

## **Guardian Language in Ordinances That Demonstrates that Guardian is Equivalent to Owner**

**“Guardian shall have the same rights and responsibilities of an owner, and both terms shall be used interchangeably.”**

San Francisco, CA ordinance using *Owner or guardian*. This clause clarifies that the terms are interchangeable and must be included in the proposed ordinance.

“‘Guardian’ means owner.”

Boulder, CO using *Guardian*

“‘Guardian’ shall mean a person(s) having the same rights and responsibilities of an owner, and both terms shall be used interchangeably.”

“Wherever the word ‘owner’ shall appear in this chapter it shall also mean and may be interchanged with the word ‘guardian’...”

Rhode Island using *Owner and guardian*

“When used in reference to any person or persons caring animals, ‘guardian’ is equivalent to ‘owner’, a ‘guardian’ shall have the same rights and responsibilities or an ‘owner’, and both terms shall be used interchangeably.”

St. Louis, Missouri using *Owner/guardian*

“The use of the word ‘guardian’ for all legal intent and purposes has the same meaning and effect as the term ‘owner’ with respect to all federal, state and county law, current and/or as modified.”

Marin County, CA ordinance using *Owner/guardian*

“The use of the term ‘owner/guardian’ for all legal intent and purposes has the same meaning and effect as the term ‘owner’ with respect to all federal, state and local regulations, current and/or as modified.”

Imperial Beach, CA ordinance using *Owner/guardian*

“The use of the term ‘guardian’ or ‘guardianship’ is solely to influence the public for the responsible treatment of animals and does not change the legal rights or duties of animal owners.

Santa Clara, CA ordinance using *Owner/guardian*

**“Changing the word guardian does not change the legal status of animals as property. The sole purpose of this change is to influence the public for the positive treatment of animals.”**

*Former Mayor Jeffrey Prang, City of West Hollywood*

“...the City and County of San Francisco has had no problems since adding the word ‘guardian,’ to be used whenever the term ‘owner’ is referenced.”

*Carl Friedman, Director, Animal Care and Control Department, San Francisco*

“We saw that it was just a word change in the Ordinance which did not change any existing laws currently in the books – therefore not having any impact on the way the law was interpreted.”

*Michael Shrewsbury, deceased, formerly with the Dept. of Animal Services, Sherwood, Arkansas*

“Being an animal ‘guardian’ does not change the legal status of animals as property...While opposing opinions fear that this change will bring on frivolous lawsuits, we have not experienced one lawsuit based on use the guardian.”

*Jan McHugh-Smith, President , San Francisco SPCA*

“The sky did not fall and life as we know it in Northern California did not come to an end. The courts are not clogged with lawsuits and animal care professionals are not harried.”

*Diane Alleveto, former Executive Director, Marin Humane Society*

“There is no reason, either legal or emotional why we should not incorporate the phrase owner/ guardian into this ordinance. There is no legal or threatening responsibility laid upon any individual or organization or profession.”

*Michael A. McCoy, DVM, Imperial Beach*

“I have also enclosed the modification the County made to be clear that the change in no way alters the legal rights and duties of animal owner-guardians.”

*Pete McHugh, County of Santa Clara Supervisor*

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