

Why Legal Compliance Matters

If you're like most dog enthusiasts, you started out with one or two dogs. Not long after joining competitive events and beginning your breeding program, you find yourself with multiple dogs. Knowing, understanding and obeying dog laws that apply to you is part of being a responsible dog owner. The importance staying in compliance cannot be overstated. Here's why:

STATE & LOCAL AUTHORITY

In the United States, state police power comes from the Tenth Amendment to the Constitution, which effectively limits the federal government's power by giving states the rights and powers, "not delegated to the United States." States are therefore recognized as having the power to establish and enforce laws protecting the welfare, safety, and health of the public. From these powers, considered "police powers", local governments may enjoy direct authority under a state's constitution, laws, or regulations to impose their own rules and restrictions. Local laws, known as ordinances or by-laws, are almost universally deemed a valid exercise of police power and can cover several areas related to dogs.

AUTHORITY OVER DOGS

Each of the 50 states has anti-cruelty animal laws that define crimes involving animals and consequences. Many prohibit dog fighting, cruelty, and animal abandonment or neglect. Sometimes they describe minimum care and conditions necessary to avoid allegations of neglect or cruelty such as what is adequate shelter or how long a dog can be left outside. On the local level, in addition to requiring rabies vaccination for annual dog licenses, there may be city and municipal conditions on the ownership of dogs. Examples include restrictions on dogs-at-large and the keeping of dangerous dogs as potential threats to public safety. Local laws may also dictate the number of dogs one may keep at their residence before imposing rules that require a kennel license or zoning permit authorizing the use of land for specific purposes.

CONSEQUENCES OF NON-COMPLIANCE:

Failing to comply with state and local dog laws can result in serious consequences. If you maintain multiple dogs or your breeding program qualifies you as a commercial kennel, your residence may not be properly zoned allowing that activity to continue. When you are out of compliance with existing laws, it is hard to be recognized as a credible if new, more restrictive laws are proposed. Although failure to renew a dog license on time may only carry a small monetary fine, and officers may not check on the number of animals you keep, if officers become aware of violations, this may lead to an inquiry by an animal control or law enforcement officer checking for additional state or local violations. Officers' expertise and training in animal husbandry practices varies greatly. In 44 states, the law explicitly authorizes the seizing of any and all animals suspected to be neglected or abused before their owner is convicted of animal cruelty charges.

Charges of animal cruelty or neglect can severely damage your reputation and trigger an AKC investigation. Legal defense can result in significant attorney fees. Many state laws require an owner to post a bond covering the cost of caring for seized animals throughout the legal proceedings, which may take a very long time. A shelter with custody of an animal during legal proceedings may incur expenses for veterinary charges they deem necessary; possibly including spaying or neutering in medical emergencies. If an owner is unable to post bond, they may be forced to forfeit ownership and allow the animal's transfer to a permanent home. The emotional and financial toll of enduring these types of allegations persist, even if the charges are later dropped.

HOW TO FIND YOUR RULES:

To get started, first check the [map of the 50 states' anti-cruelty animal laws](https://www.animallaw.info/content/state-animal-anti-cruelty-laws) provided by the Michigan State University College of Law (<https://www.animallaw.info/content/state-animal-anti-cruelty-laws>). Some states do not place animal anti-cruelty laws in the criminal code but instead under sections relating to agriculture or animals. Other states may have requirements in multiple sections. Therefore, searches of state departments of agriculture and public health websites regarding "animals" and "dogs" are also necessary. Also, go to your city or town's government website and search for animal ordinances or bylaws. Once you have this information, review it to determine whether your set up meets expectations. Please contact an attorney to advise you on what steps need to be taken if you have any doubts or questions.

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