



Orange County Animal Services

501 W. Franklin St, Suite 106, Chapel Hill, NC 27514 (919) 968-2287

September 10th, 2007

To: Animal Services Advisory Board

From: Bob Marotto, Animal Services Director, and Irene Paul, Animal Control Manager

Re: Required Kennel Space Recommendations

At the August meeting of the Animal Services Advisory Board (ASAB), we were asked to recommend the minimum required size of kennels for dogs that are confined by such enclosures. This was requested as part of the ASAB review of the final report of the Tethering Committee, which recommended that the allowable dimensions of kennels be set as part of an ordinance amendment that limits the time a dog may be tethered in Orange County

Recommendation

As discussed further below, our recommendations are based upon our review of regulations from other jurisdictions that have set the minimum required size of kennels for dogs. They are as follows:

1. A minimum space requirement should be set in accordance with the size of the dog (or dogs) that are kenneled. More specifically, there should be a threefold requirement as follows;
 - 1 to 35 pounds 80 square feet
 - 36 to 75 pounds 100 square feet
 - 76-plus pounds 120 square feet
2. Additional space should be provided for each additional dog that is kept in a kennel. Specifically, we recommend that fifty percent of the minimum required space be added for the second and each subsequent dog that is kept kenneled with another dog; and that the additional space be based upon the size of the largest of the dogs that are kenneled together.
3. Electronic containment devices and traditional fences shall be treated in the same way as a kennel with respect to the minimum space required for one or more dogs of different sizes.

The rationale for these recommendations has several components. One is that they ensure sufficient space for dogs that are kept and/or put outside. These are space requirements that would apply if a dog is outside and not tethered in accordance with the recommendations made in the Tethering Committee's **Report and Proposal for Ordinance Amendment**. It is understood that a traditional fence or electronic fencing would meet the same minimum requirements set for kennels.

Another rationale is relative ease and simplicity of enforcement. Generally speaking, it is possible to measure the dimensions of a kennel (or fence), and the weight of a dog may be determined in a variety of ways (including from veterinary records).

Background Information

Our recommendations are based upon our review of regulations from other jurisdictions that have set minimum space requirements for kenneled dogs. Examples of such progressive regulations have been compiled in the Appendix to this memorandum. They are also based upon our review of information available from the Humane Society of the United States (HSUS). Of the three pertinent national organizations we researched (including American Humane and the National Animal Control Association), only HSUS offered specific guidelines on this issue.

As can be seen from sample regulations, most, but not all, jurisdictions draw a distinction between dogs of different sizes, as is the case in our recommendation. However, there is considerable variation in the minimum kennel space required per dog by these sample regulations (with some as low as 48 square feet and others as high as 150 square feet). In this regard, we have formulated our own recommendations between these extremes, and in recognition of what might be described as reasonable standards.

As can also be seen from the sample regulations, it is often the case that more space is required for additional dogs in the same kennel. Our recommendation mirrors this model, using a standard of half the size of the largest dog in a shared kennel. This standard is higher than many but seems reasonable given the need for additional dog houses and proper drainage in accordance with other requirements of Orange County's Animal Ordinances.

While electronic containment devices and traditional fences are not typically referenced, finally, we have included them among to provide as much clarity as possible with regard to legal requirements. Our approach is very practical in that these enclosures would need to meet the same space requirements as a kennel if they are used as a means of enclosure. Questions about their effectiveness are not germane to this discussion since, if they were ineffective in a particular situation, any resulting issues would be addressed through Orange County's animal nuisance ordinance.

Appendix I: Required Kennel Space Regulations

This appendix contains two types of information used in the research of our recommendations regarding minimum kennel space requirements.

The first section covers existing ordinances, including one from NC, that currently regulate minimum kennel space requirements. The second part of the appendix covers general recommendations and/or references from organizations that have formulated findings for recommended minimum kennel space requirements.

Ordinances:

1. County of New Hanover- North Carolina

Outside enclosure means a pen large enough to provide each dog less than 25 pounds with a kennel of at least 8 feet x 10 feet in size, and each dog 25 pounds or greater with a kennel of 10 feet x 10 feet in size. Animal control services reserves the right to determine if a space is considered suitable for the number and size of dogs housed in an outdoor enclosure.

2. Lincoln-Lancaster County Health Department - Nebraska Animal Control - Kennel Runs

Kennels come in a variety of shapes and sizes with a comparatively low cost. When your dog is confined in a kennel, use the minimum space requirements from the chart below as a guide. An additional 16 square feet should be used for each dog sharing the pen with another. The minimum pen sizes include a shelter.

Kennels can come with tops for jumpers and climbers. For dogs that like to dig, the kennel can be placed on a cement pad. Kennel runs might seem like a silly idea when you have a large yard, but for dogs that love to escape; this may be a good choice.

Size of Dog	Pen Size (Sq. Ft)
Extra Large (over 26" or over 75 lbs.)	48
Large (over 20" or under 75 lbs.)	40
Medium (over 12" or under 50 lbs.)	32
Small	24

(over 12" or under 20 lbs.)

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3. Town of Ellsworth – Wisconsin – Animal Control Ordinance

The minimum space for dogs kept in pens (not cages), excluding the shelter space (the house) shall be as follows:

	To 25 lbs.	25-50 lbs.	Over 50 lbs.
1 dog	21 Sq ft	60 Sq ft	80 Sq. ft
2 dogs	32 Sq ft	80 Sq ft	96 Sq ft
3 dogs	45 Sq ft	96 Sq ft	140 sq ft

4. City of Bartlesville- Oklahoma

<http://www.cityofbartlesville.org/index.php>

- Pens in which dogs reside must contain at least 150 square feet of space per adult dog. For potentially dangerous dogs the pen must have a secure top and sides and de
- signed to prevent the escape of the dog or entry by children.

5. Live Oak- Texas (they have a tethering ban) – Animal Restraint Required

Any dogs confined within a fenced yard must have an adequate space for exercise based on a dimension of at least one hundred (100) square feet. Provided further that where dogs are kept or housed on property without a fenced yard, the owner of such dogs or persons having custody of such dogs shall provide an enclosure for such dogs meeting the one hundred (100) square feet dimension. Such enclosure shall be constructed of chain link or similar type material with all four sides enclosed. The enclosure shall be of sufficient height to prevent the dog from escaping from such enclosure. The top of such enclosure shall be covered with materials to provide the dog with shade and protection from the elements.

6. Maumelle- Arkansas

Confinement of Animals: From and after the passage of this Ordinance any person owning animals whether vaccinated or unvaccinated, licensed or unlicensed, shall confine such animal within an adequate fence or enclosure, or within a house, garage or other building in conformance with Maumelle Bill of Assurance or its successor. Animals shall not be tied or chained to doghouses, or other stationary objects, but must be in an approved enclosure. Sterilized cats are exempt from confinement.

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The ordinance also mandates that dog enclosures must provide at least one hundred and fifty square feet of space for dogs over six months of age.

7. Carroll County, Maryland

F. The owner of animal(s) that are fenced shall erect fencing normally considered suitable for the species and type of animal to be contained. Fencing shall be appropriate so as to keep the intended animals restrained within its boundaries. Fencing shall be monitored, well maintained and kept in good repair. In the case of a dog, if the owner utilizes an "invisible fence" to restrain a dog it may only be used if it consistently and effectively restrains the dog and is appropriate to be used for the dog in question. No aggressive dog may be restrained behind an "invisible fence".

G. All areas where animals are confined shall be maintained so as to provide a safe and healthy

8. Little Rock- Arkansas

Sec. 6-16. Confinement. (3) When a dog is confined outside by means of an enclosure or an electronic containment device, the following minimum space requirements shall be met:

<u>Size of Dog</u>	<u>Pen Size (1 dog)</u>	<u>ea. add. dog</u>
Extra Large (over 26" at withers or over 75 lbs)	48 sq. feet	24 sq. feet
Large (over 20" at withers or not over 75)	40 sq. feet	20 sq. feet
Medium (over 12" at withers or not over 50 lbs)	32 sq. feet	16 sq. feet
Small (12" or less or not over 20 lbs)	24 sq feet	12 sq. feet

9. San Bernardino- California

D. DOG KENNELS must be tall enough to prevent the dog from jumping over or have a secure top and be able to prevent dogs from digging out. Kennels must have a minimum of 100 square feet for one dog, plus an additional 25 square feet for each additional dog in the same enclosure.

Recommendations / References:

1. Getting Your Dog off the Chain

Humane Society of the United States (from “Do You Chain Your Dog”)

The second reason for the tougher stance on chaining is that many dog owners have learned to solve the problems that caused them to tie their dogs outside in the first place. If you would like to provide your dog with an alternative to a rope or chain, consider these suggestions:

- Install a fence if your property does not already have one. Or consider installing a large chain-link dog run. If you install a dog run, make sure it meets these minimum space requirements. Be sure to allow extra space for a doghouse.

Number of Dogs	Under 50 lbs.	Over 50 lbs.
1	6x10 (60 sq. feet)	8x10 (80 sq. feet)
2	8x10 (80 sq. feet)	8x12 (96 sq. feet)
3	8x12 (96 sq. feet)	10x14 (140 sq. feet)
4	10x12 (120 sq. feet)	12x16 (192 sq. feet)

Note: Depending on where you live, your city or county may require that you provide more space than these guidelines suggest.

2. Unchain Your Dog website / PowerPoint

When a dog is confined outside by means of an enclosure or an electronic containment device, the following minimum space requirements shall be met:

Size of Dog Pen (increase pen size by half of total area per additional dog)

Extra Large (*over 75 lbs*) ** sq. feet

Large (*50-75 lbs*) **sq. feet

Medium (*20-50 lbs*) **sq. feet

Small (*under 20 lbs*) **sq. feet

(** Represent number to be inserted once decided upon. No set recommendations.

Power Point is provided for those areas wanting to introduce no tethering regulations and allows for insertion of agencies information and/or recommendations)

3. Prince George County – Maryland
Care Standards for Enforcement of Anti-Cruelty Laws

Dogs in Pens:

The size of the pen is determined by the size and number of dogs housed therein. Dogs housed together must be socially compatible. It is recommended that no more than four compatible dogs be housed in single pen.

Minimum space for dogs in pens (not including shelter space) shall be as follows:

# of Dogs	Small (<25lbs)	Medium (25-50lbs)	Large (> 50lbs)
1	3x7 (21sq ft)	6x10 (60sq ft)	8x10 (80 sq ft)
2	4x8 (32sq ft)	8x10 (80 sq ft)	8x12 (96 sq ft)
3	5x9 (45 sq ft)	8x12 (96 sq ft)	10x14 (140 sq ft)
4	8x10 (80 sq ft)	10x12 (120 sq ft)	12x16 (192 sq ft)

Note – The above standards are also listed in the Washington DC Humane Society's Humane Law Enforcement Manual.