

**From:** Sandy Mesmer <[sandy@smesmer.com](mailto:sandy@smesmer.com)>

**Sent:** Friday, February 10, 2017 8:21 PM

**To:** Bennett, John A

**Subject:** Concerning Pinellas BCC Public Hearing February 21, 2017

John Bennett, Assistant County Administrator

Dear Mr. Bennett,

I have lived in Pinellas County for 36 years, specifically in District 5, and I appreciate that Karen Williams Seel is my Commissioner. I am a member and former President of the Clearwater Kennel Club and am the Forming President of the Silky Terrier Club of Central Florida. I am a Maxwell Award-Winning artist and am also Maxwell Nominated for my book "Dogs 101 – Yorkshire Terrier".

I understand that the Pinellas County Ordinances concerning pets is under revision and may be voted on in the Public Hearing on Feb. 21. I have read the proposed revisions while I have some concerns which I would like to see addressed and corrected at this Hearing, I want to thank Mr. Brightwell of Animal Services and his willingness to include local breeders and dog people in this process, to accept our help, and for his taking our concerns into consideration. I have a major area that I would very much like to see addressed, but I understand that this will be something for us to all work on together in the future. With these reservations in mind I am in agreement with the proposed changes.

The definition of "kennel" considers a dog training facility a "kennel". This is an incorrect definition – Webster's New World defines kennel as "A place where dogs are bred or kept". As long as no dogs are housed or "kept" at a dog training facility, in other words they are with their owners at all times, it is not per Websters a kennel. This needs to be changed. The revision, which is in **Section 14-26 Definitions** should be corrected to read:

KENNEL MEANS ANY PREMISES WHEREIN ANY PERSON ENGAGES IN THE BUSINESS OF BOARDING, BUYING OR LETTING FOR HIRE FOR A FEE DOGS OR CATS. ("Or training" has been removed.)

**Section 14-46 Enforcement of Article (d):** "The Board of County Commissioners may contract with any state chartered non-profit humane organization to carry out the duties in this Article or any part thereof. Such organisations shall carry out the duties pursuant to the provisions prescribed in this Article;....." I am frankly concerned about this point. While I am familiar with Mr. Brightwell's running of Animal Services, there exist several animal rights groups such as HSUS or PETA who would love nothing better than to stick their noses into a breeder's home and try to find dirt on them. Such groups are not a neutral party but are severely biased. I would much prefer it if only the Pinellas County Animal Services had enforcement duties. I would like to see Section 14-46 Enforcement of Article (d) removed from the Ordinance.

Those are the two areas that I feel could be easily adjusted at the upcoming Hearing on the 21<sup>st</sup>. Below is my “major concern” which I accept cannot be addressed at this time but would very much like to see taken up in the near future.

In several places the Proposed Ordinance Changes refers to exemptions for registered private non-profit humane organizations. Yet these rescue groups are rapidly filling the void primarily left by commercial pet stores no longer selling cats and dogs. It is absolutely easy to become “non-profit” yet make a ridiculous amount of money selling unregulated puppies. For example the non-profit group No More Homeless Pets out of Georgia trucks dogs often into Pinellas County. Their CEO and vet pull down 6 figures – yet they are FULLY unregulated.

We need proper definitions of these groups and they need to share the equal responsibility with breeders or else our County will be flooded with poorly bred and sick puppies sold by unscrupulous “rescue groups”. I would suggest definitions like the following:

**HOBBY RESCUE ORGANIZATION MEANS AN INDIVIDUAL, FOSTER OR GROUP THAT IS CURRENTLY AFFILIATED WITH A NON-PROFIT RESCUE ORGANIZATION AND PLACES FOR A FEE LESS THAN 20 DOGS AND/OR CATS A YEAR.**

**RESCUE ORGANIZATION MEANS ANY PERSON, FOSTER OR GROUP THAT ENGAGES IN THE PLACEMENT FOR FEE OF ONE OR MORE DOGS AND/OR CATS A YEAR TO THE PUBLIC. COUNTY-OPERATED OR CITY OPERATED ANIMAL SERVICES AGENCIES SHALL BE EXEMPT FROM THIS DEFINITION.**

In the end it's really Public Education about pets that is the answer. In Calgary, Alberta, their Animal Services is not funded at all by the County but 100% from licence fees, fines and donations. Their motto is EDUCATE. They have a licensing rate of 60%, their public satisfaction rate is 91%, second only to the Fire Department. Please feel free to contact me if you would like more information about “the Calgary Model” which can easily take credit for being the most successful Animal Services in North America.

Just as with any consumer product, in the end it is the consumer who must cry foul and ask for redress. When sufficient consumer protections exist on the books, such as the existing state Pet Lemon Law, requirement of Health Certificates, and redress upon complaint through Animal Services, it is up to us and our County to supply the general public with sufficient education so they know what to do.

It needs to be noted by all level-headed individuals that there exist organizations such as HSUS and PETA who have public ally stated that their goal is to outlaw ALL

breeders and outlaw all animals “kept in captivity” – and they mean dogs and cats by that as well. Witness their largely unsuccessful campaign against Sea World and their successful campaign against the Ringling Bro's Circus. There will always be some bad eggs in any endeavor, and reasonable enforcement needs to be in place to detect and shut such individuals down. But it makes no sense to shut everyone in that activity down.

To recap – and thanks for your attention thus far – is:

I agree with the proposed changes, but would like to see “or training” removed from the Kennel definition and would like to see Section 14-46(d) removed.

In the very near future (though I recognize this won't happen in this, upcoming Hearing) I want to see the problem of non-governmental rescue groups addressed and further regulated.

Thank you very much for your time.

Best, Sandy Mesmer

*Maxwell Award Winning Artist*

find me on FB at:

**Sandy Bergstrom Mesmer Designs**

and also at:

[store.about-small-dogs.com](http://store.about-small-dogs.com)

find out about our Silky Terriers at:

[tessier-silky-terriers.com](http://tessier-silky-terriers.com)

*"Dogs do speak, but only to those who know how to listen." Orhan Pamuk, My Name is Red*

*1. Requested exemption of day trainers from kennel definition - Current Animal Services policy reflects this exemption from permitting for dog trainers that do not board. Pinellas County Animal Services retains this ability to inspect and permit day trainers in the future if systemic issues arise that may need to be addressed. Currently 2 facilities voluntarily register for permits and inspections as an extra measure of credibility with customers. County ordinance definitions are developed to specifically define terms and functions for used in enforcement or regulation.*

*2. Concerns about Section 14-46 are heard and understood. This section is necessary for a couple of reasons. In the county currently, Animal Services concentrates on dogs and cats but*

*partners with Humane Officers from SPCA Tampa Bay by referring investigations on all other species in the county to them. County governments in some Florida counties contract animal services to third party agencies and this section enables that contracting.*

*The other concern expressed regarding this section was the existence of national groups such as Humane Society of the United States and PETA utilizing this section to investigate animal related issues. This section does not either enable or prevent these groups from conducting individual investigations and contacting appropriate enforcement agencies with any issues they may find.*

*3. Concerns regarding the continued exemption of registered private nonprofit humane organizations from regulation. This concern is understandable and Animal Services currently inspects and investigates any concerns or complaints relating to animal treatment and welfare at any of these agencies. The exemption for these type of nonprofit humane organizations is established in Florida State Statute and is mirrored in Pinellas County ordinance. It is recommended that any modification or elimination of the exemption for these types of organizations should be addressed at the state level.*

***Doug Brightwell***

Bureau Director

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