



LOCAL ACTION KIT

Why act locally?

Changing the laws relating to animals is something that can happen on a local level – impacting your city or town. In fact, many laws relating to animals are local in nature. Leash laws, dangerous dog laws and other animal control matters are often under the authority of local government.

Passing a local ordinance or bylaw may be less complicated and timely than trying to pass a state-wide law. While local ordinances or bylaws would only impact animals in a city or town, their reach is often far greater. Local ordinances provide a model for other cities and towns to follow and local legislation oftentimes can gain enough momentum to bring the issue to the state level. The no smoking ordinances in Massachusetts are a great example; the ordinance caught on in municipalities and is now a state law.

In Massachusetts, we have several examples of local ordinances that relate to animal protection:

- Six cities/towns have passed bylaws that prevent circuses using wild animals from performing within their borders (Revere, Quincy, Braintree, Weymouth, Provincetown, and Somerville);
- Six cities/towns (Amherst, Provincetown, Greenfield, Easthampton, East Longmeadow, and Milton) have bylaws that restrict tethering a dog;
- One city (Pittsfield) has an ordinance that requires farm animals to have enough room to stand up, lie down, turn around, and extend their limbs;
- One city (Cambridge) has an ordinance that requires the city manager to appoint a Commissioner of Laboratory Animals (CLA) for the purpose of overseeing the care and use of laboratory animals in the city.

Many cities or towns outside Massachusetts have also adopted noteworthy local ordinances that protect animals:

- There are more than 40 local laws that place restrictions on wild animal performances

- There are more than 100 local laws that prohibit tethering and chaining of dogs for long periods of time
- There are many ordinances that address homeless animals

There are 351 cities and towns in Massachusetts.

For a complete list, visit one of these websites:

www.mma.org (Massachusetts Municipal Association)

www.mass.gov (Commonwealth of Massachusetts)

Local Government Process

Cities and towns differ in their form of government. The information below is a general guide; please contact your city or town hall for specific information.

Town Government

Each town is required to hold one annual town meeting each year, and can hold unlimited meetings needed to consider and implement government issues of the Town.

Boards of selectmen elected by town residents are the principal officers of the town. Their duties range from overseeing all town work (small town) to only dealing with administrative policies (larger towns). In addition to being town officials, the selectmen also serve as agents of the state. The boards of selectmen are made up of three to five members.

Town Meeting

A Town Meeting is held on an annual basis to discuss issues that impact the running of the town. Issues such as pay, term lengths, election of town officials, budgets, and local legislation are discussed and brought to a vote at town meetings. All residents of the town may attend.

Most annual town meetings are held in February/March although meetings can be held as late as June. With the advancement of the world wide web, most towns have a website which includes a schedule of town meetings. Elections of town officials are usually held on a different day than the annual meeting.

The selectmen can call special meetings at any time and must call a meeting if they receive 200 voters' signatures on a request (if less than 1000 voters, it only takes signatures from 20% of voters to request a special meeting). The hour of the town meeting can be found in the bylaws.

A warrant is issued to call a town meeting. Town meetings are called by the selectmen, or other officers (especially if the selectmen refuse to call a meeting). A warrant is a document which announces the time, place and the business to be discussed at the town meeting. By law, the warrant must be issued at least seven days before the town meeting. The bylaws of the town will specify the way the warrant will be announced - posted, newspaper, mailed, etc.

Representative Town Meeting

Representative town meetings allow for only the representatives elected by town residents to vote on town business. The Representative Town Meeting is used in order to keep the town meeting concept when town populations have outgrown the size of the largest hall, do not have a large enough population to become a city, or do not want to give control to a few councilors, as is the case under City Government.

City Government

A city is a town with a population over 12,000 residents that has adopted a city charter. City charters vary from city to city. Some cities operate under special legislative charters with common elements; some operate under special charters and all have mayor-council forums with members of the city councils elected to represent their wards.

The city government is comprised of a mayor along with a city council. Mayors' responsibilities vary from city to city. Some mayors are full-time working administrators with extensive powers, while others have little more authority than other city councilors.

The city council (or board of alderman) is the legislative branch of the city government. The city council can only make changes authorized by the Legislature or in its charter. The city council ranges from seven to twenty or more members. Most cities (2/3) have councils made up of four or five members elected at large, along with other council members who are elected to represent each ward in the city.

How to Build Support for Your Issues

Getting Started

Although the process varies from town to town, the guidelines in this publication can be used in almost every type of governmental process to introduce, lobby for, and pass bills or ordinances affecting animals.

Successful Legislative Campaigns

Many animal protection legislative efforts have never moved beyond the draft or introduction stage simply because the individual or organization that offered the bill to its elected officials failed to look at it as a campaign.

Although we can't guarantee that everyone who follows these steps will succeed in having an ordinance passed, we can guarantee that you will reduce the amount of frustration and heartache you suffer when you don't plan. You will also gain respect among the elected officials you worked with, which may lead to success the next time.

Before you even attempt to file a bill, it is imperative that you define and document the problem. Start by collecting data that illustrates the problem.

Contact surrounding towns and cities to find out if they already have a law on the issue. If they do, ask them to send copies to you. Elected officials sometimes shy away from being the "first" to try out a new concept. If you can document that other states or localities have already passed similar legislation, your elected officials may feel more comfortable filing or supporting your ordinance.

Determine who will be impacted by a new law. If there are other groups or organizations that might support your legislative endeavors, identify them early in the campaign. Broad-based coalitions not only impress sponsors and carry more weight; they help spread the work around. Even though you may not agree with other organizations on some issues, if you can find common ground in one area, work together toward that shared goal.

You need not only know who your allies are, but also who potential adversaries are on an issue. Knowing your opposition's objections to your proposal in advance allows you time to counter their arguments. In some instances, you may be able to make small changes that will appease the opposition or negate their arguments.

Drafting an ordinance or bylaw

It's not always necessary to reinvent the wheel when drafting legislation. Start by taking a look at statutes that are similar. Most humane organizations, including the MSPCA, are familiar with animal protection laws and will gladly share information with you.

Contact other humane societies or animal control facilities who sponsored similar laws. Ask them for their experience in lobbying for passage of the law. Who were their allies? Who were their opponents? How long did it take to pass the bill? How has the enforcement of the law worked so far? Have there been any legal challenges to the law? How much has it cost to administer the law? All of these questions are important but none more so than the ones relative to costs.

Legislators are extremely reluctant to pass any new law which carries even a small fiscal note. And asking the state or county or city to pay for a new animal control or protection program is virtually impossible, even if you have a dedicated revenue source built into the bill. Bills that have a fiscal note are also likely destined to be heard by an additional committee during the legislative process. Once you have completed your homework on the details of the bill and the cost, if any, to implement it, share a draft of the bill and your findings with coalition members. Ask for their comments and make sure you include any agreed upon changes in the draft. For most animal-related ordinances, you will want to talk to the local animal control officer and get his or her input and opinion. As the local agency that will enforce the ordinance, it is important to include their thoughts and concerns as the bill is crafted.

Finding a Sponsor

Your sponsor is the one person who will walk the bill through every step in the legislative process. If he or she is not committed to the bill and/or is unwilling to do battle with opponents the first time any controversy arises, your bill won't stand a chance.

Finding a sponsor and getting a commitment from him or her to work with you is one of the most important tasks you must undertake in your campaign to pass a law.

Make sure that your sponsor is well educated on the issue. Share with him or her any and all data you have secured in documenting the need for a new law. This includes keeping the sponsor informed of potential opposition and their reasons for opposing the bill. Don't keep information -- even negative information -- from your sponsor in hopes that he or she won't find out. You will not only lose support on your bill, you may also lose vital support from this individual in the future.

If your sponsor has staff, get to know them and develop a good working relationship. They will likely be responsible for conducting research on the issue and making recommendations to the elected official on what position to take on the bill. Because elected officials have hundreds of bills to review each session, they rely heavily on their staff people to brief them on the pros and cons of the bills, the costs to implement, and the politics of the issues.

Keep the sponsor or the staff member informed of press questions, opposition from other elected officials, and new supporters. Make sure that your sponsor is not caught off-guard by new revelations.

Education and Public Relations

Some issues are so important and so newsworthy, they warrant a press conference. If the research you have conducted on your issue generates data which is quite remarkable, consider holding a press conference to announce the findings. You can also use that opportunity to let the public know that you will be seeking legislation to address the problem. Make sure your sponsor is included in the planning of and participation in the actual press briefing if you have already identified a sponsor.

If a press conference is not called for or too difficult for you to coordinate, you should still send out a press release on your findings or your investigation. Getting information out to the broadest audience possible will aid you in your campaign to influence elected officials' opinions on the issue. Newspaper articles and editorials can then be used in your lobbying material to demonstrate broad based support.

Your own supporters can be kept informed on the issue through legislative alerts or articles in your newsletter. Include a good representative story that personalizes the issue. If you are attempting to pass a law that would prohibit something, focus on one specific case and demonstrate how. By personalizing an issue, your readers and members can more easily identify with the issue than if you simply gave them statistics.

Educational materials on your issue should be tailored to fit all age groups. Prepare something for school children that can involve them in a civics lesson as well as one on animal protection. Have hand-out material such as fact sheets available through your shelter or office. You want to encourage members and the general public to write on the issue. If you don't already have a legislative team, create one and involve an organization, like the MSPCA, that has an existing network of advocates. A simple sign- up form should be displayed at your shelter or office and included in your newsletter. Give members a variety of participation options to choose from and then build teams within your group. Some may only commit to writing letters. Others may be willing to make phone calls. Some may volunteer to attend meetings or hearings. Be creative in the ways they can help.

How to encourage people to join your campaign:

- Send out a press release
- Hold a press conference
- Learn who your local paper's contacts are and send them information on your efforts. Write op-ed pieces and letters to the editor.
- Put flyers/contact information in animal shelters, supermarkets, pet supply stores, libraries, etc.
- Contact your local animal control officer to obtain his/her support
- Speak to children's and other groups who will be sympathetic to the ordinance's goals
- Work with other local/state or national groups to tap into their membership; ask them to send out alerts, etc. to their members who live in your city or town.
- Hold an initial meeting at your home, library, or coffee shop to meet new people interested in this issue
- Ask friends and neighbors to join

"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." Margaret Mead