FAYETTE COUNTY HUMANE ORDINANCE: FAQS

When does this ordinance go into effect? March 24, 2019

How does the new Tethering Ordinance effect Fayette County's Leash Law?

• The following language in the ordinance, "...tied or restrained to any stationary or inanimate object by means of a rope, chain, strap, or other physical restraint..." prevents conflict or confusion with the leash law. A person holding a dog on a leash would not be considered an inanimate object.

What happens in the case of an individual not being able to afford a kennel?

- First and foremost, Fayette County residents have 30 days after date of passage to comply with the ordinance. On the first offense, an officer may give only a written warning providing the individual with 72 hours additional time to come to compliance. This should give owners ample time to find appropriate housing and care solutions to come into compliance with the new code.
- For those still needing support, please contact your local animal shelter for possible resources and recommendations. The Fayette County Animal Control Center can be reached at (304) 574-3682.

How can I comply if I still want to occasionally tether my dog outside?

 A dog in Fayette County can be tethered during the day, provided the dog has a tether (not logging chain) at least 10 ft. in length, fitted to a non-choke collar or a body harness, along with adequate shelter, and there are no extreme weather conditions. During the night, the dog should be brought inside.

Where can I go to buy the proper items needed to comply with this ordinance?

 Items can be purchased at Walmart or Tractor Supply in Fayette County. They can also be ordered online at retailers such as Amazon, Petco, or PetSmart. There is also a Pet Supplies Plus and a PetSmart located in Beckley.

What happens if I cannot bring my dog inside due to not being house-trained?

There is always the option to kennel a dog inside overnight if there are house-training concerns.
However, below is a link with tips to house-training a dog.
https://www.humanesociety.org/resources/how-housetrain-your-dog-or-puppy

What are the benefits of this ordinance?

- Create clear boundaries and set expectations for pet owners.
- Reduce nuisance and dog at large/loose dog complaints. Chained dogs are a public nuisance, notorious for barking. Continuously chained dogs are so lonely and frustrated their only outlet is to bark.

What impact does this ordinance have on hunting and farming dogs?

• The language in the ordinance related to hunting and farming dogs is as follows, "The provisions set forth in this section shall not apply to healthy dogs engaged in legal hunting activities, lawful training activities, lawful herding or other farm related activities, assuming they are at least 6 months of age."

Will the ordinance increase the number of dogs being euthanized due to the owners fearing fines and charges?

- An increase in euthanasia is highly unlikely due to the amount of time the public has to comply. In addition, the Fayette County Animal Control Center has a high rate of adoption and rescue placement and low euthanasia of adoptable pets.
- An owner has 30 days to comply with the ordinance. A first offense is a written warning, with zero fines or charges, providing the owner with 72 hours of additional time to comply.

Does this ordinance apply to cats?

• No, this ordinance pertains only to dogs within Fayette County. The purpose is to provide proper restraint, shelter, protection and care for dogs.

Will this ordinance punish good people and overrun law enforcement with calls?

- Working with owners to reach compliance is the goal, and utilizing the citation/seizure options will be employed only when education is ineffective.
- This type of ordinance is complaint driven so there will likely be an increase in calls about chained dogs in the very beginning, but these will even out and eventually reduce the number of calls to law enforcement.
- Rather than being a burden on Animal Control, it will actually help decrease their workload because it creates long term animal welfare change in the community by raising pet keeping standards.

How do I get in contact with my local animal shelter?

• Fayette County Animal Control Center can be reached by phone (304) 574-3682, or on Facebook at: https://www.facebook.com/FayetteCountyWVAnimalControlCenter

Where can I find the new ordinance?

• The new tethering ordinance in Fayette County can be found <u>HERE</u> or via the commission website at: <u>https://fayettecounty.wv.gov/commission/Documents/ATO%2002222019.pdf</u>

DISCLAIMER: This is not a legal document and solely intended to provide Fayette County, West Virginia residents with a 'quick reference' summary of the new ordinance. Anyone who believes there is a violation occurring should first contact local authorities.