

**The Handling
Of Stray Dogs in Northampton County
March 2013**

Lafayette College
Robert B. & Helen S. Meyner Center
For the Study of State & Local Government
002 Kirby Hall of Civil Rights
Easton, PA 18042

***The Robert B. and Helen S. Meyner Center
For the Study of State and Local Government***

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Preface

This report is a review and analysis of the municipal handling of stray dogs in Northampton County, Pennsylvania. The report was prepared by David L. Woglom, Associate Director for Public Service of the Meyner Center, pursuant to a November 1, 2012 contract between Lafayette College's Meyner Center and Northampton County. The Center thanks all of the people who participated in interviews and meetings needed to complete the research for this report, and also thanks Chip Morel for his research assistance. Any views expressed in this report are not necessarily those of Lafayette College.

John Kincaid
Director & Professor

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Executive Summary

Northampton County officials commissioned this study because it is their understanding from meetings and conversations with the police chiefs in Northampton County that police departments in the county have been having increasing difficulty locating a final disposition for the stray dogs they pick up in accordance with Pennsylvania law. State law regulates the collection of stray dogs but not stray cats, although most animal shelters accept both stray dogs and stray cats. There is no law in Pennsylvania that regulates in any way the collection of stray cats.

There is no simple or all-inclusive solution to the challenges of collecting stray dogs and finding suitable shelters in Northampton County or anywhere else. The source of the difficulty in Pennsylvania is that while state law requires municipal and state police officers and state dog wardens to “seize and detain any dog which is found running at large, either upon the public streets or highways of the Commonwealth, or upon the property of a person other than the owner of the dog, and unaccompanied by the owner or keeper,” no state law requires any animal shelter to accept stray dogs. Until 2-3 years ago, most police departments could take stray dogs to nearby private animal shelters at little or no cost, even though the shelters were under no legal requirement to accept them. The problem that has developed during the past several years is that the animal shelters’ fees to municipalities have increased significantly due to the escalating cost to feed, medically treat, spay/neuter, and house these animals. Although the problem has not become as acute in rural sections of the county, in some urban areas in Northampton County and elsewhere in suburban Philadelphia, police departments have had to shoulder the administrative burden and financial responsibility of finding either a home for stray dogs or paying much larger fees than they paid before.

In this report, we provide a significant review of animal-shelter operation and municipal animal-control programs in the Lehigh Valley and suburban Philadelphia. The following is an abbreviated list of our conclusions:

1. We discussed with officials of the Center for Animal Health and Welfare (CAHW) how they might become an open facility and again accept stray dogs from municipalities. According to its website, the CAHW accepts municipal strays “in a similar manner to a private relinquishment” with a drop-off fee of \$150 per animal, but only when the CAHW has capacity. Currently, Northampton County contributes \$5,000 per year to the CAHW, although the shelter is generally closed to municipal strays. We inquired if larger contributions from each municipality or the county would enable the CAHW to accept more animals. CAHW officials informed us that their main issue is not cost, but space for more animals. When questioned about a possible expansion of their facility, the officials indicated that expansion would be only a temporary answer because within a short time, additional space would fill up with animals. In contrast to when the CAHW operated as a kill shelter, it appears that CAHW officials believe that, as a no-kill facility, they will never again become an open facility, able to accept stray dogs and cats from municipal police departments at any fee.

2. Even though municipal officials do not want to assume the operational and financial responsibility for finding homes and/or final disposition locations for stray dogs, it is their legal responsibility to do so. Animal shelters are available to take their stray dogs, but the cost is often \$100-\$250 per dog.
3. Fees charged by the animal shelters are increasing. The principal reason for the increase is that animal shelters' operational costs are increasing at an even greater rate, according to all shelter managers we interviewed. They also indicate that the fees charged for stray dogs do not cover the cost to spay, neuter, immunize, and house the animals. Municipal officials have expressed frustration with area animal shelters because of these increases, but it is important to understand the cause for the increased fees.
4. The science of shelter management is evolving, with some shelters now advocating a no-kill policy. This is a sensitive issue among shelter managers, professionals, shelter organizations, and the general public. Everyone we interviewed indicated that to be financially sustainable in the short and long term, no-kill management requires significant skill and hard work, especially in securing adoptions. Otherwise, shelters fill up, as evidenced by the current situation in the Lehigh Valley and suburban Philadelphia where two of the three existing no-kill shelters are closed shelters that no longer accept stray animals.
5. Some municipalities could save money and operational difficulties by cooperating jointly to operate smaller kennels to act as temporary holding facilities. For instance, the municipalities in suburban Easton could perhaps work with the City of Easton to increase the size of its kennel to include the strays picked up by the other municipalities. By sharing in the construction and operational costs, a joint municipal kennel might save money for all the municipal participants.
6. As many municipal police departments have done already, municipalities can be more aggressive in searching for the owners of lost dogs picked up by police officers and animal control officers by, for example, thoroughly canvassing the neighborhood where the dog was found and utilizing its city website to show the dogs for recovery or adoption as does the City of Easton.
7. Municipalities in Northampton County do have some other alternatives, but usually with greater cost. The Sanctuary at Haafsville in Breinigsville will contract with a municipality at a cost of \$110 per stray dog and \$30 per stray cat. Municipalities can request a contract with the Berks Animal Rescue League. With either of these options, municipalities would have to transport the stray dogs, which would require an employee to drive the animals to the shelter, thus adding to the cost depending on time and distance.

Interviews and Meetings Conducted

During the preparation of this report, the following individuals were interviewed either in person, via email, or on the telephone:

1. Andrew Flegler, CAHW Shelter Manager
2. Dan Roman, CAHW Director
3. Bruce Fritch, Lehigh County Humane Board of Directors President
4. Liz Jones, Sanctuary at Haafsville Owner
5. Nicky Thompson, Bucks County Director of Education and Outreach
6. Dayna Villa, Delaware County SPCA Operations Director
7. Michael Dempsey, Chester County SPCA Acting Manager
8. Karel Minor, Berks County Humane Society Executive Director
9. Carmen Ronio, Montgomery SPCA Director
10. Harry Brown, Berks Animal Rescue League Executive Director
11. Thomas Judge, Delaware County Animal Protection Board
12. Carl Scalzo, City of Easton Police Chief
13. Roy Seiple, Colonial Regional Police Department Police Chief
14. Steve Parkansky, Wilson Borough Police Chief
15. Larry Palmer, Palmer Township Police Chief
16. John Christman, South Whitehall Police Lieutenant
17. Jack Meyers, Whitehall Township Deputy Mayor
18. Ann Saurman, Allentown Recycling Bureau Manager
19. Scott McElree, Quakertown Borough Police Chief
20. Mark Toomey, Hatfield Township Police Chief
21. Dan Pancoast, Bethlehem Township Police Chief
22. Kristen Wenrich, City of Bethlehem Acting Health Director
23. Thomas Beil, Upper Saucon Township Manager
24. Jon Hammer, South Whitehall Township Manager
25. Joyce Lambert, Plainfield Township Manager
26. Thomas Ryan, West Bradford Township Manager
27. Mary Flagg, East Vincent Township Manager
28. Bernard Rodgers, East Coventry Township Manager
29. Rose Nonnemacher, Macungie Clerk/Assistant Treasurer
30. Robert Schurr, North Coventry Township Police Chief
31. Gabriel Khalife, Kutztown Borough Manager
32. Ernie McNeely, West Chester Borough Manager
33. Casey LaLonde, West Goshen Township Manager
34. Joseph Gleason, West Goshen Police Chief
35. William Martin, Tredyffrin Township Manager
36. Jess Landon, Tewksbury (NJ) Township Manager
37. Anthony Cancro, Springfield (NJ) Township Manager
38. Kathy Andrews, Northampton County Dog Warden
39. Mike Peckart, Pennsylvania Department of Agriculture Executive Deputy Secretary
40. Angela Messer, Pennsylvania SPCA Operations Director

41. Dr. Stephanie Janeczko, Sr. Director of Community Outreach and Shelter Medicine/President of the (US) Association of Shelter Veterinarians
42. Inga Fricke, humane Society of the United States Director of Sheltering and Rescue
43. Erin Mattes, People for the Ethical Treatment of Animals (PETA) Membership Correspondent
44. Nathan Winograd, No Kill Advocacy Center Director
45. Rich Avanzino, Maddie's Fund President
46. Josh Cromer, Humane Society of Henderson County, Kentucky Shelter Director
47. Cheryl Schneider, Williamson County Animal Shelter, Texas Animal Service Director

During the preparation of this report, we met with officials from the Center for Animal Health and Welfare, police chiefs through a meeting of the Northampton County Chiefs of Police Association, and Liz Jones of the Sanctuary at Haafsville. The majority of our investigative time was spent interviewing on the phone all of the individuals listed above.

The Meyner Center thanks all of those who communicated with us during this study.

Definition of Terms

Understanding the collection of stray dogs and cats and the administration philosophy of animal shelters involves knowledge of the terms used in the industry.

Like most states, Pennsylvania's laws do not regulate the collection of stray cats; they only regulate the collection of stray dogs. However, it is common across Pennsylvania and the rest of the United States that most animal shelters accept stray cats, dogs, birds, and other domestic animals. While stray dogs come to the shelters from municipal police officers, animal control officers, state police officers, state dog wardens, and residents, stray cats and other animals typically come from residents.

Animal control officer is a term used in slightly different ways in different municipalities and states. Generally, it refers to a person whose job it is to collect stray dogs and find either the owner of the dog or an animal shelter to take the dog. In Pennsylvania, some municipalities have appointed an animal control officer to collect stray dogs; other municipalities simply leave the responsibility to their police officers. For this report, it is not important to distinguish the title of the municipal official who picks up stray animals.

Animal shelters are frequently referred to as either SPCAs or Humane Societies. The distinction is not important; it is merely an historical fact of how the agency was created. This study will generally and generically refer to all of these facilities as animal shelters.

Animal shelters are also commonly categorized as either "open" or "closed." An open facility will accept stray dogs and/or cats from almost anyone who brings the animal to the shelter, including police officers, animal control officers, dog wardens, and residents. Typically, the only restriction of an open shelter is that it will accept animals only within a specified geographic region—most commonly within the county of its location. A closed facility does not accept stray dogs or cats from police officers, animal control officers, or dog wardens: they usually only accept stray dogs and cats from residents, and sometimes only when they have room (capacity) in their facility.

There are two main management philosophies in animal shelters, and some shelter-management professionals are very sensitive about how the terms are used. All animal shelters euthanize stray animals for such reasons as sickness, disease, age, and dangerous behavior. Until approximately 15-20 years ago, most shelters in the United States also euthanized animals when the shelter needed space to receive new animals. Therefore, all shelters used to be what is now referred to as "kill shelters." However, approximately 10-15 years ago, a no-kill philosophy of animal shelter administration started to develop across the United States. These "no-kill shelters" do not euthanize animals in order to create more space in their facility for new animals. In order to operate effectively, they focus on finding homes for stray animals through such efforts as aggressive adoption programs and partnerships with other animal-rescue shelters. The no-kill movement has also spawned several national educational and financial support groups, including the No-Kill Advocacy Center and Maddie's Fund. The main goal of the no-kill

philosophy is to administer animal shelters so as to achieve a 90 percent save rate for the animals entering the facility.

Background and History in Northampton County

Northampton County officials commissioned this study because it is their understanding from meetings and conversations with the police chiefs in Northampton County that police departments in the county have been having increasing difficulty finding a final disposition location for the stray dogs they pick up in accordance with Pennsylvania law. State law regulates the collection of stray dogs but not stray cats, even though most animal shelters accept both stray dogs and stray cats. There is no law in Pennsylvania that regulates in any way the collection of stray cats.

Section 459-302 of the Pennsylvania Dog Law states:

(a) General rule.--It shall be the duty of every police officer, State dog warden, employee of the department or animal control officer to seize and detain any dog which is found running at large, either upon the public streets or highways of the Commonwealth, or upon the property of a person other than the owner of the dog, and unaccompanied by the owner or keeper. Every police officer, State dog warden, employee of the department or animal control officer may humanely kill any dog which is found running at large and is deemed after due consideration by the police officer, State dog warden, employee of the department or animal control officer to constitute a threat to the public health and welfare.

(b) Licensed dogs.--The State dog warden or employee of the department, the animal control officer, or the chief of police or his agents of any city, borough, town or township, the constable of any borough and the constable of any incorporated town or township shall cause any dog bearing a proper license tag or permanent identification and so seized and detained to be properly kept and fed at any licensed kennel approved by the secretary for those purposes and shall cause immediate notice, by personal service or registered or certified mail with return receipt requested, to the last known address, which shall be set forth in the license application record, of the person in whose name the license was procured, or his agent, to claim the dog within five days after receipt thereof. The owner or claimant of a dog so detained shall pay a penalty of \$50 to the political subdivision whose police officers make the seizures and detention and all reasonable expenses incurred by reason of its detention to the detaining parties before the dog is returned. If five days after obtaining the postal return receipt, the dog has not been claimed, such chief of police, or his agent, or a constable, or State dog warden or employee of the department shall dispense the dog by sale or by giving it to a humane society or association for the prevention of cruelty to animals. No dog so caught and detained shall be sold for the purpose of vivisection, or research, or be conveyed in any manner for these purposes. All moneys derived from the sale of the dog, after deducting the expenses of its detention, shall be paid through the Department of Agriculture to the State Treasurer for credit to the Dog Law Restricted Account.

(c) Unlicensed dogs.--Except as otherwise provided by section 305, any police officer, State dog warden, employee of the department or animal control officer shall cause any unlicensed dog to be seized, detained, kept and fed for a period of 48 hours at any licensed kennel approved by the secretary for those purposes, except any dog seriously ill or injured or forfeited with the owner's permission. The 48-hour period shall not include days the approved kennel is not open to the general public. Any person may view the detained dogs during normal business hours. Any

unlicensed dog remaining unclaimed after 48 hours may be humanely killed or given to a humane society or association for the prevention of cruelty to animals. No dog so caught and detained shall be sold for the purpose of vivisection, or research, or be conveyed in any manner for these purposes.

Therefore, the Pennsylvania Dog Law holds municipal police officers, state police officers, and state dog wardens responsible for picking up stray dogs. In response to this law, the Commonwealth of Pennsylvania created a division of dog wardens under the Pennsylvania Department of Agriculture. This division utilizes 53 dog wardens across Pennsylvania whose responsibility it is to enforce the dog laws, which includes collecting stray dogs, licensing and inspecting animal kennels, and investigating rabies bites and dangerous dogs. Northampton County has 38 municipalities, with 27 municipal police departments in 29 municipalities (the Colonial Regional Police Department encompasses three municipalities). Therefore, the collection of stray dogs is solely the responsibility of the Northampton Dog Warden in nine of the county's 38 municipalities.

Until approximately two years ago, the Northampton County police departments and the Northampton County Dog Warden had no difficulty with their legal responsibility for handling stray animals; whenever they had a stray dog or cat for which they could find no owner relatively quickly, they took the dog or cat to the Northampton Center for Animal Health and Welfare (CAHW), which accepted the dog for little, if any fee. Located in Williams Township, the CAHW, which was called the Northampton County SPCA from its inception in 1913 until 2007 when it became a 501(c)(3) non-profit agency, was an open facility.

In 2003, the CAHW changed its basic shelter management philosophy from that of a "kill shelter" to a "no-kill shelter" while still remaining an open facility. In 2011, the CAHW instituted a fee structure for animals brought to its facility and required municipalities to sign a contract guaranteeing that they would pay the fees. According to CAHW officials, this change was caused by overall financial difficulties, including the rising cost of treating stray animals and a shortage of space in the facility. Believing that the fees were too high, many municipalities refused to enter into a contract. In 2012, the CAHW became a closed facility when its officials determined they no longer had the capacity to accept stray animals. The result of this change in the CAHW's policy is that municipal and state police departments and the Northampton County Dog Warden are no longer guaranteed the ability to bring a stray dog to the CAHW, and even if space exists on a given day, the municipality must either pay \$150 per stray dog at the time it delivers the dog to the CAHW or deposit money into a pre-paid account with the CAHW. Since the CAHW shelter became a closed facility, it has, from time to time, accepted only a few dogs from municipalities, including Easton.

Northampton County is a very diverse mix of urban, suburban, and rural municipalities. From the statistics provided by municipalities, it appears that there is a correlation between the number of stray dogs handled by municipal departments and the population and density of the municipality. For 2012, the total number of stray dogs handled by municipal police departments was more than 808 jurisdictionally divided as follows:

Bethlehem Township	150
City of Bethlehem	100
Bushkill	82
Lehigh	72
Colonial Regional	59 (3 municipalities)
Wilson	56
Easton	51
Palmer	45
Bangor	33
Forks	30
Hellertown	21
Moore	21
Plainfield	21
Northampton	19
Washington	11
Lower Saucon	9
Upper Nazareth	7
Pen Argyl	6
Freemansburg	6
Nazareth	4
East Bangor	3
Roseto	2

Note: Despite repeated requests, the police departments in Portland, Stockertown, Tatamy, and Wind Gap did not supply us with statistics for 2012.

Only six of the 26 police departments in Northampton County handle an average of more than one dog per week. Police chiefs in all of these municipalities expressed frustration with the amount of time it takes their department to process a stray dog. As a result of their municipality not having a contract with a licensed kennel, most of these departments (and several of the others) have constructed small facilities to hold their stray dogs temporarily, and Easton's facility of six cages is licensed by the state. Police chiefs indicate that the time it takes to find a home for each dog varies greatly from several hours to several days. No information is available on how many dogs are returned to their owners or sent to shelters or rescue groups. The reality of the current situation is that while state law requires municipal police departments to handle stray dogs, it does not require private animal shelters to accept stray dogs picked up by municipalities. The mission of the CAHW (and most animal shelters whose directors we interviewed) is generally to find homes for homeless animals as determined by their organization; state law does not require them in any way to assist municipalities with a facility to house stray dogs.

The Northampton County Dog Warden is also experiencing great difficulty in finding shelters to bring stray dogs. The Northampton Dog Warden says that while she used to rely on the CAHW, she has not been able to take stray dogs to that facility since last year because even if there is capacity on a given day, the state will not pay a fee to an animal control facility. With no open animal shelter in Northampton County, she has to travel hours to take stray dogs either to private rescue groups or to animal shelters outside of the county. Michael Peckart, the Assistant

Secretary of the Pennsylvania Department of Agriculture's Dog Law Enforcement Office, says that the problems experienced in Northampton County are not unusual across the state. He says that many of the state's 53 dog wardens frequently travel hours across county lines to find a shelter for a dog they picked up. Additionally, he indicates that the dog-warden program in the state is experiencing financial difficulties, which has resulted in an elimination of overtime for wardens. Annual dog licenses cost pet owners \$6.45 per year (\$5.00 of this fee goes to the state and \$1.45 is kept by each county). Following estimates developed by the Humane Society of the United States, Mr. Peckart estimates that there are 2-3 million dogs in Pennsylvania despite the fact that the state (and its 67 county treasurers) issue only 1 million dog licenses each year.

The City of Easton has constructed its own licensed kennel to handle stray dogs picked up by their police officers. The four-cage facility was built at a cost of approximately \$35,000 and is monitored 24 hours per day by employees at the city's wastewater treatment facility. They have been successful in finding the owners of many of the stray dogs, and have partnered with some rescue groups to locate adoptions for others. From time-to-time, the CAHW has agreed to accept some of their stray dogs at a cost of \$150 per dog. The City Administrator believes that within 1-2 years, the city's overall cost of animal control will be less than it was 3-4 years ago.

The Palmer, Plainfield, and Colonial Regional police departments are constructing kennels and applying for licenses from the state. Their police chiefs have expressed concern over their ability to find owners, adoption homes, or rescue groups to handle all the stray dogs they pick up during the year. Other police chiefs say that because of the low number of stray dogs they handle each year, they are able to find homes for all of the stray dogs they pick up. No information is available on the number of dogs that the police departments either found homes for or sent to shelters or rescue groups.

The Operation of Animal Shelters

Rich Avanzino, president of Maddie's Fund in Alameda, California—a family foundation “helping to achieve and sustain a no-kill nation by providing solutions to the most challenging issues facing the animal welfare community through the synergistic work of grant giving, hands-on animal care, and research and education”—estimates that there are 180 million pets in United States homes today, with the percentage of home pets that were adopted from animal shelters or rescue groups being perhaps as high as 30 percent. He expects the number of pets in homes to grow to more than 200 million by 2015.

Our interviews with animal shelter managers and national organization leaders revealed that it is impossible to gather accurate national statistics on animal shelters because no one agency monitors animal shelters in the United States. Although animal shelters in some regions or states operate differently (such as in portions of Texas), it is quite common for animal shelters to be privately owned and operated by non-profit organizations. Ordinarily, municipal and county governments are not directly involved in the ownership and operation of shelters. Only 15 states require that shelters submit data to a state agency. Pennsylvania does not require this reporting; consequently, no accurate information is available on shelter characteristics statewide. Additionally, there is no clear definition as to what constitutes an animal shelter because of the existence of various animal rescue leagues, adoption centers, and other organizations. Most state laws do not regulate the control of stray cats, but most animal shelters accept cats and dogs, and according to the shelter managers we interviewed, many shelters also accept birds and some other wild animals.

According to the American Society for the Prevention of Cruelty to Animals (ASPCA), millions of dogs enter animal shelters each year. The ASPCA estimates that 60 percent of these dogs are euthanized, 15-20 percent are returned to caregivers, and the remaining animals are adopted into new homes. At best, therefore, only 20-25 percent of stray dogs go to adoptive homes. The best estimate by all professionals we spoke to is that there are about 3,500 animal shelters in the country and that approximately 90 percent of them are kill shelters. Most are non-profit agencies that receive some funding from local or county government. The typical geographic boundary lines of their services follow county or multi-county borders.

All of the shelter managers we interviewed told us that it is significantly more challenging to follow a no-kill philosophy and remain financially sustainable, and that most shelters that follow the no-kill philosophy are also closed shelters because of space limitations. The issue of euthanizing animals for reasons other than illness and disease is a very sensitive one for many people. Even shelter managers who follow the kill management philosophy are animal lovers who say that euthanasia is utilized because the quality of life for animals in overcrowded shelters is inhumane. Several shelter managers who operate kill shelters told us that they refer to themselves as “humane” or “life-saving” shelters. They believe that no-kill shelters are euthanizing more animals than they are reporting so as to solicit greater public support. Kill shelter managers told us that the only reason they euthanize for more than health and dangerous behavior is that a no-kill shelter is not sustainable in the long term as an open facility that will accept stray animals.

While it is estimated that only 10 percent of current shelters across the United States follow the no-kill philosophy, the number of facilities that are converting to this philosophy is growing because education on how to operate a no-kill shelter is spreading. The No-Kill Advocacy Center says only 25 people attended its first conference in 2005; in 2012, the attendance was 860. President Nathan Winograd started one of the first no-kill management shelters in Tompkins County, New York, in 2005. According to Mr. Winograd, the only way to manage a successful and sustainable no-kill shelter is strict adherence to all of the following strategies:

1. A comprehensive and low-cost, trap-and-neuter program for feral cats that results in a decrease in cat population in animal shelters;
2. A very close relationship with animal rescue groups in the region that help to find homes for dogs and cats;
3. A large foster-care community that helps to care for sick animals, reducing the cost to shelters;
4. A comprehensive adoption program that finds homes for animals;
5. An innovative and educational program that encourages pet owners to keep their animals and reduces the number of dogs and cats surrendered to shelters;
6. Effective medical programs in the shelters that prevent animals that enter the shelter from becoming ill and treat animals that enter the shelter sick in a thorough and cost effective manner, along with a behavior modification program that treats animals to help them become more adoptable;
7. A “dedicated army of compassion” driven volunteers to save the shelter from otherwise having to pay employees;
8. Aggressive programs to find the original owners of animals housed in shelters; and
9. A compassionate director of the shelter who works with his or her staff to implement the eight strategies listed above in order to avoid unnecessary euthanization.

Mr. Winograd cites more than 90 shelters in the United States representing more than 300 municipalities that have been successful in following the no-kill management philosophy, achieving a 90 percent save rate among the animals in its shelters. Maddie’s Fund President Rich Avanzino agrees with Mr. Winograd that the no-kill management philosophy can and will grow among shelter managers, but that it is “a movement in its infancy that needs to increase the skill and knowledge of its shelter managers in order to be sustainable.” He also believes that management of no-kill shelters should involve municipal and county governments as financial partners. Mr. Avanzino echoed what several other shelter managers told us: government leaders need to accept the fact that controlling stray dogs and cats is the financial and operational responsibility of government, not private animal shelters, and that in the future animal shelters will not be financially stable without the financial assistance of government.

Josh Kramer is the shelter director of the Humane Society of Henderson County, Kentucky. The society operates an open shelter that accepts stray animals for a county of 46,250 people. Mr. Kramer indicates that shelters are regulated in Kentucky, and that his facility is one of only four out of a total of 236 shelters in the state that follow a no-kill management philosophy. His shelter’s average daily census is approximately 100 animals (50 percent dogs and 50 percent cats). The annual budget is \$125,000, and Henderson County funds approximately 25 percent of

the revenue needed to operate. In order to achieve its 90 percent save rate, the shelter follows the steps advocated by Mr. Winograd and also believes that an active social media program helps it to find adoptees for its animals.

Cheryl Schneider is the Animal Services Director of the Williamson County, Texas Shelter. Her open shelter accepts stray animals from municipalities and residents in a county with a population of 442,782 and has an average daily census of approximately 120 dogs and 100 cats. The shelter is owned by the four cities in the county and has been open for five and a half years, with the last two years being operated through a no-kill management philosophy during which time the shelter has achieved a 90 percent save rate. She indicates that animal control is the legal responsibility of municipalities in Texas; thus it is very common that animal shelters are owned by municipal and/or county governments. She says that most shelters are also funded almost solely by municipal and county governments. Her shelter's annual budget of \$1.2 million includes direct funding from the four municipalities totaling \$850,000 per year.

We interviewed animal shelter managers in Lehigh, Bucks, Montgomery, Chester, Delaware, Philadelphia, and Berks Counties. All managers were very knowledgeable and passionate about their job and organization. The approximate daily census of animals in these facilities is:

<u>Facility</u>	<u>Daily Census</u>	<u>County Population</u>	<u>Status</u>
Northampton CAHW	330	297,735	no-kill, closed
Lehigh (LC Humane)	200	349,497	kill, open
Lehigh (Sanctuary)	35		no-kill, open
Bucks (both facilities)	275	625,249	kill, open
Montgomery (all three facilities)	280	799,874	kill, open
Chester	300*	498,886	kill, open
Berks (Humane Society)	170	411,442	kill, closed
Berks (Animal Rescue)	175		kill, open
Delaware (SPCA)	135*	558,979	no-kill, closed

*The Chester statistics include animals taken from the Delaware County municipalities. The Delaware SPCA statistics are only from its closed facility.

Of all the nine shelter organizations listed above, only three (i.e., Delaware SPCA, the CAHW, and the Sanctuary) are no-kill shelters; the Delaware SPCA and CAHW shelters are closed facilities that do not accept stray animals. It also is noteworthy that despite Northampton having the smallest population of any of the seven counties, the average daily census of Northampton County's CAHW is higher than any other county's combined daily census. Given that no licensing occurs in Pennsylvania, there is no standard for measuring any animal shelter's capacity, nor are there data for determining whether shelters are operating under capacity or over capacity.

Lehigh County

Lehigh County hosts two animal shelters: the Lehigh County Humane Society (established in 1906) and the Sanctuary at Haafsville (established in 2012). The Humane Society accepts stray dogs and cats from residents and from municipal agencies in approximately nine municipalities

through contracts; the Sanctuary accepts stray dogs and cats from residents and municipal agencies through contract in approximately 13 municipalities (some of which do not have a police department). The Humane Society operates as a kill facility; the Sanctuary is a no-kill facility. The Humane Society charges a flat fee to each municipality based on the size of the municipality and its history of how many dogs and cats have been brought to it from municipal agencies and residents. Based on the number of stray animals brought by either municipal officials or residents in 2012, Upper Saucon, Whitehall, and Fountain Hill each paid approximately \$100-150 for each animal. The Sanctuary charges \$110 per stray dog and \$30 per stray cat. The Humane Society will not accept stray dogs from any municipality not under contract or from any municipality outside of Lehigh County. The Humane Society's president indicates that the shelter is currently close to capacity (with a daily census of approximately 200 cats and dogs). The Sanctuary is willing to enter into contracts with municipalities outside of Lehigh County at a fee of \$110 per dog and \$30 per cat.

With a population of 118,000 people, Allentown is by far the largest municipality in any of the seven counties in suburban Philadelphia and the Lehigh Valley. The city employs one full-time Animal Control Officer whose duty is primarily focused on picking up stray dogs and cats and bringing them to the Lehigh County Humane Society. According to City Recycling Bureau Manager Ann Saurman, each year the city's Animal Control Officer and residents bring more than 2,400 animals to the Humane Society for which the city pays the Humane Society \$115 per animal. She estimates that the residents on their own bring one-half of the strays to the shelter, which is located in the middle of the city and is convenient and close for many residents. Ms. Saurman told us that she had conducted a survey of many counties and individual shelters within Allentown's geographical region recently to compare the rates charged by the Lehigh County Humane Society. Her conclusion was that their cost of \$115/animal being paid to the Humane Society was fair and typical of other shelters' charges.

The City of Bethlehem (which is located partially in Northampton and Lehigh Counties) has required its health department to assume responsibility for stray dogs in the city. Unable to take dogs to the CAHW, the city now initially takes its stray dogs to the Christmas City Animal Hospital for a period of 2-7 days while the owner is sought. After seven days, health department officials transport the dogs to the Berks County Humane Society at a cost of \$200 per animal. City officials estimate that approximately 20 percent of the stray dogs that they pick up are transported to the Berks Humane Society facility.

Suburban Philadelphia Counties

In Bucks and Montgomery Counties, municipalities and residents pay no fee to bring stray dogs or cats to the Bucks County and Montgomery County SPCAs. Shelter directors in these two facilities indicate that donations and other revenues provide sufficient funds to operate their shelters on a no-fee basis.

In Berks County, there are two animal shelter organizations: the Berks Humane Society (a closed facility that does not accept stray animals) and the Berks Rescue League, which accepts stray dogs from all 67 municipalities in the county through contract at flat fees that are between \$1,500 to \$2,000 per year. The league also accepts stray animals through contract from several municipalities in other counties.

In Chester County, the Chester County SPCA accepts stray dogs and cats and charges municipalities a flat fee per year plus a \$35 per animal boarding fee. The costs vary according to the municipality. West Chester, which has the third largest population among the 73 municipalities in the county, paid approximately \$73 per stray animal (including boarding fees) brought to the SPCA in 2012; West Bradford Township paid \$155 per animal; East Coventry paid \$166 per animal; and West Goshen paid \$800 per animal.

Delaware County's situation is somewhat similar to that in Northampton County, but the current resolution is quite different. For many years through 2009, the Delaware SPCA operated as a kill facility that was open to municipalities and residents; the SPCA charged \$25 per stray dog that was brought to the facility. In 2010, its fee increased to \$116 per dog. In 2012, the SPCA became a no-kill shelter and a closed facility, not accepting any stray animals from municipalities. That year, the Delaware County Board of Commissioners appointed the County Animal Protection Board, which ultimately contracted on behalf of all the municipalities in the county who have police departments with the neighboring Chester County SPCA. Through this contract, for more than a year now, the Chester County SPCA has accepted all stray dogs from the municipal police departments in Delaware County at a fee of \$250 per dog.

Philadelphia, New York City, and New Jersey

Philadelphia has two major animal shelters: the Pennsylvania SPCA (the second oldest animal shelter in the United States created in 1867) and a shelter owned by the city. The city's kill shelter is responsible for the more than 30,000 stray animals picked up each year. The Pennsylvania SPCA also owns a closed, no-kill facility that accepted approximately 7,500 animals in 2012.

New York City has many animal shelters. The largest shelters in the city are operated by the American SPCA (ASPCA) and the Animal Care and Control Facility (NYCACC). The NYCACC operates five kill shelters in the city (one in each borough) and is under contract with New York City to handle the more than 30,000 stray dogs and cats brought to their facilities each year. The ASPCA provides a number of services in the city and operates one closed kill facility.

New Jersey does not have a law that requires municipal police departments to pick up stray animals. Additionally, no statewide information is available on how many stray dogs or cats are brought to private animal shelters in the Garden State.

Analysis

There is no simple or all-inclusive solution to the challenges of collecting of stray dogs or cats in Northampton County. The source of the difficulty in Pennsylvania is that while state law requires municipal and state police officers and state dog wardens to “seize and detain any dog which is found running at large, either upon the public streets or highways of the Commonwealth, or upon the property of a person other than the owner of the dog, and unaccompanied by the owner or keeper,” there is no state law requiring any animal shelter to accept stray dogs or stray cats. While the law states that “every police officer, State dog warden, employee of the department or animal control officer may humanely kill any dog which is found running at large and is deemed after due consideration by the police officer, State dog warden, employee of the department or animal control officer to constitute a threat to the public health and welfare,” until 2-3 years ago, most police departments took stray dogs to private animal shelters at little or no cost even though the shelters were under no legal obligation to accept them. The problem that has developed over the past several years is that the animal shelters’ fees to municipalities have increased significantly due to the escalating cost to feed, medically treat, spay and neuter, and house these animals. Although the problem has not become as acute in rural areas, in some urban areas in Northampton County and elsewhere in suburban Philadelphia, police departments have had to shoulder the administrative responsibility and assume the financial responsibility of finding homes for stray dogs or paying much higher fees than they paid in the past. Even though state law appears to give municipalities latitude to euthanize stray dogs, municipalities are reluctant to do this for financial and humane reasons.

In this report, we have provided a significant review of animal shelter operation and municipal animal control programs in the Lehigh Valley and suburban Philadelphia. We have spoken to some of the national associations involved in animal shelter organization, seeking their opinion as to the best practices of animal sheltering, focusing on potential options that are financially sustainable in both the short and long term. The following is a list of our conclusions:

1. We discussed with officials of the Center for Animal Health and Welfare (CAHW) how their shelter might become an open facility and again accept stray dogs regularly from municipalities. According to its website, the CAHW accepts municipal strays “in a similar manner to a private relinquishment” with a drop-off fee of \$150 per animal, but only when the CAHW has open capacity. Currently, Northampton County contributes \$5,000 per year to the CAHW even though the shelter is generally closed to municipal strays. We inquired if larger contributions from each municipality or the county would enable the CAHW to accept more animals. CAHW officials informed us that their main issue is not cost, but space for more animals. When questioned about a possible expansion of their facility, the officials indicated that expansion would be only a temporary answer because within a short time, additional space would fill up with animals. In contrast to when they operated as a kill shelter, it appears that CAHW officials believe that, as a no-kill facility, they will never again become an open facility regularly able to accept stray dogs and cats at any fee.
2. Even though municipal officials may not want to assume the operational and financial responsibility for finding homes and/or final dispositions of stray dogs, it is their legal

responsibility to do so, and they do have options of animal shelters to which they can take their stray dogs, even if it is at a cost of \$100-\$250 per dog. While their frustration with the existing animal shelters in Northampton and Lehigh Counties is understandable, they must recognize that these shelters are non-profit or private organizations whose mission is assist whatever animals they choose to help. They are under no legal obligation to accept stray animals from municipalities.

3. Animal shelters' fees are increasing. The reason for the increase is that animal shelters' operational costs are increasing at an even greater rate, according to all shelter managers we interviewed. Animal shelter directors indicate that the fees charged for stray dogs do not cover the full costs to spay, neuter, immunize, and house the animals. Municipal officials have expressed anger at area animal shelters for these fee increases but they need to understand the cause for the increase in fees.
4. The science of shelter management is evolving to include the no-kill philosophy. The kill versus no-kill policy is a very sensitive issue among shelter managers, professionals, shelter organizations, and the general public. However, everyone we interviewed indicated that to be financially sustainable in the short and long term, no-kill management requires significant skill and hard work so as to ensure a high rate of adoptions. Otherwise, the facility has to close its doors to receiving new stray animals, as evidenced by the current situation in the Lehigh Valley and suburban Philadelphia where two of the three existing no-kill shelters are not open to stray animals. The third shelter—the Sanctuary at Haafsville—is an open facility that is fairly new.
5. Some municipalities could save money and operational difficulties by cooperating jointly to operate smaller kennels to act as temporary holding facilities. For instance, the municipalities in suburban Easton could work with the City of Easton to increase the size of its kennel to include the strays picked up by the other municipalities. By sharing in the construction and operational costs, this joint municipal kennel might save money for all municipal participants. Additionally, municipalities could charge a fee to pet owners who claim the stray dog held by the municipality. This would enable the municipality to recoup some of its expenses.
6. As many municipal police departments have done already, others can be more aggressive in searching for the owners of lost dogs that are picked up by municipal police officers and animal control officers. Police officers and/or animal control officers can canvass a neighborhood by knocking on doors to find an owner. The City of Easton has a "Lost Dog" page on its website.
7. Municipalities in Northampton County do have some other alternatives, but with greater cost. The Sanctuary at Haafsville in Breinigsville will offer a contract with a municipality at a cost of \$110 per stray dog and \$30 per stray cat. Municipalities could take their stray dogs to Berks Animal Rescue League; Executive Director Harry Brown says that the league will consider signing a contract with out-of-Berks County municipalities for a per-animal fee.
8. Northampton County could become more proactively involved in partnerships with municipal police departments through any or all of the following actions:
 - a. Conduct stronger enforcement of dog licenses to require more pet owners to comply with state law and license their dogs, which would also provide a small stream of revenue for the county;

- b. Work with the CAHW on an education program to increase awareness of responsible pet ownership to reduce the number of stray animals;
- c. Dedicate a section of the county's website to highlight the stray animals picked up by municipal police departments so as to increase both the return of dogs to pet owners and adoption of unclaimed dogs;
- d. Meet with police chiefs in the southern portion of the county (where the number of stray dogs is largest) to discuss the feasibility of creating and operating a small, regional kennel to temporarily hold stray dogs; and
- e. Conduct a feasibility study of the construction of a new animal shelter dedicated just to stray dogs picked up by municipal police departments.

