

1 [Prohibiting onychectomy (declawing) and tendonectomy procedures on cats.]

2
3 **Ordinance amending the San Francisco Health Code by adding Section 45 to prohibit**
4 **onychectomy (declawing) and tendonectomy procedures on cats except when**
5 **necessary for a therapeutic purpose.**

6 NOTE: Additions are single-underline italics Times New Roman;
7 deletions are ~~strike-through italics Times New Roman~~.
8 Board amendment additions are double-underlined;
9 Board amendment deletions are ~~strikethrough-normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. Findings

11 (a) There is widespread misunderstanding in the community regarding two surgical
12 procedures performed on cats. Contrary to most people's understanding, onychectomy
13 (declawing) is not a simple, single surgery, but ten separate, painful amputations. Declawing
14 involves more than removing just the claws. Rather, the last bone of each toe is amputated,
15 including the claw, bone, joint capsule, nerves, collateral ligaments, and the extensor and
16 flexor tendons – all critical for normal paw functioning. In human terms, the procedure is
17 analogous to cutting off each finger at the last joint. Tendonectomy involves surgically
18 removing a portion of the flexor tendon in each of a cat's toes, thus preventing the cat from
19 being able to extend the claws.

20 (b) A cat's claws are essential to its health and wellbeing, and scratching is a natural
21 and important behavior for cats. Cats use their claws for balance, walking, climbing,
22 exercising, stretching the muscles in their legs, back, shoulders and paws, and marking their
23 territory. The claws are essential to keeping the cats body in proper alignment. Further, cats
24 rely on their claws as a primary means of defense. Declawed animals that are allowed
25

1 outdoors are at increased risk of injury or death. Animals subjected to tendonectomy are also
2 robbed of an integral means of defense.

3 (c) Removing the claws, or surgically preventing the cat from extending them, may
4 make a cat feel defenseless, which can lead to stress, aggression, or withdrawal. Cats
5 undergoing these procedures often also suffer chronic pain. Cats that are declawed may
6 display behavioral, psychological and personality changes, including litter box avoidance and
7 biting. Many cats that are surrendered to shelters are surrendered because of behavioral
8 problems that developed after the cats were declawed or underwent a tendonectomy
9 procedure. The goal of reducing cat populations in a shelter environment is furthered by
10 prohibiting declawing and tendonectomy procedures.

11 (d) Declawing can result in serious complications, including excruciating pain for the
12 animal, lameness, arthritis, damage to the radial nerve, infection, abscess, hemorrhage, bone
13 chips that prevent healing, painful regrowth of deformed claws, and chronic back and joint
14 pain as shoulder, leg and back muscles weaken. The rate of complication for declawing
15 procedures is relatively high compared with other so-called "routine" procedures; one study
16 showed 50% of declawed cats developed short-term complications and 20% developed long-
17 term complications. Often, cat owners are insufficiently informed or aware of the nature of the
18 procedure and the serious complications and changes that may result.

19 (e) Cats that undergo a tendonectomy procedure experience similar complications as
20 those undergoing declawing, including bleeding, lameness, and infection. Further, claws
21 continue to grow following tendonectomy; because the cat can no longer extend the claws to
22 scratch, the cat will not wear down the claws as before. Without proper trimming and
23 maintenance, the nails can curl under into the paw and cause great pain for the animal. In
24 addition, the nails on cats that have undergone a tendonectomy can get atypically brittle as
25

1 the cat ages. Brittle nails are prone to splitting and shattering when trimmed, which is quite
2 painful for the cat.

3 (f) Declawing is illegal in 25 nations, including the United Kingdom, France, Australia,
4 Austria, Switzerland, Sweden, Brazil, Norway and Germany. Yet in the United States, an
5 estimated 25% of cats are declawed.

6 (g) Declawing and tendonectomy are elective procedures that cat owners request and
7 veterinarians advocate primarily to prevent damage to property or minor personal injury.
8 Reasonable and humane alternatives exist, including nail trimming, scratching implements
9 such as carpeted posts and boxes, temporary soft nail caps, behavioral training for the cat,
10 deterrent sprays, and such simple measures as covering furniture or limiting an animal's
11 access to certain areas of the home.

12 (h) The Board of Supervisors finds that declawing and tendonectomy are inhumane
13 procedures that cause pain, anguish and permanent disability to a cat, and frequently result in
14 behavioral and personality changes in cats subjected to those procedures. The primary
15 benefit of the procedures – the convenience of pet owners – is outweighed by the cruelty of
16 the procedures. It is inappropriate to remove parts of an animal's anatomy, thereby causing
17 the animal pain and suffering, and restricting and altering its natural behaviors, simply to fit the
18 owner's lifestyle, aesthetics or convenience, without benefit to the animal.

19 (i) On September 16, 2003, the Board of Supervisors unanimously passed Resolution
20 No. 645-03, urging pet guardians and veterinarians to discontinue the practice of declawing
21 cats in the City and County of San Francisco. The San Francisco Animal Control and Welfare
22 Commission held noticed public meetings on June 11, 2009 and July 9, 2009, and took
23 testimony and public comment on a possible ban on declawing procedures. On July 9, 2009,
24 the Animal Control and Welfare Commission voted to recommend that the Board of
25 Supervisors ban the declawing procedure. The minutes of those meetings of the Animal

1 Control and Welfare Commission are on file with the Clerk of the Board of Supervisors in File
2 No. 091039, which is hereby declared to be a part of this ordinance as if set forth
3 fully herein.

4 (j) The Board of Supervisors finds that further action is needed to prevent the use of
5 these cruel procedures within the City and County of San Francisco, that onychectomy and
6 tendonectomy are municipal affairs appropriate for local legislation, and that legislation
7 regarding those procedures falls within the police and other powers of the City and County of
8 San Francisco. The Board of Supervisors finds that the public interest, health, safety and
9 welfare is served and protected by banning onychectomy (declawing) and tendonectomy
10 procedures on cats, except when necessary for a therapeutic purpose.

11
12 Section 2. The San Francisco Health Code is hereby amended by adding Section 45,
13 to read as follows:

14 SEC. 45. ONYCHECTOMY (DECLAWING) AND TENDONECTOMY PROHIBITED;

15 PENALTIES.

16 (a) No person, licensed medical professional or otherwise, shall perform or cause to be
17 performed an onychectomy (declawing) or tendonectomy procedure by any means on any cat within the
18 City and County of San Francisco, except when necessary for a therapeutic purpose. "Therapeutic
19 purpose" means necessary to address the medical condition of the animal, such as an existing or
20 recurring illness, infection, disease, injury or abnormal condition in the claw that compromises the
21 animal's health. "Therapeutic purpose" does not include cosmetic or aesthetic reasons or reasons of
22 convenience in keeping or handling the animal.

23 (b) If an onychectomy (declawing) or tendonectomy procedure is performed on any cat within
24 the City and County of San Francisco in violation of this Section, each of the following persons shall be
25 guilty of a violation of this Section: (1) the person or persons performing the procedure; (2) all persons

1 assisting in the physical performance of the procedure; and (3) the animal guardian that ordered or
2 approved the procedure.

3 (c) A violation of the provisions of this Section shall be a misdemeanor. A person found guilty
4 of such violation shall be punished by imprisonment in the county jail not exceeding six months, or by
5 fine not exceeding one thousand dollars (\$1000.00), or both.

6
7
8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By:


11 KATHARINE HOBIN PORTER
12 Deputy City Attorney
13
14
15
16
17
18
19
20
21
22
23
24
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 091039

Date Passed:

Ordinance amending the San Francisco Health Code by adding Section 45 to prohibit onychectomy (declawing) and tendonectomy procedures on cats except when necessary for a therapeutic purpose.

November 3, 2009 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi

Noes: 2 - Alioto-Pier, Elsbernd

November 10, 2009 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Avalos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi

Noes: 2 - Alioto-Pier, Elsbernd


Absent: 1 - Campos

File No. 091039

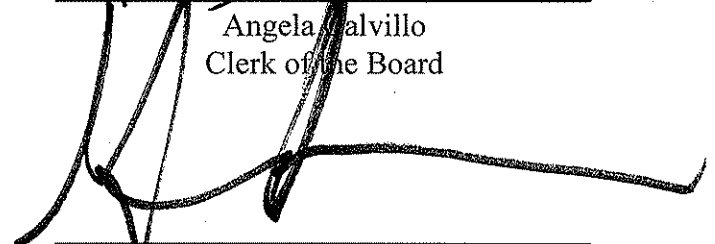
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on November 10,
2009 by the Board of Supervisors of the City
and County of San Francisco.

11-20-09

Date Approved



Angela Galvillo
Clerk of the Board



Mayor Gavin Newsom