

**Comments and Proposed Amendments to the Ordinance No. 9-5 of the Sakrebulo
(municipality) of the City of Tbilisi on the
Maintenance of Dogs, Cats and Other Predator Animals**

*Drafted by Animal Rights Committee
15 February 2003*

Comments

1. The Ordinance does not provide a definition or list of “predator animals” – the term used throughout the Ordinance. The Law of Georgia on Wildlife prohibits private ownership of a number of wild predator animals.
2. Paragraph 4 of Article 1 generally refers to “zoo-hygienic, veterinary and sanitary norms”¹, but without any definition.
3. Subparagraph (b) of Paragraph 1 of Article 2 refers to the registration of animals at local [*public*] veterinary clinics and a special note to be made in an animal’s veterinary ID², but it does not specify whether the owner shall pay a fee for this procedure. Noting that this procedure is a new obligation for the owner, we believe that it should be free of charge.
4. Subparagraph (d) of Paragraph 1 of Article 2 provides that owners shall take their pets to local [*public*] veterinary clinics for examination and rabies vaccination, when summoned by the clinics³. The Ordinance does not specify whether the owner shall pay a fee for this procedure.
5. Subparagraph (e) of Paragraph 1 of Article 2 refers to 10-day supervision on rabies-suspicious animals by [*public*] veterinary clinics⁴. Our question is whether the clinics have facilities and capacity to perform such supervision. Subparagraph (e) also provides that costs of the supervision shall be covered by animal owners, but it doesn’t specify the range of such costs, thus creating an opportunity for the imposition of unreasonable costs.
6. According to Subparagraph (b) of Paragraph 2 of Article 2, privately owned animals shall be transported into or from the city only with a special certificate (referred to as Form No. 1), issued by the Veterinary Service⁵. The Ordinance does not specify criteria and fees for the issuance of such certificate. Noting that this procedure is a new obligation for the owner, we believe that it should be free of charge.
7. Article 3 refers to the collection and isolation of stray animals⁶, but it does not specify terms and conditions of the isolation.
8. Paragraph 2 of Article 3 provides that if an animal isolated by animal control authorities is returned to its owner, the latter shall cover maintenance costs for the animal⁷. The Ordinance doesn’t specify the range of such costs, thus creating an opportunity for the imposition of unreasonable costs.
9. According to Paragraph 3 of Article 3, animal control authorities should not collect and isolate so-called “courtyard dogs” wearing identification collars⁸, but the type and form of the collar is not specified.

10. Paragraph 4 of Article 3 refers to 10-day veterinary supervision on animals that have bitten people⁹, but it doesn't specify whether this procedure is free of charge.
11. According to Paragraph 5 of Article 3, pet owner and apartment supervisor are jointly responsible to register a dog¹⁰. We believe that imposing this obligation to apartment supervisor is unrealistic.
12. According to Paragraph 6 of Article 3, owners of cats, dogs and other predator animals shall be fined for the violation of the present rules by Veterinary Service¹¹, but the range of such fine is not specified, which creates an opportunity for the imposition of unreasonable fines.

Proposed Amendments

In addition to the above comments, we believe that the Ordinance shall be amended to incorporate the following provisions, extracted from similar acts of other post-Soviet countries:

1. Upon registration of animals at [*public*] veterinary clinics, their owners shall be provided with a free copy the present Ordinance.
2. Breeding of cats and dogs for the purpose of producing their flesh or pelt shall be prohibited. Breeding of dogs for the purpose of involvement in dogfights or their actual involvement in dogfights shall be prohibited.
3. Pet owners shall keep the animals in the conditions that conform to their biological needs and character. Owners shall treat animals humanely, not leave them without supervision, food or water, not beat them, and provide them with timely veterinary assistance in case of health problem.
4. Dogs shall be walked with a special badge attached to their collars, which display the pet name and identity, address and telephone number of the owner.
5. Dog owners may keep their dogs unchained and unleashed within the properly confined territory belonging to the owner. In such case the owners shall place a warning sign at the entrance of the territory.
6. Each pet is a property of his respective owner and like all other types of property is protected by the law.
7. Cruel treatment of animals is punished by criminal legislation.
8. Animal control brigades (also known as dogcatchers) shall keep collected stray animals for 10 (ten) calendar days.
9. Dogcatchers shall be recruited according to the following criteria: age above 18, registration with respective psycho-neurological and narcological clinics, and professional training.
10. Dogcatchers and drivers of animal control trucks shall observe the rules of humane treatment during handling and transportation of collected stray animals. The latter shall be transferred to the maintenance facility at the day when they're collected.
11. Animal control brigades are prohibited to:
 - (a) seize animals from apartments and private territories without consent of their owners or special court order, unless there is a credible and

competent report that the animal is rabid and poses express and immediate threat to the health and life of humans;

(b) unchain and collect animals from public service facilities, where the animals were temporarily chained by their owners;

(c) use baits that pose threat to the health and life of animals.

12. Regional municipalities of the city of Tbilisi shall place the present Ordinance at publicly accessible and visible areas within their buildings, including contact information of the [public] veterinary clinics that have obligation to register and treat animals under this Ordinance.

¹ Paragraph 4 of Article 1: Dogs, cats and other predator animals may be kept at organizations and institutions only if rules for their maintenance and zoo-hygienic, veterinary and sanitary norms are fully observed.

² Subparagraph (b) of Paragraph 1 of Article 2: Owners of cats, dogs and other predator animals shall register them at local veterinary clinics by making a special note in the animal's veterinary ID.

³ Subparagraph (d) of Paragraph 1 of Article 2: Owners of cats, dogs and other predator animals shall take them to local veterinary clinics for examination and rabies vaccination, when summoned by the clinics. In case of illness or death of an animal, its owner shall immediately inform the respective clinic thereof.

⁴ Subparagraph (e) of Paragraph 1 of Article 2: Owners of cats, dogs and other predator animals shall immediately inform local medical and veterinary institutions of the case of biting by their own animal of a person or another animal, and immediately take the animal to a regional veterinary clinic for 10-day veterinary supervision. Costs of the supervision shall be covered by the owners.

⁵ Subparagraph (b) of Paragraph 2 of Article 2: Owners of cats, dogs and other predator animals may transport their own animals into or from the city only with a special certificate (referred to as Form No. 1), issued by the Veterinary Service.

⁶ Paragraph 1 of Article 3: Stray animals shall be immediately collected and isolated.

⁷ Paragraph 2 of Article 3: The animals isolated by animal control brigades may be returned to their owners, if the latter proves his/her ownership by a registration certificate, veterinary ID, etc. In such case the owner shall cover maintenance costs for the animal.

⁸ Paragraph 3 of Article 3: So-called "courtyard dogs" that are sheltered by or reside in organizations and apartments are not subject to collection and isolation. Such dogs shall wear an identification collar indicating that the dogs are vaccinated against rabies and supervised by local residents or employees of the organization.

⁹ Paragraph 4 of Article 3: If a stray animal bites a person, the latter shall request a regional veterinary clinic to establish 10-day veterinary supervision on the animal.

¹⁰ Paragraph 5 of Article 3: The responsibility to register a dog jointly rests with the dog owner and apartment supervisor.

¹¹ Paragraph 6 of Article 3: Owners of cats, dogs and other predator animals shall be fined for the violation of the present rules by Veterinary Service.