dog warden is appointed shall be required at all times to wear a collar with the owner's name and address stamped on or otherwise firmly attached to the collar. Each year at tax listing time all dog owners shall be provided by the tax authorities with a numbered metal tag for each dog listed, said tag to be attached to the collar as evidence that the dog has been listed for taxation; provided, that any operator of a kennel or owner of a pack of dogs may, in lieu of paying the tax on individual dogs as provided by law, pay a kennel tax computed at the rate of \$1.50 per dog, male or female.
Upon the payment of kennel tax in accordance with this schedule, the owners shall be issued metal tags as hereinbefore provided in a number equal to the number of dogs for which the kennel tax is paid; and any dog wearing any such tag during the tax

year to which the tax is issued shall be deemed to be in compliance with the provisions of this article in respect as to tags. (1951, c. 931, s. 4; 1957, c. 594.)

Local Modification.--
Buncombe: 1953, c. 1007
Duplin: 1963, c. 226;
Johnston: 1961, c. 689;
Orange: 1953, c. 367,
ss. 1-5, 8; Wayne; 1957,
c. 594.

Editor's Note.--The 1957 amendment rewrote the proviso to the first paragraph.

67-34. Board of appraisers; payment of damages; subrogation of county in action against dog owner.--- The board of county commissioners in each county having a dog warden as provided in this article shall appoint a board of appraisers consisting of three men, one to be chosen from among the sheep, livestock or poultry raisers; one from among the fox hunters, and one from the county at large; whose duties it shall be to determine and assess the amount of damage inflicted by dogs in the respective counties. Provided, the boards of commissioners of the several counties shall have the right to settle and pay any claim or claims presented to such board, without appointing a board of appraisers, for such sum or sums as may be agreed upon by the person aggrieved and said board of commissioners.

In case any person shall have received compensation for damages from any county under the provisions of this article and thereafter such person shall sue the owner of the dog inflicting such damage for recovery of damages by reason thereof, then, in such event, any county having paid any such claims to such claimant arising out of the same depredation shall have the full right of subrogation in any action for damages so instituted. (1951, c. 931, s. 5.)

Local Modification.--
Orange: 1953, c. 367, ss.
1-5, 8.

67-35. Unlawful to allow dog to run at large without collar and tag; penalty.---In any county in which a dog warden is appointed pursuant to this article, it shall be unlawful for any person who owns or has custody of a dog to allow such dog to be off the premises of such owner or custodian unless such dog is wearing the collar and metal tag as provided by ss 67-33. Violation of this section is a

misdemeanor punishable by a fine of not more than fifty dollars (\$50.00) or imprisonment for not more than thirty (30) days. (1951, c. 931, s. 6.)

Local Modification.--Orange:
1953, c. 367, ss. 1-5, 8.

67-36. Article supplements existing laws.---The provisions of this article are to be construed as supplementing and not repealing existing State laws pertaining to the ownership, taxation, and control of dogs. (1951, c. 931, s. 7.)

ANIMAL CONTROL OFFICERS

The Animal Control Officers should be trained in the techniques of animal care and handling, first aid for animals, euthenasia, and, of equal importance, public relations. The activities of these officers are closely observed by the public and inadequately trained officers can do far more harm than good. We may wish to contact one of the two national humane organizations for assistance in the training of Animal Control Officers. Both of these groups have field representatives who are fully qualified to render such assistance.

The Animal Control Officers should be under the supervision of the County Manager. Careful consideration should be given to this point even though the animal control function is generally found in the Sheriff or Police Departments. There should be an immediate supervisor to guide the activities of these officers, handle the difficult complaint cases, and investigate reports of inhumane treatment of animals. The supervisor should also organize an annual dog census.

ANIMAL SHELTER FEES

Boarding fees are common and should be provided for in the law. Somewhat less common, but more important, is a redemption fee. Some Animal Shelter's charge \$5.00 for the first and second impoundment and \$10.00 thereafter each time the dog is picked up within one year of the first impoundment. They also charge an additional \$5.00 if a female dog in heat is impounded. These redemption fees have an amazingly beneficial effect and should be included in the law.

Adoption fees could be set at a minimum in order to encourage people to give homes to strays and unwanted dogs. The purpose of the higher redemption fee is to encourage owners to control their own pets. One of Forsyth County's greatest problems at the present is the reluctance of owners to control their dogs. As has been mentioned before, you can't control dogs; however, people can be controlled to a much greater extent.

Present conditions in Forsyth County are a perfect example to show that without properly enforced laws, the problems will continue to get worse. As the population increases, problems become more complex. Conditions necessitate laws, and protection requires enforcement.

WHY LICENSE DOGS?

Contrary to the thinking of some citizens, and possibly of some officials, revenue is not a reason for licensing; it is merely a by-product.

Controlling the number and behavior of dogs is the major reason for licensing. Almost every community has a surplus population of dogs with a varying amount of strays. The control program helps to reduce the number of stray dogs and makes dog owners more aware of their responsibilities. Coupled with an adequate public information program, injury to humans, damage to property and the various nuisances created by dogs can be kept at a minimum level.

The numbered license tag should be used to speed up the return of lost or impounded dogs; however, Forsyth County does not have a licensing program. For approximately the past 14 years the Tax Supervisor has been issuing numbered tags in an effort to get more people to list their dogs. The numbers on the tags were not cross referenced, and therefore, had no meaning. The only place the number was recorded was on an individuals tax abstract. No tags were issued for the year 1967. Legislation must be enacted to permit counties to license dogs. Taxes collected at present are merely a listing or property tax not a tax paid to procure a license. (Ruling by County Attorney)

On the 1966 tax listings there were 12,295 male dogs and 5,278 female dogs for a total of 17,573 dogs. The Pet Food Institute had an extensive survey made, from which results showed there is one dog for every three people. Based on these figures Forsyth County would have about 71,000 dogs within the county limits. Approximately 25% of the dogs assumed to be in Forsyth County were listed for taxes in 1966.

Below is an excerpt from a letter received from a representative of the Humane Society of the United States, who visited Forsyth County on November 22, 1966.

"Present license fees (taxes) are a little lower than most communities but on the present figures, we have estimated that there should be approximately \$50,000 annually from license fees if more efficient means for requiring dogs to be licensed were employed. This estimate is based on the licensing of 70% of the number of dogs which can be assumed to be within the county limits, since even the best methods of license enforcement seldom exceed 70% effectiveness.

"It is imperative that every resident within the county limits be contacted for the purpose of obtaining a license for any dog which may be in his possession. It is equally important to inquire about license compliance throughout the year, wherever this can be done. Every animal control officer should periodically select an area and spot check for proper licensing of dogs whenever an extra few minutes of time are available for this purpose. Some communities have employed high school students for special surveys during the summer months and this program has proved highly successful. There should be no complications involved to the dog owner who wishes to secure a license for his pet. The ordinance presently in effect which does not require proof of rabies enforcement should be maintained separately. Licensing requirement ordinances can provide for reduced fees for the person who has obtained a dog in the middle of a licensing year. Whether or not this is done, the ordinance should provide for a penalty

fee for failing to license a dog in his possession at the beginning of the licensing year. The licensing program has three important functions:

1. It is a permit issued to the dog owner to enable him to keep his dog in the community as long as it is maintained in compliance with ordinance requirements.
2. It is a means of protecting dogs and dog owners by providing a numbered tag on the dog in order for the owner to be identified in case the dog has become lost.
3. It provides funds for animal control measures particularly the impoundment of unlicensed animals.

"An improved licensing program must contain a cross-reference system in order for animal control wardens to locate and notify owners of licensed dogs which have been impounded. It should be a part of ordinance requirements, in fact, that the owners of licensed dogs which have been impounded be notified of the dog's impoundment within 24 hours. It is a help to any Pound to advertise the unlicensed dogs which have been impounded, in the event a licensed dog has lost a collar and license and encouraging the adoption of animals from the Pound."

RESOLUTION REQUESTING THE FORSYTH COUNTY BOARD OF
COMMISSIONERS TO PROVIDE AND MAINTAIN AN ANIMAL
SHELTER ADEQUATE TO SERVE THE ENTIRE AREA

WHEREAS, the City of Winston-Salem has operated a City-County Animal Shelter for at least the past fourteen years, and

WHEREAS, the present facility, constructed in 1953, does not provide adequate space for current operations, and

WHEREAS, an examination has revealed that there is no room for expansion of the facility in its present location (City Yard), and

WHEREAS, Forsyth County collects annually a license tax of \$2.00 (female) or \$1.00 (male) on all dogs owned by residents of the County, including those within Winston-Salem, and

WHEREAS, by State Statute, Forsyth County is authorized to establish and maintain an animal shelter and use the funds from the dog license tax to finance the operation of the facility, and

WHEREAS, Forsyth County is presently engaged in an animal control program, employing at least one dog warden;*

BE IT THEREFORE RESOLVED by the Board of Aldermen of the City of Winston-Salem, that the Forsyth County Board of Commissioners be requested to undertake the responsibility for providing an animal shelter adequate to serve the needs of the entire County including the City of Winston-Salem.

OWP/mjm

September 7, 1966

*Editor's Note: Forsyth County does not have a dog warden. It should be Rabies Control Officer.

ANIMAL SHELTER
REVENUE AND EXPENDITURES
FOR THE FISCAL YEAR ENDED JUNE 30, 1966

<u>REVENUE</u>	<u>CITY</u>	<u>COUNTY</u>	<u>TOTAL</u>
Dog Tax:			
General Fund		12,903	12,903
School Fund		10,182	10,182
Kernersville		240	240
Sale of Dogs	<u>2,128</u>		<u>2,128</u>
TOTAL REVENUE:	<u>2,128</u>	<u>23,325</u>	<u>25,453</u>
 <u>EXPENDITURES</u>			
Salaries	17,022	8,964	25,986
Auto Expense	2,400	669	3,069
Capital Outlay - Equipment		2,385	2,385
Depreciation	299		299
Dog Damages		222	222
Dog Tags		488	488
Supplies	360		360
Lights and Power	195)		195
Telephone)		
Uniforms	20	175	195
TOTAL EXPENDITURES:	<u>20,296</u>	<u>12,903</u>	<u>33,199</u>
 EXCESS EXPENDITURES OVER REVENUE:			
	<u>(18,168)</u>	<u>10,422</u>	<u>(7,746)</u>

PERSONNEL

City - 3 - Animal Control Officers
 1 - Shelter Attendant (Part-Time)
County - 2 - Rabies Control Officers (343-457 Mo.)

CAPITAL OUTLAY

Pick-up Truck	1,572
Cage for Truck	228
2-Way Radio	585
	<u>2,385</u>

RESOLUTION ADOPTED BY BOARD OF COUNTY COMMISSIONERS
OF GUILFORD COUNTY

August 9, 1960

BE IT RESOLVED that the following rules and procedres of operation are hereby established for the maintenance and operation of the Guilford County Animal Shelter, which shelter has been established by a resolution of the Board of County Commissioners of Guilford County and the City Councils of the City of Greensboro, and High Point for the purpose of confining, caring for, treating, disposing of and otherwise providing for the general welfare of any animals in Guilford County which are lost, strayed, unclaimed or which are dangerous or injured or which are at large in violation of any law or ordinance or which are otherwise fit subjects for confinement.

1. The Guilford County Animal Shelter shall be open from 1 p.m. to 3 p. m. and 5 p. m. to 7 p. m. Monday through Friday and be open from 10 a.m. to 12 noon on Saturdays. It shall be closed on Sundays. During these hours owners of animals may deliver them for confinement or reclaim their dog or other animals at the Guilford County Animal Shelter by paying the prescribed cost and fees.

2. When any animal has been taken to the Animal Shelter, reasonable effort shall be made to give the owner notice that his animal has been confined. The animals may be reclaimed at the Animal Shelter within five days in accordance with these regulations by paying the fees specified and having the animal properly vaccinated. If the animal has not been redeemed or reclaimed by the owner in the time specified, the animal shall be disposed of.

3. The Superintendent of the Guilford County Animal Shelter and his helper shall be responsible for the care and custody of all animals accepted at the Animal Shelter. He shall be responsible for the proper cleaning, care and supervision of the kennels, building and grounds, and shall have charge and control over the buildings and grounds. No person shall

be allowed in the kennel area without the consent of the Superintendent of the Guilford County Animal Shelter.

4. It is the responsibility of the Superintendent to see that adequate records are kept and maintained in a current condition as to the admission and disposal of animals and for the proper accounting for all money received.

5. In order for the owner to redeem a dog, such owner must have the said dog duly vaccinated for rabies if it has not been vaccinated and is at least four months old, or if it has been vaccinated by producing a receipt showing that the dog is duly vaccinated and that the said vaccination is in effect.

6. Fees to be charged in connection with the operation of the Guilford County Animal Shelter:

- (a) Fee for redeeming animal impounded within the five-day period, per animal \$5.00
- (b) Dogs held for observation, except stray dogs placed in the Guilford County Animal Shelter, per animal per day \$1.00
- (c) The foregoing fee of \$5.00 shall not apply to any animal turned over to the Guilford County Humane Society for treatment or for disposition by such society when said Humane Society does not receive directly or indirectly any fee or purchase price in connection with the disposition of such animal.

7. Any animal which is not duly reclaimed by the owner within the time specified, shall be disposed of by the Superintendent of the Guilford County Animal Shelter.

GUILFORD COUNTY, NORTH CAROLINA
STATEMENT OF OPERATING EXPENSES
OF
ANIMAL SHELTER
FOR FISCAL YEAR ENDED JUNE 30, 1965

	<u>Total Expense</u>
Salary-Superintendent	\$ 4,072.00
Salary-Janitor	3,000.00
Salaries-Part-Time Help	454.84
Retirement	528.28
Miscellaneous Supplies	101.11
Fuel	473.95
Feed and Animal Supplies	603.40
Household and Janitorial Supplies	98.79
Wearing Apparel and Uniforms	9.31
Gasoline, Oil, and Grease	67.52
Miscellaneous Expense	661.39
Lights and Power	799.95
Telephone and Telegraph	180.95
Repairs to and Maintenance of Bldgs.	617.53
Repairs to and Replacements to Machinery and Equipment	90.52
Repairs and Services to Automobiles	453.27
Insurance and Bond Premiums	411.35
New Equipment	<u>186.75</u>
Total	\$ 12,810.91
Less: Revenue Received	<u>(11,448.53)</u>
Net Apportionable Expense	<u>\$ 1,362.38</u>

Guilford County - 50%		\$ 681.19
City of Greensboro - 37½%		510.89
City of High Point - 12½%		<u>170.30</u>
		<u>\$1,362.38</u>

Total Amount Due From City of Greensboro - \$510.89

Total Amount Due From City of High Point - \$170.30

GUILFORD COUNTY, NORTH CAROLINA
STATEMENT OF OPERATING EXPENSES
OF
ANIMAL SHELTER
FOR FISCAL YEAR ENDED JUNE 30, 1966

Salary-Superintendent	\$ 4,320.00
Salary-Animal Shelter Attendant	2,569.45
Salaries-Part-Time Help	317.25
Retirement	469.86
Miscellaneous Supplies	143.90
Fuel	584.16
Feed and Animal Supplies	706.80
Household and Janitorial Supplies	193.72
Wearing Apparel and Uniforms	122.44
Gasoline, Oil and Grease	102.87
Miscellaneous Expense	440.48
Lights and Power	923.08
Telephone and Telegraph	221.13
Repairs to and Maintenance of Bldgs.	792.32
Repairs to and Replacements to Machinery and Equipment	349.08
Repairs and Services to Automobiles	572.43
Insurance and Bond Premiums	397.01
New Equipment	<u>(34.19)</u>

TOTAL \$ 13,191.79

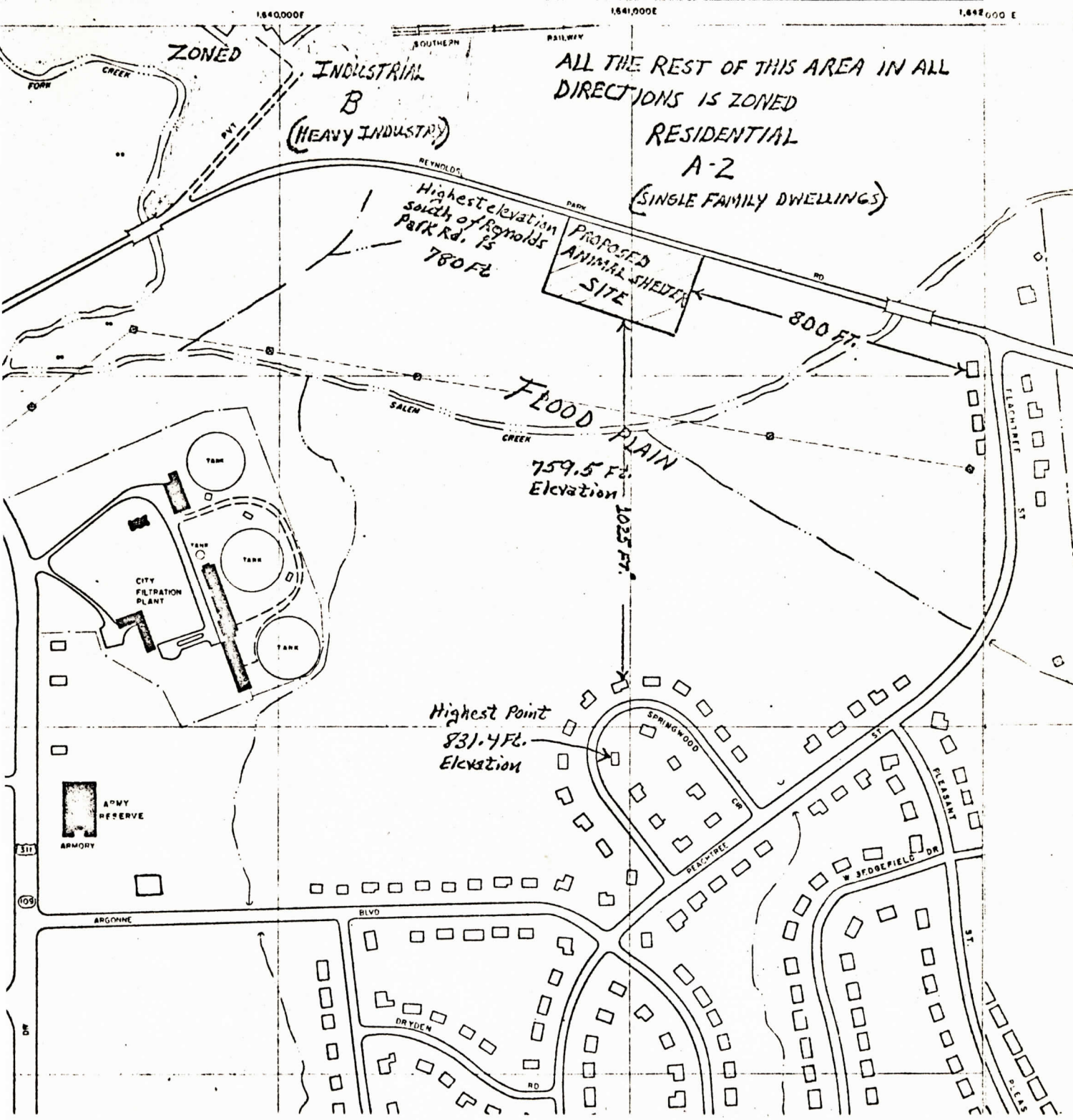
Less: Revenue Received (10,885.86)

Net Apportionable Expense \$ 2,305.93

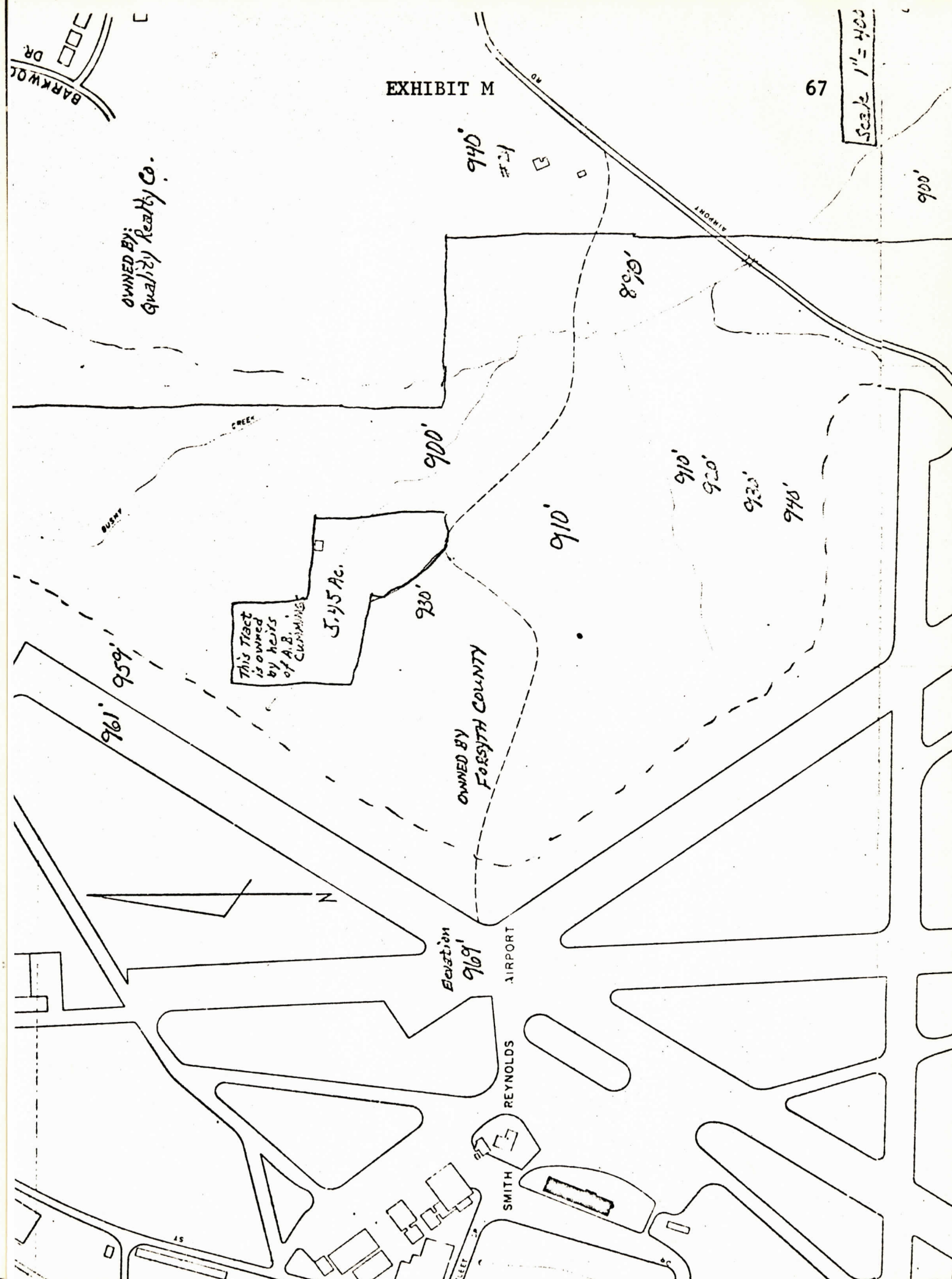
Guilford County - 50%		\$1,152.97
City of Greensboro - 37½%		864.72
City of High Point - 12½%		<u>288.24</u>
		<u>\$2,305.93</u>

Total Amount Due From City of Greensboro - \$864.72

Total MOUNT Due From City of High Point - \$288.24



Scale 1" = 400'





G. R. House, Jr.
County Manager

County of Forsyth
November 11, 1966

Courthouse Square
Winston-Salem, N. C.

Mr. Sebastian C. Sommer
Executive Director
The Winston-Salem Foundation
300 West Fifth Street
Winston-Salem, North Carolina

Dear Mr. Sommer:

Forsyth County is in the process of exploring the possibilities and ramifications of constructing and maintaining an Animal Shelter. Sources of revenue for this purpose will play a very important part in the recommendations. We would like to know if there are any funds available in the Winston-Salem Foundation that could be used for this purpose. Also it would be very helpful if you know of any other possible sources from which funds could be made available for an Animal Shelter in Forsyth County.

Any information or help you can give us will be most appreciated. I will look forward to a reply at your earliest convenience.

Sincerely,
Fred M. Pettyjohn
Fred M. Pettyjohn
Research Analyst

FMP;k1

There are some funds available that could be used for this purpose. How much and whether they would be made available by vote of the Foundation Committee would depend on the formal proposal by the Humane Society. *S. C. S.*

FORECASTING LONG RANGE NEEDS FOR FORSYTH COUNTY ANIMAL SHELTER

FOR
DISCUSSION
ONLY

City-County Planning Staff
January 1967

This Report Prepared By
Jean M. Stewart
Advance Planner

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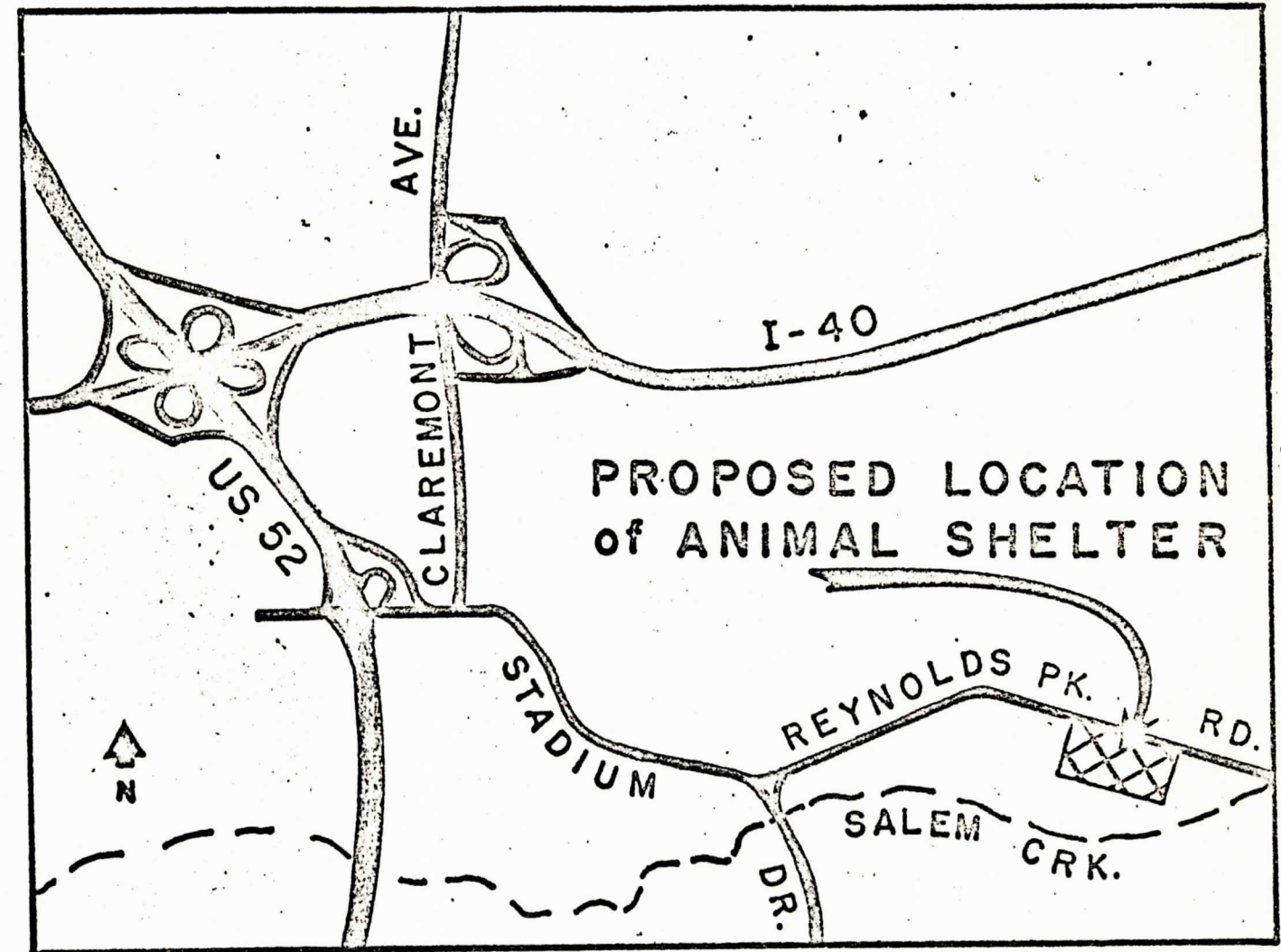
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The existing Dog Pound operated by The City of Winston-Salem in a portion of the City Yard near the intersection of Stadium Drive and U.S. 52 is inadequate for today's animal shelter needs. Necessary facilities such as isolated observation pens, storage room for animal food and shelter equipment, and a euthanasia chamber, do not exist. There are not enough pens to adequately house stray animals; in consequence many must be put to death prematurely. There is no room for expansion on the present site, which is already overcrowded.

A new shelter should be built large enough to house a maximum accumulation of animals over an increased holding period, with space allotted for food storage and preparation, equipment storage, euthanasia chamber, isolated observation pens, office for supervisor, bathroom, and waiting area for the public. A building containing approximately 7,200 square feet will serve 1970 forecast needs for the entire county. In addition, approximately 3,400 square feet will be needed for outdoor runs. According to present construction costs, a shelter this size will cost approximately \$72,000 at \$10 per square foot or \$79,200 at \$11 per square foot. For 1985, a shelter containing 9,400 square feet will be needed. In addition, 4,500 square feet will be necessary for outdoor runs. A shelter that will accommodate 1985 needs will cost approximately \$94,000 at \$10 per square foot or \$103,400 at \$11 per square foot according to present construction costs. A four acre site is recommended to satisfy present and future building and grounds requirements.

The shelter should be conveniently located for City and County residents so that a maximum number of strays may be reclaimed by their owners or otherwise placed. An unused portion of the R.A. Thomas Filtration Plant tract, located on the south side of Reynolds Park Road, north of Salem Creek, is recommended.

FOR
DISCUSSION
ONLY



Purpose of Study

The purposes of this report are to present a construction cost estimate and a site recommendation for the replacement of the existing Dog Pound presently operated by the City of Winston-Salem with an adequately sized and equipped animal shelter to serve the entire county.

The goals of this proposal are to provide an animal shelter operated under policies that will enable a maximum number of stray animals to be returned to their owners or otherwise placed, so that the number of unclaimed animals that have to be put to death will be kept to a minimum; and to house these animals, and to dispose of them when necessary, in a humane manner. To accomplish these goals, the shelter must be conveniently located for all residents of the City and County; it must have sufficient capacity to hold the animals for a longer period than is now customary; and it must have certain facilities currently lacking.

Operation of City Pound

The City Dog Pound is presently operated and financed by the City of Winston-Salem, but it serves both the City and the County. The City employs three Animal Control Officers operating two trucks to pick up stray animals and one custodian at the Pound. The County employs two men operating 1 truck to pick up stray animals. Strays picked up by County employees are brought to the City Pound where they are kept without cost to the County.

Under conditions of maximum crowding, the Pound can accommodate 150 animals. At standards discussed in a later portion of this

report, however, the maximum should be kept within a range of 52 to 124 depending on the size of the animals (See Table 1).

Physical Deficiencies

The need for a new animal shelter has been evident for many years. The facilities are extremely inadequate and the space available is severely limited. There is no room for food storage; no kitchen for food preparation; no euthanasia chamber; the heating system is extremely inadequate because it neither warms the pens nor dries them after their frequent washings; there are not enough floor drains and they are poorly placed; there are not enough pens for large and small animals; there are no isolated observation pens; the office space is very limited; and there is no waiting room for the public. As none of these special facilities were included in the City Pound when it was constructed in 1952, the building is extremely outdated and overcrowded according to today's animal shelter standards.

Growth Forecasts

A greater number of cats and dogs enter the Pound each year than any other type of animal; however, other large and small animals have been impounded. No special facilities will be provided to house animals other than cats and dogs, but they will be housed in the pens provided for the large or small animals.

It has been estimated that there is one dog for every three people in the United States. According to this estimate, in 1960 there were more than 63,000 dogs in Forsyth County and in 1966 there were more than 72,000. If this ratio remains the same for the future, there will be more than 78,000 dogs in Forsyth County in 1970 and 127,000 by the

year 2000. From 1960 to 1966 the number of dogs impounded annually rose from 4 per one thousand persons in the population to 19 per thousand (see Table 2). It is assumed that this ratio will increase in the future to approximately 20 dogs per thousand population. If the present operating policies are maintained, if the population continues to grow at the estimated rate, and if the ratio of dogs to population remains constant, it is estimated that a total of 4,700 dogs will enter the Pound in 1970 and 7,700 in the year 2000 (see Table 3).

From 1960 to 1966 the number of cats impounded annually rose from 1 per thousand persons in Forsyth County to 7.5 per thousand (see Table 4). It is assumed that this ratio will increase in the future to approximately 10 cats per thousand population. Consequently, under present policies and growth rates, it is estimated that a total of 2,350 cats will enter the animal shelter in 1970 and 3,850 during the year 2000 (see Table 5).

In 1966, the maximum number of animals entering the pound and those already impounded at any one time approached 300. ^{1/}This is 5.1% of the total for the year (see Table 6). It is assumed that with improved operating policies - that is, the animal shelter being better designed and equipped to impound a maximum number of stray animals - maximum accumulation will increase to 6.0% by 1970 and stabilize at that level. This means a maximum accumulation at any one time in 1970, of approximately 423 animals (see Table 6).

^{1/} Although the maximum number of animals entering the pound and those already impounded at one time approached 300, space is so limited that whenever there is an accumulation of more than approximately 150 animals, the excess have to be put to death immediately.

Space Requirements

On the average, there are an equal number of large and small animals in the pound at one time. ^{2/} Thus, the 1970 maximum accumulation will include some 211 small animals and 211 large animals. The minimum space required to house one small animal approximates 4 square feet compared with 12 square feet to house one large animal. ^{3/} It is recommended that each pen house three animals. Thus, seventy-one small pens (4'x3') will be needed to house 211 small animals and seventy-one large pens (4'x 9') will be needed to house all large animals. Two hundred and eleven small animals will need 844 square feet for adequate housing. Since the pens for these animals can be built three stories high, the amount of floor area required will be 1/3 of the total needed or 1/3 x 844 = 281 square feet. The area required to house the large animals will be 2,532 square feet. A total of 2,813 square feet will be needed to adequately house 423 animals at one time (see Table 7).

It is recommended that additional floor space be allotted for isolated observation pens, an office, bathroom, storage room for equipment, a kitchen with food storage area, a loading area, a euthanasia chamber and corridors. Under the present operating policy of holding the animals

^{2/} Records of City Pound and interview with Mr. Frank Weatherman, employee of City Pound.. Small animals include cats, kittens and puppies while large animals include medium and large size dogs.

^{3/} Guide for Laboratory Animal Facilities and Care, U.S. Dept. of Health, Education and Welfare, U.S. Government Printing Office, March, 1963.

for three days, an animal shelter of approximately 6,000 square feet would be adequate to house a maximum accumulation of 423 animals as forecast for 1970 (see Table 10). An outdoor run should be provided for each large pen. This run should equal the size of the large pen, in order to provide adequate exercise space for the large animals.

If the maximum period of impoundment were increased to five or more days, the maximum accumulation of animals would increase. It is estimated that 1.0% more animals would accumulate for each day beyond the third day. Therefore in 1970, if a five day minimum policy were in effect, there would be a maximum daily accumulation of 564 animals (see Table 8). A total of 94 small pens and 94 large pens would be necessary. An additional 1,200 square feet, or a total of 7,200 square feet would be needed to adequately accommodate this number (see Tables 9 and 10).

In 1985 if a five day minimum policy were in effect, the maximum daily accumulation would approximate 740 and would require an additional 2,200 square feet of floor space for pens and corridors. One hundred and twenty-four small pens and one hundred and twenty-four large pens would be required to house this number of animals. A total of 9,400 square feet would be needed (see Tables 9 and 11).

It is recommended that a shelter be constructed that will accommodate maximum accumulation needs under an increased daily holding policy, both to be more humane and to offer more convenient service to the public.

Additional Features

Radiant floor heat is recommended for the new animal shelter as it dries the floors of the pens quickly and thus helps to provide

a healthful and comfortable surrounding for the animals. A six inch floor drain should be installed in each large pen so that the pens can be washed down more easily and efficiently. It is also suggested that the office of the animal shelter be air conditioned.

Construction Costs

According to present construction costs, an animal shelter could be built for approximately \$10 to \$11 per square foot. A minimal shelter of 6,000 square feet (three-day holding) for 1970 would cost approximately \$60,000 at \$10 per square foot or \$66,000 at \$11 per square foot. A more adequate shelter of 7,200 square feet (five-day holding) for 1970 would cost \$72,000 at \$10 per square foot or \$79,200 at \$11 per square foot. A shelter of 9,400 square feet for 1985 needs would cost approximately \$94,000 at \$10 per square foot or \$103,400 at \$11 per square foot. Suggested construction materials and cost breakouts are on file in the office of the City-County Planning Board in City Hall.

Site Size

The acreage acquired for the animal shelter should be sufficient to permit expansion of the building to serve estimated long range needs, with some allowance for further liberalization of policies. The estimated maximum daily accumulation at any one time for the year 2000 under the present operating policies is 693 animals (see Table 6). Approximately 2,700 square feet must be added to the short range requirements of 6,000 square feet merely to house this increase in maximum accumulation (see Table 13). Were the operating policy to be changed to provide a longer holding period a still larger building would be required. It is estimated that under a five-day holding policy, for example, there would be a maximum accumulation of approximately 924 animals in the year 2000 (see Table 8), requiring a building of 11,200 square feet

(see Table 14). A total of 154 small pens and 154 large pens would be needed to accommodate 924 animals.

It is recommended that a minimum of 4 acres be allotted to satisfy the present needs and future expansion of the building, outdoor runs, drives, off-street parking, loading areas, and to enable future policy changes. A garage may have to be built to house the animal shelter vehicles. It is estimated that there will be adequate land to build the garage if 4 acres are allotted. There should be enough land surrounding the shelter for landscaping and to act as a buffer between neighboring businesses and residences.

Locational Considerations

The animal shelter should be located in an accessible place - that is, near major highways so the public can reach it easily and quickly and so the animal shelter personnel can do their job efficiently. The possible nuisances generated by an animal shelter should be minimized by location, by natural barriers and by man-made barriers or screening. The site should be large enough to allow for estimated future expansion needs and for the effects of unforeseen policy changes. A wooded site is preferable both for screening and also to enhance the appearance of the building. In addition trees provide shade in hot weather.

A site meeting these criteria is owned by the City of Winston-Salem adjacent to the R.A. Thomas Filtration Plant. It lies south of Reynolds Park Road and north of Salem Creek - 2,150 feet east of the intersection of Stadium Drive and Reynolds Park Road. It is centrally located and easily accessible from all parts of Forsyth County via U.S. Highway 52 and Interstate 40.

A knoll on this land could be leveled to provide a suitable setting for the shelter. The property west, south and east of the site is owned by the city. The land west of the suggested site is low and swampy, unsuitable for development. The land on the north side of Reynolds Park Road, not developed at the present time, is zoned Residence A-2 and Industrial B. It is owned by the Southern Railway and the Georgia Industrial Realty Company. East of the suggested site Salem Creek and its flood plain and a sewer easement form a physical barrier between the site and dwellings on Peachtree Street. The nearest dwelling is 800 feet from the proposed site. The site should be graded to the west leaving an earth bunker on the east to increase the effectiveness of a natural barrier on that side.

Table 1

OPTIMUM AND MAXIMUM ACCUMULATION OF ANIMALS THAT CAN BE HOUSED IN EXISTING CITY POUND,
FORSYTH COUNTY, 1967

Number of Large Pens (8'x 6')	Animals Per Pen		Number of Small Pens (2'x 3') (33"x 36")		Animals Per Pen		Number of Observation Pens with one Dog Per Pen	Total	
	Optimum	Maximum	(2'x 3')	(33"x 36")	Optimum	Maximum		Optimum	Maximum
4	3	12	6	6	3	6	4	52	124

The optimum and maximum accumulation of animals that can be conveniently housed
in the existing pound is dependent on the size of the animals.

TABLES

Table 2

ESTIMATED TOTAL NUMBER OF DOGS AND NUMBER OF DOGS IMPOUNDED
 FORSYTH COUNTY, N.C., 1960 to 1966

Year	Population	Total of Dogs at 1 Dog Per 3 Persons 4/	Dogs Impounded	Dogs Impounded Per One Thousand Population
1960	189,428	63,142	758	4.0
1961	193,600	64,533	1277	6.6
1962	199,150	66,388	1841	9.2
1963	204,400	68,133	3066	15.0
1964	208,900	69,633	4050	19.4
1965	213,700	71,233	4078	19.0
1966	218,080	72,693	4225	19.4

4/ Source: Mr. Fred Pettyjohn, Research Analyst, Assistant to the County Manager, Forsyth County, N.C. after his interview with a representative of the Humane Society of the United States.

Table 3

ESTIMATED NUMBER OF DOGS TO BE IMPOUNDED, FORSYTH COUNTY, N.C., 1970 to 2000

Year	Projected Population	Total of Dogs at 1 Dog Per 3 Persons	Dogs To Be Impounded at 20 Dogs Per Thousand Population
1970	234,800	78,267	4696
1975	258,600	85,338	5172
1980	284,000	94,667	5680
1985	308,500	102,833	6170
1990	333,000	111,000	6660
1995	359,000	118,470	7180
2000	385,000	127,000	7700

It is estimated that the number of dogs impounded per one thousand population will increase to 20 by 1970 and will stabilize at that level as operating policies of the animal shelter are improved and as people become more aware of humane animal population controls.

Table 4

NUMBER OF CATS IMPOUNDED, FORSYTH COUNTY, N.C., 1960 to 1966

Year	Population	Cats Impounded	Cats Impounded Per One Thousand Population
1960	189,428	164	1.0
1961	193,600	326	1.7
1962	199,150	408	2.0
1963	204,400	1108	5.4
1964	208,900	1350	6.5
1965	213,700	1619	7.6
1966	218,080	1640	7.5

Table 5

ESTIMATED NUMBER OF CATS TO BE IMPOUNDED, FORSYTH COUNTY, N.C., 1970 to 2000

Year	Projected Population	Cats To Be Impounded, At Ten Cats Per Thousand Population
1970	234,800	2348
1975	258,600	2586
1980	284,000	2840
1985	308,500	3085
1990	333,000	3330
1995	359,000	3590
2000	385,000	3850

It is estimated that the number of cats impounded per one thousand population will increase to 10 by 1970 and will stabilize at that level as operating policies of the animal shelter are improved and as people become more aware of humane animal population controls.

Table 6

ESTIMATED MAXIMUM DAILY ACCUMULATION OF ANIMALS UNDER PRESENT POLICY:
STANDARD HOLDING PERIOD OF THREE DAYS, FORSYTH COUNTY, N.C., 1970 to 2000

Year	Total of Animals Impounded	Est. Max. Daily Accumulation At 6.0% of Total		
		Total	Small Animals	Large Animals
1970	7,044	423	211	211
1975	7,758	465	232	232
1980	8,520	511	255	255
1985	9,255	555	277	277
1990	9,990	599	299	299
1995	10,770	646	323	323
2000	11,550	693	346	346

Source: First column above is the total of Tables 2 and 4, last column. During 1966, the maximum number of animals requiring shelter at the City Pound approximated 300. This number represented 5.1% of the total number of animals impounded (4225 dogs plus 1640 cats - see Tables 1 and 3). By 1970, this percentage is expected to increase to 6.0% and to stabilize at that level as operating policies of the animal shelter are improved and as people become more aware of humane animal population controls.

Table 7

SPACE REQUIRED TO HOUSE MAXIMUM DAILY ACCUMULATION OF ANIMALS UNDER STANDARD THREE DAY HOLDING POLICY, FORSYTH COUNTY, N.C., 1970 to 2000

Year	Small Animals	Floor Area Required at 4 sq. ft. per animal	Large Animals	Floor Area Required at 12 sq. ft. per animal	Total Area of Pens, Square feet	Five-Year Increments	
						Feet	Percent
1970	211	281	211	2532	2813	---	---
1975	232	309	232	2784	3093	280	10.0%
1980	255	340	255	3060	3400	307	10.0
1985	277	370	277	3324	3694	294	8.6
1990	299	399	299	3588	3987	293	8.0
1995	323	431	323	3876	4307	320	8.0
2000	346	461	346	4152	4613	306	7.1

Triple story pens will accommodate small animals; thus the amount of floor area required for small animals is divided by 3.

Table 8

ESTIMATED MAXIMUM DAILY ACCUMULATION OF ANIMALS: STANDARD HOLDING PERIOD EXTENDED TO FIVE DAYS, FORSYTH COUNTY, N.C., 1970 to 2000

Year	Total of Animals Impounded	Maximum Daily Accumulation			
		Three days at 6.0% of total 5/	Five days at 8.0% of Total 5/		
			Total	Small Animals	Large Animals
1970	7,044	423	564	282	282
1975	7,758	465	620	310	310
1980	8,520	511	682	341	341
1985	9,255	555	740	370	370
1990	9,990	599	799	399	399
1995	10,770	646	861	430	430
2000	11,550	693	924	462	462

5/ It is arbitrarily assumed that the maximum accumulation of animals will increase 1.0% each day beyond the present three day holding policy. That is, from 6.0% under the present policy to 8.0% under a five day minimum policy.

Table 9

SPACE REQUIRED TO HOUSE MAXIMUM ACCUMULATION OF ANIMALS UNDER FIVE DAY HOLDING PERIOD, FORSYTH COUNTY, N.C., 1970 to 2000

Year	Small Animals	Floor Area Required at 4 sq. ft. per animal	Large Animals	Floor Area Required at 12 sq. ft. per animal	Total Area of Pens, square feet	Five-Year Increments	
						feet	Percent
1970	282	376	282	3384	3760	---	---
1975	310	413	310	3720	4133	373	10.0%
1980	341	455	341	4092	4547	414	10.0
1985	370	493	370	4440	4933	386	8.5
1990	399	532	399	4788	5320	387	8.0
1995	430	573	430	5160	5733	413	8.0
2000	462	616	462	5544	6160	427	7.4

Table 10

ANIMAL SHELTER FACILITIES NEEDED AND SPACE REQUIRED TO HOUSE 423 ANIMALS UNDER THREE DAY HOLDING POLICY AND 564 ANIMALS UNDER FIVE DAY HOLDING POLICY, FORSYTH COUNTY, N.C., 1970

FACILITY	SPACE REQUIRED, SQUARE FEET	
	3 Day Holding	5 Day Holding
Small animal pens	281	376
Large animal pens	2532	3384
Isolated pens	549	549
Storage-equipment	108	108
Kitchen-food storage	108	108
Euthanasia chamber	108	108
Office	244	244
Bathroom	36	36
Corridors	<u>1755</u>	<u>2000</u>
	5721	6913
Allowance for unanticipated needs	<u>+300</u>	<u>+300</u>
TOTAL	6000	7200

Table 11

SPACE REQUIRED FOR ANIMAL SHELTER UNDER FIVE DAY HOLDING POLICY, FORSYTH COUNTY, N.C., 1985

7,200 sq.ft. 1970 total requirements under 5 day minimum holding policy
2,200 sq.ft. Additional pen and corridor space required for 1985
 9,400 sq.ft. Space required by 1985 under 5 day minimum holding policy

Source: Tables ⁹8 and ¹²11.

Table 12

ANIMAL SHELTER FACILITIES NEEDED AND SPACE REQUIRED TO HOUSE MAXIMUM ACCUMULATION OF 740 ANIMALS UNDER FIVE DAY MINIMUM HOLDING POLICY, FORSYTH COUNTY, N.C., 1985

FACILITY	SPACE REQUIRED, SQUARE FEET
Small animal pens	493
Large animal pens	4440
Isolated pens	549
Storage-equipment	108
Kitchen-food storage	108
Euthanasia chamber	108
Office	244
Bathroom	36
Corridors	<u>2600</u>
	8686
Allowance for unanticipated needs	<u>+700</u>
TOTAL	9400

Table 13

SPACE REQUIRED FOR ANIMAL SHELTER UNDER STANDARD THREE DAY HOLDING POLICY, FORSYTH COUNTY, N.C., 2000

6,000 sq.ft. 1970 total requirements under present animal shelter policies

2,700 sq.ft. Additional housing space requirements for the year 2000 if the present operational policies are maintained
 8,700 sq.ft. Maximum interior space required by the year 2000 if present operating policies are maintained

Table 14

SPACE REQUIRED FOR ANIMAL SHELTER UNDER FIVE DAY MINIMUM HOLDING PERIOD POLICY, FORSYTH COUNTY, N.C., 2000

7,200 sq.ft.	1970 total requirements under 5 day minimum holding policy
<u>4,000</u> sq.ft.	Additional housing space required for the year 2000
11,200 sq.ft.	Maximum interior space required by the year 2000 under a five day minimum holding policy

Table 15

NUMBER OF ANIMALS IMPOUNDED, WINSTON-SALEM AND FORSYTH COUNTY, 1962 to 1966

<u>Year</u>	<u>City</u>	<u>County</u>	<u>Total</u>
1962	1238	1011	2249
1963	2478	1696	4174
1964	3500	1900	5400
1965	3672	2025	5697
1966	3995	1870	5865

Source: Records of City Pound received from Mr. Fred Pettyjohn, Research Analyst, Assistant to the County Manager, Forsyth County, N.C.

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- - - -. Characteristics of the Population, Forsyth County, N.C., 1960, 1980, 2010. City-County Planning Board, Forsyth County and Winston-Salem, N.C., 1966.
- - - -. Small Animal Shelters - Suggestions and Preliminary Drawings. Information Series, Operational Guide Published by the American Humane Association, Denver, Colorado.
- U.S. Department of Health, Education, and Welfare. Public Health Service. Guide For Laboratory Animal Facilities and Care. Washington: Government Printing Office, 1963.

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- Burge, Floyd, Jr., engineer with Floyd S. Burge Construction Co., Winston-Salem, N.C. Interviews December 1966 and January 1967 concerning construction cost estimates of animal shelter.
- Godsey, Reuben R., Garage Superintendent at City Yard, Winston-Salem, N.C. Interviews December 1966 concerning records and existing conditions of City Pound.
- Kalet, Bert M., Doctor of Veterinary Medicine, Winston-Salem, N.C. Interviews December 1966 concerning space and facilities required to accommodate animals in a shelter.
- Lorber, Martin G., Doctor of Veterinary Medicine, Winston-Salem, N.C. Interviews December 1966 concerning space and facilities required to accommodate animals in a shelter.
- Pettyjohn, Fred, Research Analyst, Assistant to the County Manager, Forsyth County, N.C. Interviews December 1966 and January 1967 concerning existing facilities and records of City Pound.
- Weatherman, Frank D., Custodian of City Pound, Winston-Salem, N.C. Interviews December 1966 concerning existing facilities of City Pound.

R E F E R E N C E S

- American Pet Products Manufacturers Association, Inc.
157 West 57th St., New York, N. Y. 10019
- Animal Welfare Institute, P. O. Box 3492, Grand Central
Station, New York 10017
- Buncombe County Health Department, P..O. Box 7525,
Asheville, N. C.
- City-County Planning Board, City Hall, Winston-Salem,
N. C.
- City Manager and Police Chief, City Hall, Winston-Salem,
N. C.
- County Manager, Durham County, Durham, N. C.
- County Manager, Guilford County, Greensboro, N. C.
- County Manager, Mecklenburg County, 700 East Trade St.,
Charlotte, N. C.
- Gaston County Health Department, Gastonia, N. C.
- Greenville Humane Society, Route.7, Greenville, S. C.
- Humane Society of the United States, 1145 - 19th St., N.W.,
Washington, D. C. 20036
- Humane Society of Washtenaw County, Route 2, Ann Harbor,
Michigan
- Mr. Fred Perry, County Tax Supervisor, Forsyth County, N. C.
- Mr. Frank Weatherman, Dog Pound Superintendent, City Yard,
Winston-Salem, N. C.

REFERENCES (cont.)

- Mr. Gordon Boyles, Forsyth Humane Society, Winston-Salem,
N. C.
- Mr. J. D. Clowers, Assistant County Accountant, Forsyth
County, N. C.
- Mr. J. E. Mecum, Assistant Rabies Control Officer,
Forsyth County, N. C.
- Mr. Martin Ericson, Forsyth County Health Department,
Winston-Salem, N. C.
- Mr. Nash, Animal Shelter Superintendent, Red Road, Guilford
County, N. C.
- Mr. Orville W. Powell, Budget Director, City Hall, Winston-
Salem, N. C.
- Mr. Reuben Godsey, Department of Public Works, Stadium Dr.,
Winston-Salem, N. C.
- Mr. Roddey M. Ligon, Jr., Forsyth County Attorney, Winston-
Salem, N. C.
- Mrs. R. F. Folkner, President, Forsyth Humane Society,
920½ South Church St., Winston-Salem, N. C.
- North Carolina State Board of Health, P O. Box 2091.
Raleigh, N. C.
- Pet Food Institute, 333 North Michigan Ave., Chicago
1, Ill.
- Rockville, City Police Department, 111 South Perry St.,
Rockville, Md. 20850

REFERENCES (cont.)

The American Humane Society, P. O. Box 1266, Denver,
Colo. 80201

Town Manager, Emporia, Va.

United States Department of Agriculture, Animal Health
Division, Federal Center Building, Hyattsville,
Md. 20782

Wake County Health Department, 3010 New Bern Ave.,
Raleigh, N. C.

The Winston-Salem Foundation, Winston-Salem, N. C.