

*STUDY ON LOCAL LEGISLATION OF URBAN DOG  
MANAGEMENT IN CHINESE CITIES. TAKING HUBEI  
PROVINCE AS A SAMPLE*

ESTUDIO SOBRE LA LEGISLACIÓN LOCAL  
PARA GESTIONAR A LOS PERROS EN LAS CIUDADES  
CHINAS. EL CASO DE LA PROVINCIA DE HUBEI

Lin He

School of Law and Humanities and Social Sciences, Wuhan University of Technology (China)  
ORCID ID: 0009-0001-9393-3162

Jiaqing Zhao

School of Law and Humanities and Social Sciences, Wuhan University of Technology (China)  
ORCID ID: 0009-0009-1627-9492

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**ABSTRACT**

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The quality of dog management legislation in a country has significant practical implications for the modernization of grassroots governance, urban civilization and progress, and the harmonious coexistence of humans and animals. This paper takes the local dog management legislation in Hubei Province as a starting point, analyzing the current state of such legislation, identifying existing issues, and proposing recommendations to provide feasible suggestions for urban dog management legislation in China. By systematically reviewing the local dog management legislation of ten prefecture-level cities in Hubei Province, and analyzing key aspects such as legislative time, legislative form, legislative purpose and specific regulatory provisions of the legislative documents of dog management in various regions, through one-by-one comparative investigation, this paper provides a comparative examination to reveal existing issues in both legislation and practice. It explores the underlying causes of the problems and provides targeted suggestions for improving local urban dog management legislation in China, for example, standardizing local legislative forms as local regulations, incorporating animal protection concepts into legislative objectives, establishing a diversified governance model for dog management, and increasing government financial investment in dog management.

**KEY WORDS**

Grassroots governance; dog management; local legislation.

**RESUMEN**

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La calidad de la legislación sobre gestión canina de un país tiene importantes implicaciones prácticas para la modernización de la gobernanza urbana, la civilización y el progreso, y para la coexistencia armoniosa de humanos y animales. En este artículo se toma como punto de partida

la legislación local sobre gestión canina de la provincia de Hubei, se analiza su estado actual, se identifican los problemas existentes y se proponen recomendaciones para mejorar la legislación sobre gestión canina urbana en China. Mediante la revisión sistemática de la legislación local sobre gestión canina de diez ciudades-prefectura de la provincia de Hubei, y el análisis de aspectos clave como el tiempo legislativo, la forma legislativa, el propósito legislativo y las disposiciones normativas específicas de los documentos legislativos sobre gestión canina de varias regiones, este artículo ofrece un examen comparativo para revelar los problemas existentes tanto en la legislación como en la práctica mediante una investigación comparativa individualizada. Explora las causas subyacentes de los problemas y ofrece sugerencias específicas para mejorar la legislación local sobre gestión canina en China, por ejemplo, estandarizar las formas legislativas locales como reglamentos, incorporar conceptos de protección animal a los objetivos legislativos, establecer un modelo de gobernanza diversificado para la gestión canina y aumentar la inversión financiera del gobierno en este ámbito.

### **PALABRAS CLAVE**

Gobernanza de base; gestión canina; legislación local.

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## 1. PRESENTATION OF THE ISSUE

A modern society should be both dynamic and well ordered. General Secretary Xi Jinping has emphasized the need to “promote systematic, scientific, intelligent, and law-based social governance,” resolving conflicts and disputes and fostering harmony and stability at the grassroots level. In recent years, disputes between humans and dogs have occasionally arisen, whether in the form of dog attacks on people or mistreatment of dogs by humans, affecting social stability and harmony in China. On the one hand, if urban dog management is not properly handled, it is very likely to trigger the concentrated outbreak of various social conflicts, ultimately impacting urban prosperity and stability. The effective management of urban dog ownership helps to foster a symbiotic city where people coexist harmoniously with each other, with animals, and with society as a whole, promoting a positive and compassionate social atmosphere. On the other hand, as companion animals, dogs play an important bonding role in providing emotional support, alleviating loneliness, and creating a warm family atmosphere. However, in recent years, cases of animal abuse and dog abandonment have become increasingly severe. Given the limited effectiveness of moral constraints, public calls for legislative protection of dogs have been growing. In the absence of a national-level animal protection law in China, it is necessary to address this issue through local legislation. Therefore, promoting local legislation on urban dog breeding in China is of great practical significance for the modernization of grassroots governance, promoting urban

civilization and progress, and fostering harmonious coexistence between humans and animals. This study takes the local dog management legislation of Hubei Province as a research sample, conducting a comparative analysis of legislative texts from different cities within the province. Through examining key aspects such as legislative timelines, legislative forms, legislative purposes, legislative structures, dog management systems, ownership conditions, dog shelter and impoundment regulations, and administrative penalty rules, this paper identifies existing issues in current local legislation on urban dog management and proposes corresponding improvements.

Within the administrative divisions of Hubei Province, the People's Congresses and their Standing Committees of 12 prefecture-level cities, one autonomous prefecture, and two autonomous counties all have local legislative authority. In accordance with the provisions of articles 81, 85 and 93 of the Legislation Law, the People's Congresses and their Standing Committees of cities and autonomous prefectures may, based on local specific conditions and actual needs, formulate local regulations on matters such as urban and rural construction and management, ecological civilization development, historical and cultural protection, and grassroots governance. These regulations must not conflict with the Constitution, laws, administrative regulations, and local regulations of the province or autonomous region. Furthermore, prefecture-level cities and autonomous prefectures may formulate rules and regulations on urban and rural construction and management, ecological civilization development, historical and cultural protection, and grassroots governance in accordance with laws, administrative regulations, and local regulations of their respective provinces, autonomous regions, or municipalities directly under the central government.<sup>1</sup> At present, ten prefecture-level cities in Hubei Province have enacted local legislation on dog management.

## **2. PROGRESS OF LOCAL LEGISLATION ON DOG MANAGEMENT IN CITIES OF HUBEI PROVINCE**

The management of urban dog ownership in China has undergone a transformation from no regulations to standardized regulations, and from policy-based governance to legal governance. In reviewing the actual implementation of dog ownership regulations in ten prefecture-level cities in Hubei Province, we can categorize the local legislative process of urban dog management in Hubei province into three stages.

The first stage refers to the period before the amendment of the Legislation Law in 2015. In 1980, China issued the Regulations on the Management of Domestic Dogs, which was the first to introduce centralized regulations on dog ownership. Article 2 of

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<sup>1</sup> Articles 81, 85, and 93 of the Legislation Law of the People's Republic of China.

the Regulations stipulated that “urban areas at the county level and above, as well as suburban areas and emerging industrial zones, prohibit dog ownership.” Additionally, the Regulations required that dogs used for production (including herding dogs), scientific research, and police work must undergo quarantine and immunization. Due to the lingering influence of Cultural Revolution ideology, the frequent outbreaks of rabies at the time, and inadequate medical conditions, this law was enacted. It took an almost harsh approach, using various mandatory administrative enforcement measures to prohibit urban residents from keeping dogs. The penalties even introduced criminal liability, reflecting the legislators’ intent at the time to eliminate pet dogs in cities as a means of preventing rabies outbreaks and maintaining social stability. Since the 1990s, with rapid economic development and significant improvements in medical conditions, the phenomenon of urban residents keeping pet dogs has become increasingly common. The old legal provisions could no longer meet the new management needs, leading to a shift in legislative philosophy from a “ban on dog ownership” to “restricted ownership.”<sup>2</sup> Influenced by this new concept of dog ownership regulation, many large and medium-sized cities began formulating their own dog management regulations. In 1995, the 18th meeting of the Standing Committee of the Ninth People’s Congress of Wuhan City passed the legislation, and it was subsequently approved by the 17th meeting of the Standing Committee of the Eighth People’s Congress of Hubei Province. This resulted in Wuhan enacting the province’s first local legislation on dog ownership management in the form of local regulations—Regulations on Restricted Dog Ownership in Wuhan. Before the amendment of the Legislation Law in 2015, very few other cities in Hubei Province had regulations on dog ownership management, and even when they did, they could only adopt normative documents rather than formal legislation. For example, in 2007, the Xiangfan Municipal People’s Government (now Xiangyang) issued the Interim Measures for Dog Ownership Management in the Urban Area of Xiangfan. Similarly, in 2009, the Jingzhou Municipal People’s Government issued the Interim Regulations on the Breeding of Dogs, Poultry, and Livestock in the Urban Area of Jingzhou.

The second stage, from 2015 to 2021, was marked by China’s rapid economic and social development, with a steady improvement in people’s living standards. However, this progress was accompanied by an accelerated pace of life, increased work pressure, and a rise in psychological issues among the general public. Additionally, the impact of the national family planning policy became increasingly evident. On one hand, as elderly individuals retired, their only children were often not by their side, leading to heightened feelings of loneliness and a lack of emotional support. On the other hand, only children, having grown up without siblings or playmates, faced mounting academic pressure and sought emotional comfort. As a result, during this period, the public not

<sup>2</sup> ZANG, Y. Research on the legal system of comprehensive management of urban pets in China[D]. East China Normal University 10 (2015) 1-50.

only had the financial means to own dogs but also a growing need for companionship. The legislative approach to dog ownership management shifted from “restricting dog ownership” to “scientific pet ownership and comprehensive governance.” The 2015 amendment to the Legislation Law, which granted legislative authority to cities with districts, further spurred a wave of local legislation on dog ownership management. Before the 2015 amendment to the Legislation Law, only the People’s Congresses and their Standing Committees at the provincial, autonomous region, municipality directly under the central government, and larger city levels had the authority to enact local legislation. As a result, even if there was a need for legislation on dog ownership management in various regions, the lack of legislative power meant they could only regulate it through normative documents. For example, in 2009, the Jingzhou Municipal People’s Government issued the Interim Regulations on the Breeding of Dogs, Poultry, and Livestock in the Urban Area of Jingzhou. After the amendment to the Legislation Law, it was explicitly stipulated that the People’s Congresses and their Standing Committees of cities with districts could formulate local regulations on matters such as urban and rural development and management, environmental protection, and historical and cultural preservation. Additionally, local governments were granted the authority to issue local administrative regulations on these matters. Dog ownership management falls under the category of urban and rural development and management, making it eligible for regulation at the local legislative level. Ezhou took the lead in 2017 by formulating the Ezhou Dog Ownership Management Measures, establishing regulations on dog ownership management in the form of local government rules. Following this, from 2019 to 2022, four other cities—Yichang, Xiangyang, Suizhou, and Xianning—also introduced local government regulations on dog ownership management. However, some cities did not use their newly acquired local legislative power to enact formal regulations on dog ownership management. Instead, they opted for normative documents. Examples include the Huangshi Urban Dog Ownership Management Measures (2018) and the Interim Measures for Dog Ownership Management in Xiaogan Urban Area (2019). During this phase, although the legislative approach to dog ownership management had evolved, it had not yet been fully implemented across the entire province. Moreover, in terms of legislative forms, apart from Wuhan, which adopted local ordinance, the other five cities with districts that enacted dog ownership management laws did so in the form of local government rules.

The third phase, from 2022 to the present, has seen a significant increase in the number of dogs, which has had a considerable impact on urban environmental protection, public health, and security. Complaints about dog-related disputes within communities have also been rising. Frequent incidents of animal abuse and abandonment have not only become a major cause of stray animals but have also deeply affected public sentiment, especially as such cases gain traction online. As a result, since 2022, dog ownership management legislation has been widely implemented across various regions in Hubei

Province. The vast majority of cities with districts have introduced regulations on dog ownership, with some cities engaging in frequent legislative activities, including enacting new laws, amending existing ones, and repealing outdated provisions.

Firstly, in 2022, Huanggang City and Jingzhou city issued the “Huanggang City dog management measures” and Jingzhou city dog management measures” in the form of normative documents. In 2023, Xianning city issued the local government regulation “Xianning city dog management measures”.

Secondly, in 2022, Huangshi city promulgated the local ordinance “Huangshi City Dog Management Regulations”, simultaneously repealing the 2018 normative document “Huangshi City dog management measures”. In 2022, Ezhou city and Yichang City also issued the Ezhou City Dog Management Regulations and Yichang City Dog Management Regulations, while repealing the previously established local government regulations on dog management. In addition, in 2024, Wuhan and Jingzhou released draft versions of new dog management regulations (local laws).

3. CURRENT STATUS AND ISSUES OF LOCAL DOG MANAGEMENT LEGISLATION IN HUBEI PROVINCE

(i) Time and Form of Legislation

Table 1

	WH	HS	YC	EZ	HG	XY	SZ	XN	XG	JZ <sup>3</sup>
Legislative time	2006	2022	2022	2022	2023	2019	2021	2023	2019	2022
Form of legislation	A	A	A	A	A	B	B	B	C	C

(A = Local Laws and Regulations, B = Local Government Regulations, C = Administrative Normative Documents)

As can be seen from Table 1, except for the “Wuhan Dog Management Regulations,” which was enacted relatively early (currently under revision), the local legislation on dog management in the other nine prefecture-level cities of Hubei Province was mostly concentrated between 2019 and 2022, particularly in 2022. At present, except for Xiaogan and Jingzhou, where dog management legislation takes the form of administrative normative documents, the other eight cities have adopted either local government regulations or local laws, with the latter being more prevalent. Additionally, the two prefecture-level cities of

<sup>3</sup> WH=Wuhan city, HS=Huangshi city, YC=Yichang city, EZ=Ezhou city, GH=Huanggang city, XY=Xiangyang city, SZ=Suizhou city, XN=Xianning city, XG=Xiaogan city, JZ=Jingzhou city.



Shiyan and Jingmen have not yet enacted specific local legislation on dog management. Instead, dog-related provisions are incorporated into the “Civilization Promotion Regulations” and “Urban Management Regulations” of their respective cities.

As mentioned earlier, apart from Wuhan, the earliest local legislative document among the ten prefecture-level cities was “Ezhou’s Dog Management Measures,” a local government regulation enacted in 2017 and later repealed in 2022. Subsequently, Yichang, Xiangyang, and Suizhou formulated their own local government regulations on dog management between 2019 and 2023. After 2022, Huangshi, Ezhou, Yichang, and Huanggang elevated their previous dog management normative documents or local government regulations to local laws. Additionally, Jingzhou’s local law, “the Jingzhou Dog Management Regulations,” was submitted to the Hubei Provincial People’s Congress for approval in November 2024.

In terms of legislative form for dog management across different regions, among the ten prefecture-level cities, Wuhan, Yichang, Huangshi, Huanggang, and Ezhou have adopted local laws, while Xiangyang, Suizhou, and Xianning have implemented local government regulations. Jingzhou and Xiaogan, on the other hand, have used administrative normative documents. This indicates that local dog management legislation in Hubei Province is primarily based on local laws, accounting for 50% of the total. Local government regulations also play a significant role, making up 30%, while administrative normative documents are the least common, comprising 20%. These figures demonstrate the diversity in legislative approaches across different regions in Hubei Province, with local government regulations and administrative normative documents together constituting half of the total legislative framework. First, the legislative body for local laws is the People’s Congress at the prefecture-level city or higher, along with its Standing Committee, whereas the legislative body for local government regulations is the People’s Government at the prefecture-level city or higher. Since administrative bodies are established by and accountable to legislative bodies, local laws hold a higher level of legal authority compared to local government regulations. Second, local laws also have broader legislative powers. They can stipulate specific provisions for implementing national laws and administrative regulations based on local circumstances, as well as regulate matters related to local affairs that require the enactment of local laws. Local government regulations have a relatively narrower scope of authority. Their primary function is to implement the provisions of national laws, administrative regulations, and local laws, as well as to regulate specific administrative management matters within their jurisdiction. Additionally, in terms of administrative penalties, local laws have broader authority—they can impose administrative penalties except for those involving personal liberty restrictions or business license revocation. If national laws and administrative regulations do not specify penalties for certain violations, local laws can supplement them by establishing appropriate administrative penalties to ensure effective enforcement. In contrast, local government regulations are more restricted in this regard. They can only specify detailed provisions within the scope of the types and



range of administrative penalties already established by national laws and regulations. As for normative documents, they represent a lower-tier and highly unstable form of legislation. Using normative documents as the legislative basis for dog management comes with numerous limitations. For instance, since “the Administrative Penalty Law” does not grant normative documents the authority to establish administrative penalties, cities like Xiaogan and Jingzhou, which have adopted this form, face significant restrictions. In Xiaogan’s case, its normative document does not specify any legal liabilities at all. Jingzhou, on the other hand, merely references penalties that have already been established in higher-level laws, rather than setting its own enforcement measures.

(ii) Legislative Purpose

Table 2

	Regulate Dog Behavior and Strengthen Management	Ensure Personal Safety and Health	Maintain Public Order and Sanitation	Enhance Urban Civilisation
WH		√	√	
HS	√	√	√	
YC	√	√	√	√
XY	√	√	√	
EZ	√	√	√	√
HG	√	√	√	√
SZ	√	√	√	
XN	√	√	√	
JZ	√	√	√	
XG	√	√	√	

It can be seen from Table 2 that most regions have included three key objectives in their dog management legislation: strengthening dog management, regulating dog ownership behavior, ensuring public safety and health, and maintaining social order and urban environmental sanitation. However, only Yichang, Ezhou, and Huanggang have explicitly incorporated “enhancing urban civilization” as a legislative purpose.<sup>4</sup> According to the legislative drafts of these three cities, the inclusion of “enhancing urban civilization” stems from the persistent issues caused by uncivilized dog ownership, such as safety

<sup>4</sup> Article 1 of the Yichang Dog Management Regulations. Article 1 of the Huanggang Dog Management Regulations. Article 1 of the Ezhou Dog Management Regulations

hazards, hygiene concerns, and environmental problems, which have negatively impacted the city's image and level of civility. To emphasize the importance of "civilized" dog ownership and align with their efforts to establish national model civilized cities, these cities have made "civilization" one of the primary goals of their legislation. This indicates that the current approach to dog management legislation across different regions remains primarily focused on maintaining public order, with little emphasis on promoting civility, animal welfare, or services for dog owners. Such legislative objectives suggest that the prevailing legislative mindset is still constrained by an excessive emphasis on short-term order maintenance, while overlooking the need to provide services for dog owners and foster a long-term culture of responsible pet ownership and social harmony.

Looking back at the early Dog Management Regulations, it is evident that from the outset, legislation did not consider animal welfare but instead treated dogs merely as human possessions to be controlled.<sup>5</sup> In some cases, animals were even viewed with hostility, with policies geared toward their elimination rather than protection. Although subsequent urban animal management laws have made some progress in terms of humane treatment, at the legal level, there is still no clear recognition of the legal status of animals or their welfare rights. This continued omission highlights a fundamental gap in legislation, where the focus remains on control and regulation rather than on the ethical and welfare considerations of animals as sentient beings. The term "Animal Welfare" originated in Western countries and broadly refers to the rights of animals to be free from abuse and to enjoy appropriate living standards. Over time, a general consensus has been reached that animal welfare encompasses both physical and mental well-being, recognizing the full range of emotions animals experience, including pain and pleasure. Animals should be ensured physical health, free from suffering caused by hunger, thirst, extreme cold, illness, excessive labor, and other forms of physical distress.<sup>6</sup> At the same time, their psychological well-being should also be safeguarded, protecting them from mental anguish and emotional trauma. There are significant differences between Western developed countries and China in terms of urban animal management laws and regulations, with the most prominent being the difference in legislative purposes. "Legislative purpose can be considered the key axis of pet management legislation. It not only defines the legitimate rights and interests to be protected by the law but also guides the institutional planning and framework construction of the entire pet management system." Examining urban animal management legislation in Western countries, it is evident that the core focus is on animal protection and welfare.<sup>7</sup> Some

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<sup>5</sup> XU, L. Research on the legislative issues of pet dog management in China[D]. Zhejiang Gongshang University 02 (2020)1-59.

<sup>6</sup> CAO, H. Animals are not Things: Animal Law in the West, Law Press (Beijing 2007-62.

<sup>7</sup> WU, L. On the legal regulation of pet keeping in cities in China[D]. Suzhou University 06 (2011) 1-38.

countries and regions have even embraced the concept of animal rights, striving to use legal frameworks to foster a harmonious coexistence between humans, nature, and animals in urban environments. They actively seek to balance the interests of urban development, human progress, and animal protection.

(iii) Legislative Structure

Among the ten prefecture-level cities in Hubei Province, six cities—Suizhou, Xiangyang, Huangshi, Xianning, Ezhou, and Yichang—have explicitly structured their dog management legislative documents into distinct chapters. In contrast, the legislative documents of Wuhan, Huanggang, Xiaogan, and Jingzhou do not include clear chapter divisions. This article compares the legislative structures of the six dog management laws that have defined chapter divisions.

Table 3

	HS	YC	XG	EZ	SZ	XN
General Provision	√	√	√	√	√	√
Dog Immunisation, Registration	√	√	√	√	√	√
Code of Conduct	√	√	√	√	√	√
Dog Operation		√	√	√	√	√
Dog Sheltering and Retention	√	√		√	√	√
Management Area			√			
Legal Responsibility	√	√	√	√	√	√
Additional Article	√	√	√	√	√	√

From Table 3, we can see that all six dog management legislative documents adopt the legislative structure of “General Provisions + Main Provisions + Supplementary Provisions.” Moreover, in the main provisions, core aspects such as dog immunization and registration, behavioral regulations, and legal responsibilities are consistently emphasized. However, in the Huangshi Dog Management Regulations, dog-related business activities are not designated as a separate chapter but are instead included in Chapter 3, “Behavioral Regulations,” as a provision outlining the requirements for individuals and entities engaged in dog-related businesses, alongside regulations for dog grooming and veterinary services.<sup>8</sup> Similarly, the Xiangyang Dog Management Measures do not establish a separate chapter for dog sheltering and impoundment but

<sup>8</sup> Article 24 of the Huangshi Dog Management Regulations.

instead include a provision on this matter within Chapter 3, “Registration Management.” Regarding the definition of management areas, most local legislative documents place these provisions within the General Provisions, with the exception of the Xiangyang Dog Management Measures, which designate a separate chapter for this topic.<sup>9</sup>

(iv) Management Systems

Table 4

	WH	HS	YC	XY	EZ	HG	SZ	XN	JZ	XG
Public Security Organs	√	√	√	√	√	√	√	√	√	√
Urban Management and Law Enforcement Departments	√	√	√	√	√	√	√	√	√	√
Agricultural and Rural Departments	√	√	√	√	√	√	√	√	√	√
Health and Wellness Departments			√	√	√	√	√	√	√	√
Spiritual Civilization Construction Guidance Committee			√		√	√				
Market Supervision Departments			√	√		√	√	√	√	√
Housing and Urban-Rural Development Departments	√		√			√	√	√	√	√
Financial Departments				√		√			√	
Street offices and Township People’s Governments		√	√			√	√	√	√	√
Civil Affairs Departments										
Neighbourhood and Village Committees			√	√	√	√	√	√	√	√
Property Company and Property Owners’ Committee			√	√	√	√	√	√	√	√
Enterprises and Institutions				√		√	√	√	√	√
Social Capital, Industry Association and Non-profit Organization		√	√			√	√	√	√	√

As can be seen from Table 4, all ten prefecture-level cities in Hubei Province have implemented dog management through the establishment of coordination mechanisms, involving multiple relevant departments in their management systems. The general approach is to designate the competent authority as the leading department, while

<sup>9</sup> Article 18 of the Xiangyang City Dog Management Measures.

other departments perform their respective duties, thereby forming a joint enforcement model. In most cities, local dog management legislation designates the public security authorities as the primary responsible department. The main model follows the principle of “government coordination, responsibility of the competent authority, and joint management by other regulatory agencies.”<sup>10</sup> From the existing legislative provisions across various regions, it may appear that numerous departments are involved in dog management — ranging from as many as 14 departments to as few as four. However, does this multi-agency management approach actually yield effective results in practice? In reality, many local dog management laws define departmental responsibilities in vague terms, with unclear boundaries of authority. Additionally, the competent authority and other departments are often at the same administrative level, making coordinated actions difficult to achieve. It is understood that, in practice, public security authorities primarily manage dog-related affairs through public security brigades, while local police stations handle specific disputes related to dog ownership. However, dog management is a complex and intricate issue that involves multiple aspects, often becoming a point of conflict in grassroots governance and a sensitive social issue. Moreover, public security authorities are already burdened with numerous responsibilities and heavy workloads. When other agencies lack the authority to handle dog-related matters, they must wait for the public security authorities to intervene, leading to situations where violations are either not effectively addressed or are handled inefficiently.

(v) Conditions for Keeping Dogs

Table 5

	WH	HS	YC	XY	EZ	HG	SZ	XN	JZ	XG
Valid Identification	√	√	√	√	√	√	√	√	√	
Full Civil Capacity	√	√	√	√	√	√	√	√	√	
Fixed Residence	√	√	√	√	√	√	√	√	√	
Vaccinate Against Rabies		√	√	√	√	√	√	√	√	
Compliance with Quantity Re-quirements	√	√	√	√	√	√		√	√	
Implantation of Electronic Signage		√	√		√	√				
Purchase Pet Insurance								√	√	

<sup>10</sup> ZHANG, X. Study on Local Legislation on Dog Management in Guangdong, Hong Kong and Macao Greater Bay Area [D]. Party School of Guangdong Provincial Committee of the Communist Party of China 02 (2023).

From Table 5 we can see that the local management legislation generally sets the following conditions for individual dog ownership: 1. Valid identification; 2. Fixed residence; 3. Full civil capacity; 4. Rabies immunization; 5. Compliance with the legally permitted number of dogs. However, only the local regulations of Huangshi, Yichang, and Ezhou explicitly require the implantation of electronic identification for identifying dog owners. In Huanggang, local legislation allows dog owners to choose between an electronic dog tag and an electronic chip. This legislative approach may be due to the relatively high cost of implanting electronic chips, which could raise the barriers to dog registration and potentially lead some owners to evade registration to save costs.

As can be seen from Table 5, only the local regulations of Xianning and Jingzhou include provisions regarding pet insurance, and both are encouragement-based rather than mandatory. According to the China Pet Medical Industry White Paper 2020, 36.5% of the pet-owning population does not spend a fixed amount of money on pet hospitals annually. The proportion of those who spend \$500 to \$1,000 per year is the highest, at 19.1 per cent. Looking at first-tier cities, more than half of the pet-owning population spends an average of 500 to 2,000 yuan per year on a single pet in pet hospitals.<sup>11</sup> This means that a large portion of a pet’s annual expenses come from medical care. If a pet dog falls ill and does not have insurance, the financial burden may lead some owners to abandon their pets, exacerbating the issue of stray dogs in cities and harming animal welfare.

(vi) Obligations of dog owners

Table 6

	WH	HS	YC	XY	EZ	HG	SZ	XN	JZ	XG
Obligation to Register and Vaccinate Dogs	√	√	√	√	√	√	√	√	√	√
Obligation when Taking Dogs Out	√	√	√	√	√	√	√	√	√	√
Obligation to Stop Barking		√	√		√	√		√		√
Obligation to Assist to Victims	√		√			√		√	√	√
Obligation to Dispose of Dead Dogs Properly		√	√	√	√	√	√	√	√	√

<sup>11</sup> LU, J. An overview of the current situation and countermeasures of pet medical insurance in China[J]. Shanghai Insurance 01 (2022) 50-52.

In the local dog management legislation across Hubei Province, the obligations of dog owners primarily include registering and vaccinating their dogs, adhering to safety precautions when taking dogs outdoors, preventing excessive barking, providing timely assistance to victims if a dog injures someone, and properly handling deceased dogs. From Table 6, it is evident that most regions emphasize dog registration and vaccination, outdoor safety measures, and proper disposal of deceased dogs, as these obligations are stipulated in all local regulations (with Wuhan including this requirement in its draft amendment to the Dog Management Regulations).<sup>12</sup> However, Xiangyang, Suizhou, Jingzhou, and Wuhan do not include specific provisions requiring dog owners to prevent excessive barking. Additionally, Huangshi, Xiangyang, Ezhou, and Suizhou do not have regulations mandating dog owners to provide timely assistance to victims if their dogs injure someone.

We have also observed that local dog management legislation across Hubei Province lacks provisions on dog owners' "duty of care" toward their dogs. This is not unique to Hubei but is a widespread issue in related legislation across the country. Although some Hubei regulations include provisions for vaccinations and sterilization, which could be categorized as part of a duty of care, their primary legislative intent remains order management rather than animal welfare. Similarly, outside Hubei, Guiyang's regulations encourage lifelong pet ownership, but this measure is also mainly aimed at maintaining public order rather than explicitly protecting animal welfare. Rights and obligations go hand in hand. Where dog owners exercise their right to keep dogs and enjoy the emotional support, stress relief, and anxiety reduction that dogs provide, they should also bear corresponding responsibilities. These obligations should encompass both duties toward others and a "duty of care" toward their dogs. From an international perspective, the United Kingdom's Animal Welfare Act 2006 establishes that dog owners must ensure their pets enjoy five fundamental freedoms: 1. Freedom from hunger and thirst (providing appropriate food and water), 2. Freedom from discomfort (providing a suitable living environment), 3. Freedom from pain, injury, or disease (ensuring timely medical care), 4. Freedom to express natural behavior (allowing sufficient exercise and social interaction), and 5. Freedom from fear and distress (preventing psychological abuse). Violations of these obligations can result in unlimited fines or up to 5 years of imprisonment. Similarly, Germany's Dog Keeping Ordinance mandates a minimum daily exercise duration, typically requiring owners to walk their dogs at least twice a day, with each walk lasting no less than one hour.

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<sup>12</sup> Article 35 of the Draft Wuhan Dog Management Regulations.



(vii) Dog Shelter and Management

Dog Shelter

Table 7

	Establishment of the Organ	Adoption Time	Adoption Procedures	Disposal of Unclaimed Dogs
WH	Municipal People’s Government	not have	not have	not have
HS	Municipal and County (City) People’s Governments	seven days	not have	not have
YC	People’s Governments Above the City and County Level	seven days	not have	not have
XY	Municipal Agriculture and Rural (Livestock) Departments	15th day	not have	not have
EZ	Municipal People’s Government	three-day	not have	not have
HG	Establishment by Public Security Organs or Entrustment to a Third Party	ten days	not have	not have
SZ	The People’s Government at the county level organizes the establishment of or commissions eligible enterprises, institutions and social organizations to	Fifteen or thirty days	not have	not have
XN	County People’s Government and Street Offices	15th day	not have	not have
JZ	Agricultural and Rural Sector	15th day	not have	not have
XG	Agricultural and Rural Sector	not have	not have	not have

The dog shelter and impoundment system plays a crucial role in reducing the number of stray dogs in urban areas and ensuring public hygiene and health. From Table 7, it can be seen that:

(1) The establishment of dog shelter and impoundment facilities varies across different regions, resulting in five different models. In the first model, the local people’s government is responsible for setting up the shelters, as seen in Wuhan, Huangshi, Yichang, and Ezhou. The second model allows either the local government or authorized enterprises and social organizations to establish shelters, as practiced in Suizhou. In the third model, shelters can be set up by either the local government or sub-district offices, as in Xianning. The fourth model places the responsibility on the agriculture and rural affairs department, which is the case in Xiangyang, Jingzhou, and Xiaogan. The fifth model assigns this responsibility to the public security bureau or

an authorized third-party organization, as seen in Huanggang. With as many as five different approaches adopted by just ten cities, the inconsistency in the establishment of dog shelters and impoundment facilities highlights the administrative complexity and lack of standardization in dog management policies.

(2) The regulations on the time frame for claiming impounded dogs vary across different regions. In Ezhou, dog owners must claim their dogs within three days, while in Huangshi and Yichang, the period is seven days. Huanggang allows 10 days for claiming, whereas Xianning Jingzhou and Xiangyang set the limit at 15 days. Suizhou differentiates between registered and unregistered dogs, allowing 15 days for registered dogs and 30 days for unregistered ones. Meanwhile, Xiaogan and Wuhan do not specify a clear time limit for reclaiming impounded dogs. These discrepancies highlight the significant variations in local legislation, with the shortest claim period being only three days, while the longest extends to 30 days, creating a considerable gap in policy approaches.

(3) The adoption procedures for stray dogs are lacking in existing legislation. While local dog management laws generally allow qualified individuals and organizations to adopt unclaimed dogs, they fail to provide clear regulations on adoption procedures, the handling of unadopted dogs, and public oversight of dog shelter and impoundment institutions. This lack of standardized, transparent procedures and necessary supervision has frequently led to negative public scrutiny of these institutions, further complicating their operations and reputation.

(4) The functions of the dog shelter and impoundment facilities are too narrowly defined in existing local legislation. Most regulations focus primarily on housing, detaining, inspecting, and disposing of dogs, with an emphasis on reducing the number of stray dogs and handling confiscated dogs. However, they overlook the role of shelters as animal welfare institutions that should also provide care, rescue services for dogs, and promote public awareness of responsible pet ownership and animal welfare.<sup>13</sup> This limited legislative scope fails to recognize the broader social and ethical responsibilities that shelters should fulfill.

(5) Lack of Regulations for Private Dog Shelters. In China, many privately established dog shelters operate independently. Unlike official shelters, which primarily focus on mitigating the potential negative impact of stray dogs on social order and the urban environment, private shelters are dedicated to alleviating the suffering of stray dogs and actively seeking suitable living arrangements for them. Given their significant role in the broader stray dog management system, private shelters play a crucial part in addressing the issue, yet they remain largely unregulated under current legislation.

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<sup>13</sup> LI, G. An introduction to the importance of dog sheltering in urban management[J]. Decision-making exploration (next) 07 (2020) 94.

However, private dog shelters in China face an ambiguous legal status—they lack official establishment credentials and have no formal pathway to apply for recognized operational qualifications. This situation makes it difficult to regulate whether private shelters meet the necessary standards for housing dogs while also creating significant operational challenges for these organizations. The biggest hurdle they face is funding shortages. Private shelters primarily rely on public donations, making their income highly unstable and unsustainable. Many struggle to stay afloat, often operating at a financial deficit.<sup>14</sup> For example, Shanghai Animal Oasis Fengxian Cat Shelter and Adoption Base and Guangzhou Smiling Angel Stray Cat & Dog Rescue Center were both forced to shut down due to financial difficulties. Another major challenge is limited information dissemination. Without official recognition or support, these shelters often struggle to raise public awareness about their work, further complicating their efforts to secure funding and find suitable homes for rescued animals. Many dog shelters have rescued a significant number of stray dogs, but due to low public awareness and limited channels for information dissemination, their adoption notices receive little exposure. As a result, rescued stray dogs struggle to find suitable adoptive families and are often forced to remain in shelters for extended periods, further straining already limited resources.

Dog Management

Table 8

	WH	HS	YC	XY	EZ	HG	SZ	XN	JZ	XG
Obtaining a Licence	√	√	√		√		√	√	√	√
Provisions for Business Premises		√					√			
Provisions for Breeding Premises					√					
File Creation		√	√				√	√		
Compliance with Epidemic-proof Conditions	√	√	√		√		√	√		

As shown in Table 8, dog management regulations in various cities across Hubei Province lack comprehensive provisions on dog-related businesses and have yet to establish a unified regulatory system. Among the ten prefecture-level cities, eight require business licenses, six mandate compliance with epidemic prevention standards, and four stipulate the need for record-keeping. However, only Huangshi and Suizhou

<sup>14</sup> XING, Y., YU, D. Brief analysis of stray animal rescue practice dilemma and path optimisation [J]. Popular Standardisation 04 (2021) 71-73.

impose specific requirements on business premises, while Ezhou is the only city that sets regulations for breeding facilities. This inconsistency highlights the fragmented and incomplete nature of dog business regulations across the province.

Dog-related businesses are a crucial aspect of urban dog management. As the primary source through which residents acquire dogs, proper regulation of dog businesses is essential for effective overall management. However, in reality, oversight of dog businesses remains inadequate. Many dog-selling establishments suffer from poor hygiene and insufficient epidemic prevention measures, while dog sourcing lacks transparency. The prevalence of the pet black market and backyard breeding operations has led to market disorder, increased disease risks, and violations of both consumer rights and animal welfare. Without addressing these issues, effective urban dog management becomes nearly impossible.

(viii) Administrative Penalties

Table 9

Penalties	Fine	Warnings	Criticize by Circular	Forfeiture	Administrative Detention
WH	√	√		√	
HS	√			√	
YC	√	√		√	
XY	√	√		√	√
EZ	√	√	√		
HG	√	√		√	
SZ	√	√		√	
XN	√	√		√	√
JZ	√	√		√	

Table 10

Penal Circumstances	WH	HS	YC	XY	EZ	HG	SZ	XN	JZ
Abandon a Dog		√	√		√	√			√
Illegally Keep Aggressive Dogs	√	√	√	√		√	√	√	√
Fail to Vaccinate		√	√	√	√		√	√	
Fail to Register	√	√	√	√		√	√		√

Penal Circumstances	WH	HS	YC	XY	EZ	HG	SZ	XN	JZ
Exceed the Limit (in terms of quantity)		√	√			√			
Disturb the Neighbors	√	√	√	√	√	√	√	√	
Fail to use a Leash or Muzzle	√	√	√	√	√	√	√	√	√
Bring Dogs into Public Places and Transportation	√	√	√	√	√	√	√		√
Fail to Clean Up the Excrement in Time	√	√	√	√	√	√	√	√	√

From Table 9, we can see that among the ten prefecture-level cities in Hubei Province, nine have incorporated penalties for violations in their dog management legislation. However, since “the Administrative Penalty Law” stipulates that normative documents cannot establish administrative penalties,<sup>15</sup> “the Xiaogan Urban Dog Management Interim Regulations” do not include provisions for penalizing violations of dog ownership regulations.

1. Type of Penalties. The types of Penalties in local dog management regulations mainly include warnings, public reprimands, fines, confiscation of dogs, and administrative detention. Fines are the most commonly applied penalty and can be imposed for almost all violations. Warnings are primarily issued for disturbing the public, failing to leash or muzzle a dog, or not cleaning up after a dog’s excrement. Confiscation of dogs applies in cases of illegally keeping aggressive or large dogs, exceeding the permitted number of dogs, or failing to register a dog within the required time. Administrative detention is rarely used, with only Xianning and Xiangyang including it as a penalty. It is limited to cases where a dog is intentionally used to harm others or where dog registration certificates are forged, altered, or illegally traded. Public reprimands were introduced as a new type of penalty in the 2021 amendment to “the Administrative Penalty Law”.<sup>16</sup> However, apart from “the Ezhou Dog Management Regulations”, which allow for public reprimands as a penalty for illegally bringing dogs into public places and public transportation, no other local dog management laws in Hubei Province have incorporated this newly established penalty type.

2. Applicable Violations for Penalties. The violations subject to penalties under local dog management laws generally cover the main concerns of society, including excessive barking, failure to leash dogs, failure to muzzle aggressive breeds, and not cleaning up after dogs. Firstly, compared to previous regulations, most local dog management

<sup>15</sup> Article 16 of the Administrative Penalty Law of the People’s Republic of China

<sup>16</sup> Article 9 of the Administrative Penalty Law of the People’s Republic of China.

laws now acknowledge issues of dog abandonment and abuse, reflecting a growing awareness of animal welfare concerns. From Table 9, we can see that half of the local dog legislation in Hubei province include penalties for dog abandonment. However, when it comes to animal abuse, only Huanggang and Ezhou have established corresponding penalties in their local regulations. Wuhan has also recognized this legislative gap and has addressed it by including legal liability for abusive behavior in its newly drafted Dog Management Regulations. Secondly, the penalties for dog abuse and abandonment in local legislation are relatively lenient and primarily limited to fines, which may result in insufficient deterrence against such behavior. The lack of stronger punitive measures weakens the effectiveness of these regulations in preventing and addressing animal cruelty and abandonment. Thirdly, existing local regulations that prohibit animal abuse and abandonment fail to provide clear definitions for these actions. Without precise legal definitions, it becomes difficult in practice to determine whether a specific act constitutes abuse or abandonment, leading to challenges in enforcement and legal accountability. We define animal abuse as any act by humans that inflicts unnecessary suffering or harm on animals. Animal abandonment refers to the deliberate act of an animal owner or caretaker giving up their responsibility for the animal's care and management, leaving the animal unattended and without proper care.

It is evident that the legal liability provisions in local dog management regulations are relatively lenient and lack strong deterrence. The penalties are primarily fines, with low amounts and broadly defined ranges, making enforcement less effective. Moreover, the regulations lack detailed criteria for imposing different fines — for example, under what circumstances a ¥5,000 fine is applied versus a ¥10,000 fine. This vagueness in legal provisions complicates enforcement and hinders the effective implementation of the regulations. Clearly, such a weak legislative framework is inconsistent with the principles of a civilized society and fails to promote harmony between humans and animals, as well as between humans and nature.

#### **4. THE IMPROVEMENT OF LOCAL DOG MANAGEMENT LEGISLATION IN HUBEI PROVINCE**

##### **(i) Unify the Legislative Form Into That of Local Regulations**

At present, only 50% of the local legislation efforts for dog management in Hubei Province adopt the form of local regulations, and in two areas, only normative documents have been used. As mentioned earlier, specialized local legislation on dog ownership has become a necessity for modernizing grassroots governance. Normative documents — even local government rules — cannot meet the current needs of dog management in terms of both the scope of legislative content and the level of legislative authority.

In practice, there are numerous issues in dog management — including management philosophy, operational mechanisms, division of responsibilities among various departments, and the application of law enforcement — that need to be addressed by formulating a complete and standardized set of local regulations on dog management. Local regulations not only hold higher authority and legal effect than local government rules, but they also offer a broader and more comprehensive scope in both content and purpose, whereas local government rules and normative documents are subject to many limitations. For example, regarding the imposition of administrative penalties for illegal dog ownership, “the Administrative Penalty Law” clearly stipulates that normative documents cannot set administrative penalties; local government regulations can only provide specific penalties within the scope, types, and limits provided by laws and regulations. These provisions mean that using normative documents or local government regulations for dog management legislation cannot comprehensively penalize illegal dog-related behaviors. Therefore, it is recommended that local legislation on dog management adopt the form of local regulations. This approach would enable the legislation to encompass a broader spectrum of urban dog management issues, provide a more comprehensive framework for regulating urban dog management, and lay a solid foundation for the top-level design of future dog management legislation.

## **(ii) Transforming the Legislative Philosophy**

The purpose is the creator of all laws; every legal rule is generated from a purpose — an actual motive.<sup>17</sup> Legislative purpose is the extension and expansion of management philosophy into practical operation. Whether the legislative purpose is defined in a scientific and accurate manner directly affects whether the system’s design is scientific and reasonable, and even directly influences its implementation.

In the legislative system of Western countries, animal-related laws have long surpassed the realm of mere management and now focus more on animal protection, even elevating animal welfare to the core objective of legislation—with the United Kingdom standing as a prime example. Under the EU subsidiary agreements, each member state is obligated to enact laws and standards to protect companion animals from abuse. In the United Kingdom, the legislation not only meets the requirements of the agreements but, in some respects, even goes beyond their scope. In the UK, a series of laws related to animal management is collectively known as the “Companion Animal Welfare Law.” The fundamental legal framework primarily includes two important laws: the Animal Protection Act (1911) and the Animal Abandonment Act (1960). The Animal Protection

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<sup>17</sup> BODENHEIMER, E. *Jurisprudence: The Philosophy and Method of the Law*, translated by Deng Zhenglai (Beijing 2017) 122.



Act is considered the foundational law in the field of animal protection legislation in the UK. This Act clearly stipulates that any person who either engages in “cruel” treatment of animals or “allows cruel behavior to occur” shall be deemed to have committed a crime and will face severe punishment. Similarly, the Animal Abandonment Act takes a firm stance by classifying the abandonment of animals as a crime, and likewise imposes strict penalties on those who violate it.

As previously mentioned, our country has yet to establish a unified animal protection law. Both national-level laws, such as the “Animal Epidemic Prevention Law,” and various local legislations have primarily adopted a legislative philosophy centered on prohibiting or restricting animal keeping, without focusing on the welfare of dogs. In the absence of unified legislation, in order to protect dogs, correct longstanding erroneous ideas, achieve more effective urban dog management, and utilize the declarative power of legislative philosophy, we need to re-examine and adjust our legislative concepts. This adjustment should incorporate more humanistic care, shifting away from mere management and control to pursue harmonious coexistence between humans and animals as the core legislative value.

### **(iii) Improving the Legislative Structure**

Clearly delineating the legislative structure can improve the organization and clarity of legal texts, making the overall structure more coherent and the provisions more distinct, which facilitates easier reading. However, among the ten prefecture-level cities in Hubei Province, only 60% have clearly delineated the structure of their dog management legislation. It is recommended that the four cities that have not done so make adjustments in future legislative activities to scientifically and clearly demarcate their legislative structure.

Of the six jurisdictions that have already delineated their legislative structure, further improvement is needed. For example, elements such as management areas and systems, which serve a guiding role, should be addressed in the general provisions rather than being given a separate chapter. Additionally, provisions concerning dog sheltering and operations, due to their limited content, could be merged — for instance, in Xiangyang’s legislation, the chapter on dog operations contains only two articles.

### **(iv) Establish a Multi-governance Model for the Dog Management System**

Local dog management legislation should specify in detail the division of responsibilities among the various departments to prevent situations where responsibilities are shifted or overlap. Each department could assign one or two dedicated members to form a specialized dog management team in conjunction with the supervisory department. This team would

coordinate information and provide comprehensive oversight, thereby ensuring that each department's responsibilities are fully exercised and that dog management efforts are more tightly coordinated and synergistic.

General Secretary Xi Jinping emphasized that “Grassroots community affairs are numerous and complex; they cannot be managed solely by the government, nor can the government manage them well. It is necessary to fully leverage the roles of various sectors of society and stimulate the vitality of the whole society.”<sup>18</sup> With the continuous evolution of social structures, people's self-awareness and autonomy are gradually strengthening. Consequently, dog management should transition from a government-led approach to one that is more service-oriented and grounded in social self-governance. For example, in Shenzhen, the “Shenzhen Dog Protection Association” assists the competent authorities in implementing educational programs on civilized dog ownership, participates in the collection of urban dog-related statistics, and collaborates in planning a series of events. By partnering with pet enterprises to conduct stray animal rescue activities, the association integrates social resources to provide greater survival support for stray dogs, thereby playing a highly positive role in both dog management and rescue efforts. In February 2018, the “TA Foundation” launched a large-scale stray animal protection program titled “Rescue the Single Dog Operation,” which comprehensively safeguards the health of stray animals through four aspects: nutrition, medical care, protection against cold, and adoption. In 2023, in partnership with MINISO, it established the “MINISO Small Animal Protection Charity Fund” and launched the “Transforming Stray Dogs into Search and Rescue Dogs” charity project. This is the country's first pioneering public welfare project that integrates animal protection with emergency rescue. The first stray dog to receive support from this project, “Ziman,” successfully passed the “Global Standard Search and Rescue Dog Certification.” The Wuhan Small Animal Protection Association has reached collaboration with the Wuhan Public Security Bureau regarding dog adoption. Together, they regularly hold adoption events for dogs in government shelters, which have yielded positive social results.

It is recommended that local legislation introduce practical and specific measures to harness the positive roles of grassroots and social organizations, encouraging their participation in all aspects of dog management. The goal is to establish a multi-governance model — comprising government leadership, community self-governance, and public supervision — that can enhance urban dog management. For instance, local communities should be integrated into the management network by establishing a collaborative mechanism among various stakeholders, forming a management model that links the upper and lower levels. Social forces such as volunteer organizations

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<sup>18</sup> LI, J., QIANG, Y., HONG, Q. Party building unites forces and stimulates community vitality[Z]. People's Daily (2024).

and non-governmental organizations should be encouraged to participate in both dog management and public education, fostering a system of co-governance. Additionally, self-governing bodies like village and neighborhood committees should play active roles in publicity, supervision, and mediation. The (revised draft of the) “Wuhan Dog Management Regulations” stipulate that dog management should adhere to the principles of combining management and service, integrating government supervision with grassroots organization governance, and merging public oversight with dog owners’ self-discipline.<sup>19</sup>

### **(v) Incorporate the Implantation of Electronic Chips and the Purchase of Insurance as Conditions for Dog Ownership**

Firstly, only 40% of the dog management legislation across Hubei Province requires the implantation of electronic chips in dogs, meaning that in most cities, it is not mandatory in practice. This shortfall creates significant challenges for identifying the legally responsible parties for abandoned dogs and for tracing lost animals back to their owners. Moreover, scientific and intelligent social governance — key components of grassroots governance as emphasized by General Secretary Xi Jinping — are undermined. In contrast, both Denmark and Germany require pet animals to be tattooed or implanted with chips for identification purposes.<sup>20</sup> Therefore, to promptly locate dog owners when dogs go missing, reduce the number of stray dogs in urban areas, and quickly identify responsible parties in cases of dog-human disputes, it is recommended to make the implantation of electronic chips a mandatory condition for dog ownership. Although this requirement may increase the burden on dog owners and lead to evasion of registration, such adverse effects can be mitigated through government subsidies.

Secondly, only 20% of the dog management legislation across various regions in Hubei Province requires the purchase of medical insurance for dogs, and these provisions are all merely encouraging measures. In reality, a significant proportion of stray dogs are abandoned due to illness. Therefore, it is recommended to include the purchase of medical insurance for dogs as a mandatory condition for dog ownership.

Additionally, to avoid increasing the burden on dog owners through the requirements of electronic chip implantation and insurance — which could lead to evasion of registration — it is recommended that local governments increase fiscal investment in dog management. This could include offering low-cost or free electronic chip implantation for registered dogs and establishing preferential policies for dog medical

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<sup>19</sup> Article 3 of the Draft Wuhan Dog Management Regulations

<sup>20</sup> YANG, X. Research on Legal Issues of Pet Animal Protection in China[D]. Chongqing University 03 (2012).

insurance. Moreover, local dog management legislation should explicitly provide that the necessary funds for dog management be included in the local fiscal budget.

## **(vi) Comprehensively Stipulate the Obligations of Dog Owners**

In terms of the obligations of dog owners, local dog management legislation should address two main aspects. On one hand, to maintain social order and strengthen dog management, it should clearly specify the obligations of dog owners to practice civilized pet-keeping. On the other hand, from the perspective of protecting animal welfare, the legislation should define the duty of dog owners to ensure proper care for their pets.

Regarding the “civilized pet keeping obligations,” local legislations mainly focus on defining dog owners’ duties in this area, but there are still shortcomings. As mentioned earlier, among the ten prefecture-level cities in Hubei Province, 40% do not impose obligations on dog owners to curb excessive barking or to assist victims in case of dog-related injuries. Yet, these two issues are among the primary sources of urban dog-human disputes and represent one of the key concerns of society. Therefore, it is recommended that local dog management legislation comprehensively defines the obligations of dog owners by including requirements to curb excessive barking and to provide assistance to victims in the event of dog-related injuries. For instance, under the U.S. “Disturbance of the Public Peace Act” — also known as the “Good Neighbour Act” — citizens are granted the right to own dogs while non-dog owners are also entitled to peaceful living without disturbances from barking. The law mandates that dog owners strictly control barking at all times and manage neighbourly relations appropriately. Similarly, in the United Kingdom, specific guidelines are provided: if a dog owner fails to stop incessant barking and neighbours continue to lodge complaints, the owner will receive a reminder notice. Should the problem persist beyond the stipulated period, the owner may face a substantial fine in British pounds.<sup>21</sup>

Regarding the “duty of care,” it is recommended that legislation comprehensively define the care obligations of pet owners, including the following: providing timely and necessary treatment for injured or ill companion animals; preventing uncontrolled and excessive reproduction of dogs, with measures such as neutering or other appropriate interventions when necessary; supplying healthy drinking water and food, as well as sufficient space for exercise; ensuring that the living environment maintains proper temperature, lighting, ventilation, cleanliness, and safety; prohibiting abandonment or mistreatment of dogs except in specific circumstances that require placement in a shelter; assuming the responsibility of caring for their dogs until the end of their lives, within the owner’s capacity; and registering identification markers containing the owner’s information on the dog’s microchip or collar to prevent loss.

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<sup>21</sup> WANG, J. Study on the management system of dog breeding in Shanghai [D]. Fudan University 03 (2010).

## **(vii) Enhance the Sheltering, Detention, and Management of Dogs**

### **Strictly Standardize the Establishment of Institutions for the Sheltering and Detention of Dogs**

Currently, among local dog management legislation in various regions of Hubei Province, there are five models regarding the establishing authority for institutions that shelter and detain dogs. The differences among these models mainly center on whether such institutions must be established solely by the local People's Government or its functional departments, or whether the local government can delegate this responsibility to a qualified third party. In administrative practices, authorities often delegate certain administrative powers they hold to social organizations for execution.<sup>22</sup>

Establishing institutions for the sheltering and detention of dogs is one of the administrative powers exercised by local governments and their functional departments in dog management. We believe that, first, state administrative power is not subject to arbitrary transfer or disposal, so it is not recommended to delegate the authority to establish such institutions to a third party. Second, if local governments and their functional departments must delegate this authority to a third party, the local dog management regulations must clearly specify the scope of the delegated authority, the delegation procedures, the conditions that the entrusted organization must meet, and the supervisory responsibilities of the entrusting authority.

### **Increase the Public Education and Outreach Functions of Institutions for Dog Sheltering and Detention**

While the establishment of a dog shelter system is indeed aimed at maintaining city appearance and preventing injuries caused by stray dogs, its primary purpose as a dog welfare institution should be to safeguard the well-being of the animals. Dog shelters should take responsibility for rescuing injured and stray dogs, helping them adapt to human environments, and preparing them for eventual adoption. Additionally, dog shelters should play a crucial role in cultivating a culture of responsible dog ownership within society by educating the public on the importance of responsible pet care, offering online courses related to dog training and care, and emphasizing the necessity of vaccinations and neutering, among other initiatives.

### **Establish a Reasonable Period Within Which Dogs Must Be Claimed**

At present, in various regions of Hubei Province, the designated period for claiming dogs after they have been sheltered or detained varies widely, ranging from three to 30

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<sup>22</sup> ZHOU, Y. The original theory of administrative law (Beijing2024) 438.

days. How many days should be set in legislation to best reflect the actual situation, so as to prevent overcrowding in dog shelter institutions while maximizing the chances for dogs to be reunited with their families? We believe that a reasonable claim period after a dog has been sheltered or detained should distinguish between registered and unregistered dogs. For registered dogs, it is sufficient to publicly announce the information already on record, thereby allowing the owner to claim the dog. This process involves three stages: searching for the dog's information, publishing that information, and waiting for the owner to come forward. Generally, a period of one week is considered reasonable. For unregistered dogs with no available information, the process is somewhat more complicated. These dogs must first go through a process of searching for their owner, and only when the owner cannot be found can the dog's ownership be legally transferred to the dog shelter/detention institution. Specifically, this process includes searching for the dog's information, publishing that information, waiting for the owner to come forward, then, if no one claims the dog, publishing adoption information and waiting for adoption. Considering the entire process, a period of 30 days is not excessive.

## Define the Adoption Process

The standardization, public disclosure, and transparency of the dog adoption process are crucial for establishing an effective adoption system and addressing the public's emotional concerns.<sup>23</sup> A reasonable adoption procedure should include the following steps: the adopter submits an application; the shelter or detention institution reviews the adopter's qualifications; an adoption agreement is signed, and an adoption deposit is paid; follow-up visits are conducted to ensure the animal's welfare.

For example, in Michigan, USA, the adoption procedure is regulated as follows: the public must apply to adopt from the shelter and demonstrate that they are qualified to keep a pet. Once their application is approved and before the animal is officially adopted, they can sign an agreement with the shelter. The shelter is then required to have the animal neutered and vaccinated before handing it over to the adoptive family, in order to prevent excessive breeding. The adoptive family must pay a fee, which will be used to support the shelter's daily operations. For animals that have not yet reached the age for neutering, the shelter should require the adoptive family to arrange for neutering as soon as the animal becomes eligible, accompanied by a follow-up visit. Additionally, for animals that have already been adopted, the shelter must ensure that the adoption information is transferred to the national pet information platform and that the animal's adoption status is updated in the shelter's original records.<sup>24</sup>

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<sup>23</sup> HE, Y. Status, causes and countermeasures of stray animals in China [J]. Theory observation 11 (2019) 88-90.

<sup>24</sup> ZHENG, Q. Research on the U.S. Stray Animal Shelter System [D]. East China University of Political Science and Law 07 (2023).



## Increase Provisions for Non-governmental Dog Shelter Institutions

Firstly, legislation should explicitly define the government's responsibility for funding dog shelters. It should stipulate that, based on local conditions and according to a certain proportion or standard, the operational funds for dog shelters be included in the fiscal budget. Additionally, special rescue funds should be established to support these operations, and social contributions through donations should be encouraged to support the daily running of non-governmental rescue stations. Secondly, legislation should establish a data platform for stray animal shelters. Whether dogs are housed in non-governmental or official shelter institutions, once they are confirmed as ownerless, an identity should be created for them in the shelter database. This would involve setting up an identification marker and recording details such as the shelter of first admission, name, age, health status, medical history, and neutering status. Additionally, adoption information should be jointly published on the data platform to address issues such as the low visibility of adoption information in non-governmental shelters and the resulting pressure on their capacity. Finally, legislation should clearly define the legal status of dog shelters and detail the conditions for their establishment and the qualification approval process. This includes requirements for site area, facility and equipment standards, professional staffing, and other criteria, ensuring that shelters possess the basic operational capacity and conditions. Such provisions would not only strengthen the oversight of non-governmental dog shelter institutions but also ensure that dogs receive the basic welfare standards once they are housed.

## Optimize the Dog Management System for Dog Operations

The system governing dog operations is a very important aspect of dog management. Through legislative regulation of dog operations, illegal dog transactions can be curtailed, and by standardizing factors such as breeding density and the breeding environment, it ensures that the animals live in relatively comfortable conditions during the breeding process, thereby promoting the welfare of the dogs. In various countries' legislation, there is a strong focus on regulating animal operations. For example, Japan's "Animal Welfare Management Act" stipulates that: Animal dealers must explain to buyers the species, habits, intended use, and proper methods for keeping and caring for the animal. When purchasing cats or dogs online, dealers have an obligation to provide an in-person services. Dealers who are not ordinary pet owners and are involved in the sale of dogs or cats are required to keep any unsold animals for life. The sale of young dogs and cats is humanely regulated, mandating that they must be at least 56 days old, to prevent the anxiety and discomfort that can result from premature separation from their mothers.<sup>25</sup>

<sup>25</sup> MAO, Y. Research on the Legal Protection of Companion Animals in China [D]. China University of Political Science and Law 12 (2015).



An analysis of local dog management legislation in Hubei Province shows that most areas mandate obtaining a business license as a basic condition for dog operations, with 60% of the cities including health and epidemic prevention requirements as part of the operational criteria. However, only 20% specify the concrete conditions that business premises must meet, and a mere 10% set specific standards for breeding sites. We recommend that local dog management legislation establish strict qualification standards for dog operations. These standards should cover requirements for business premises, facilities, staffing, and health and epidemic prevention. Moreover, supervision should extend not only to the business premises but also to the underlying breeding sites, with a clear prohibition on “uncontrolled breeding” and “backyard breeding.” For example, business premises and breeding sites should be located separately and not in residential areas, must meet the relevant health standards, and be equipped with dedicated sewage disposal systems as well as regular disinfection and cleaning routines. Additionally, standards for dog rearing facilities should be established to ensure that dogs have sufficient space for activity and a comfortable living environment.

## **(viii) Improve the Provisions on Penalty Rules**

### **Expand the Types of Penalties**

The administrative penalties for violations of dog ownership regulations in various local legislation across Hubei Province are still based on provisions from before the 2021 amendment of “the Administrative Penalty Law.” The newly introduced penalty types in the amended law, such as public criticism, restrictions on business operations, orders for closure, and employment restrictions, have been largely overlooked. Different types of penalties serve distinct deterrent purposes depending on the nature of the violation. For acts of abuse or abandonment, the primary measures should include the rescue and sheltering of the dog and restrictions on the owner’s future eligibility to keep dogs, supplemented by fines and warnings. For uncivilized dog ownership behaviors — such as causing public disturbances, failing to leash or muzzle the dog, bringing dogs into public places or transportation, and not cleaning up after them — public criticism should be added on top of warnings and fines to enhance the deterrent effect and reduce repeat offenses. For serious violations that endanger public order and interest in dog management — such as failure to register the dog, not vaccinating, or illegally keeping aggressive or large breeds — the penalties should include confiscation of the dog, revocation of the owner’s eligibility to keep dogs, and hefty fines. Additionally, the owner should bear the costs of sheltering the confiscated dog. However, at the same time, the basic welfare of the confiscated dogs should be ensured.

## **Establish Comprehensive Legal Liability for Acts of Animal Cruelty**

In recent years, incidents of animal cruelty have occurred frequently in China, causing harm not only to animals but also inflicting psychological distress on the public. Such acts have been widely condemned from both ethical and public opinion perspectives, often sparking social conflicts and undermining social stability and harmony. First of all, acts of animal cruelty infringe upon the public interest in social order. Public order is not only reflected in external material requirements, such as social governance and regulatory systems, but also in internal spiritual needs, including ethics, morality, and customary good practices — fundamental elements of the principle of public order and good customs. Animal cruelty violates social ethics and good morals, harms public mental and emotional well-being, and constitutes an infringement on the collective sentiment of society — namely, the widely accepted practice of caring for animals. This ultimately disrupts public governance and order at a societal level. Humanity's needs extend beyond mere material stability; emotional interests should not be overlooked. While caring for animals is not a necessity for survival, it is undoubtedly essential to fulfilling the public's psychological and emotional needs.

Secondly, acts of animal cruelty can pose a threat to public security within a given area. Such behavior increases the likelihood of violent crime and disrupts the stability of community life. Studies and real-world cases have shown a correlation between animal cruelty and a heightened propensity for violence, as individuals who engage in such acts may be more likely to commit crimes against humans. Therefore, failing to address animal cruelty not only harms animals but also undermines public safety and social stability. As early as 1986, a study published in the *International Journal of Law and Psychiatry* revealed that nearly all violent criminals had experienced abuse in childhood, with over 70% beginning their violent tendencies by abusing animals. This suggests that cruelty toward animals can escalate into violence against humans, ultimately leading to criminal acts and posing a threat to social order. Therefore, animal cruelty should be recognized as a behavior that endangers public security within a given area. It has the potential to disrupt law and order, increase the risk of violent crime, and should be classified as an offense under public security management regulations. In many Western countries, acts of animal cruelty are even considered criminal offenses. The UK's Animal Welfare Act explicitly states in its first article: "Anyone who intentionally causes unnecessary mental or physical suffering and distress to an animal through inhumane or cruel means commits the offense of animal cruelty. This offense is punishable by up to six months of imprisonment and a fine not exceeding the standard Level 5 penalty." This demonstrates that in some legal systems, animal cruelty is not only a moral issue but also a serious legal offense with clear punitive measures. France's Anti-Animal Cruelty Act stipulates: "Individuals who abuse animals may face up to five years in prison and a fine of up to €75,000 (approximately 580,000 RMB). Additionally, offenders are required to attend

relevant educational courses.” The U.S. Preventing Animal Cruelty and Torture (PACT) Act also stipulates: “Animal cruelty is classified as a federal felony, punishable by up to seven years in prison.”

It is recommended that local legislation classify acts of animal cruelty into three categories: 1. Direct Violent Acts — Actions that cause physical harm to an animal through direct physical violence. 2. Malicious Torture — This includes prolonged confinement, deprivation of adequate food and water, and forcing animals to perform tasks or labor beyond their physical capabilities. 3. Psychological Harm — Actions such as repeatedly frightening or intimidating an animal, causing it to suffer from prolonged fear, anxiety, or other harmful psychological states. Legal responsibilities should be established based on the severity of each category, ensuring appropriate penalties and accountability for offenders. For individuals who abuse dogs through direct violence or malicious torture, in addition to imposing substantial fines, it is even more crucial to revoke their dog ownership rights. The abused dogs should be rescued and sheltered, and future applications for dog registration by the offender should be strictly restricted. For those who abuse dogs through psychological harm, warnings and fines should be imposed. However, immediate revocation of dog ownership rights may not be necessary. Instead, a regular follow-up system can be established to monitor their behavior. Based on their subsequent conduct, a decision can be made on whether to permanently revoke their dog ownership rights.

### **Strictly Enforce Legal Responsibilities for Non-compliant Dog Ownership**

Imposing severe penalties for improper dog ownership is a common practice in dog management laws worldwide.<sup>26</sup> However, in various regions of Hubei Province, the legal provisions for such violations remain relatively lenient, with penalties primarily limited to fines, which are generally low. Local regulations should establish stricter penalties for violations and maintain records of non-compliant dog ownership. A “Violation Record Archive” should be created to track repeated offenses. Dog owners with multiple violations should face escalating penalties and potential restrictions on their eligibility to keep dogs.

## **CONCLUDING REMARKS**

Through an in-depth study of the local dog ownership regulations in ten prefecture-level cities across Hubei Province, it is evident that urban dog management has become

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<sup>26</sup> LIU, J. Pet dog management law in the United States and its inspiration to China[D]. Foreign Affairs College 09 (2017) 1-38.

an essential issue in grassroots governance. From a legislative timeline perspective, in recent years, many local governments have introduced or revised dog management regulations, reflecting their growing awareness of the issue and their proactive efforts to address challenges associated with dog ownership. However, despite the continuous progress in legislation, various issues and shortcomings remain in areas such as legislative form, structure, guiding principles, management systems, dog ownership requirements, dog sheltering and impoundment, and administrative penalties. This indicates that traditional grassroots dog management models and approaches are no longer sufficient to meet the needs of contemporary social development and must undergo reform and innovation. To achieve this, legal safeguards should take the lead, and urban local legislation should be the first to respond, ensuring that regulatory frameworks keep pace with evolving societal demands. This article proposes a series of recommendations to improve dog ownership regulations across various regions in Hubei Province. These include: enhancing legislative authority — local governments should adopt higher-level and more authoritative local regulations rather than lower-tier rules. Shifting the legislative approach — the focus should expand from mere order maintenance to a balanced approach integrating management and protection. Establishing a diversified dog management system — introducing a multi-faceted governance model that involves multiple stakeholders. Strengthening dog ownership requirements — implementing mandatory microchipping and requiring pet medical insurance to ensure responsible ownership. Improving shelter and impoundment regulations — setting reasonable timeframes and procedures for reclaiming impounded dogs. Expanding penalty types — introducing a broader range of penalties for violations and increasing punishments for dog abandonment and abuse to enhance deterrence. These recommendations aim to serve as a valuable reference for local legislation on urban dog ownership management in China. By implementing these improvements, dog management practices can progress toward greater systematization, scientific rigor, smart governance, and legal enforcement, ensuring a more effective and sustainable regulatory framework.

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