

Model Community Cat Ordinance

Prepared by the Animal Law Pro Bono Project, SUNY Buffalo Law School
July 2014 VERSION

For more information, contact Professor Kim Diana Connolly, kimconno@buffalo.edu/716-645-2092

For supporting information, please see the accompanying “Background and Summary of the SUNY Buffalo Animal Law Pro Bono Project Model Community Cat Ordinance”

*[Appropriate introductory language to amend an existing law or create a new one
should be inserted in compliance with local norms]*

*§ XX Purposes. [Depending on local norms, these purpose statements can be included
in the legislative history process rather than statutory law]*

WHEREAS, a local law addressing feral and community cats will reduce the population of free-roaming cats, reduce annoyance caused to some people by feral or community cats, positively affect the health and welfare of feral and community cats, and reduce the problems sometimes associated with feral or community cats; and

WHEREAS, the trap-neuter-vaccinate-return (TNVR) method is the only proven mechanism to stabilize and/or reduce existing feral and community cat populations and address potential disease concerns; and

WHEREAS, [Name of Municipality] endorses TNVR policies as the model to stabilize and/or reduce existing feral and community cat populations, which would address potential disease concerns and increase the quality of life for both the citizens of [Name of Municipality] as well as the feral and community cat populations; and

WHEREAS, recent research shows that when TNVR is not possible, leaving the feral and community cat population undisturbed provides the best alternative; and

WHEREAS, approval for an effective TNVR program with the alternative of leaving the feral and community cat population undisturbed when TNVR is not possible is desirable; and

WHEREAS, it is in the best interest of [Name of Municipality] to protect the health, safety, and welfare of feral and community cats as well as [Name of Municipality] residents by setting the following standards for management of feral and community cats.

THEREFORE

§ XX. Definitions. For the purpose of this [Section/Title/Article]:

- A. "At Large" means not confined, outside an area of escape such as a pen, corral, yard, cage, house, vehicle, or other secure enclosure, unless otherwise under appropriate human control.
- B. "Colony" means a group of one or more community cats.
- C. "Community Cat" means any cat that is:
 - (1) Homeless, stray, or at large, where the cat:
 - a. has been socialized to people, or is less than five weeks old;
 - b. could become feral as connection with humans is farther removed; and
 - c. in the case of cats older than five weeks, has a good potential to quickly become domesticated once again; or
 - (2) Feral, where the cat:
 - a. is not socialized towards humans;

b. is born in the wild or is the offspring of an owned cat; or

c. is a formerly owned cat that has been abandoned; or

(3) A cat that lives in the community but is not owned by a human, sometimes referred to as a “free-roaming” or “street” cat.

D. “Domesticated Cat” means a cat:

(1) that is social towards humans;

(2) that currently lives within the residence or on the property of a person or persons accepted as the cat’s owner; and

(3) that is considered appropriate as a companion for humans.

E. “Ear Tipping” means a straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized.

F. “Neuter” means to permanently sterilize male cats to render them incapable of impregnating female cats by means of either surgery performed to remove the reproductive organs or chemical sterilization by which the cats are injected with a drug approved by the United States Food and Drug Administration for that purpose.

G. “Spay” means to permanently sterilize female cats to prevent estrus (heat) cycles and eliminate their ability to become pregnant by means of either surgery performed to remove the ovaries and uterus or chemical sterilization by which the cats are injected with a drug approved by the United States Food and Drug Administration for that purpose.

H. “Sterilize” means to spay or neuter a cat.

I. "Trap, Neuter, Vaccinate, and Return Program" or "TNVR" means a program in which community cats are humanely trapped, evaluated, vaccinated, sterilized, and ear tipped by a veterinarian and returned to the trap location with the intent of controlling or reducing feline population and reproduction.

J. "Veterinarian" means a person licensed to practice veterinary medicine in the State of [New York].

§ XX. General Policy.

A. TNVR of community cats shall be legal in [Name of Municipality] and interested citizens are encouraged to participate in and support TNVR activities on a voluntary basis.

B. All persons who attempt to trap community cats for TNVR in [Name of Municipality] should be familiar with the guidelines supported by regional and national feral and community cat organizations, as well as the American Veterinary Medical Association (AVMA), regarding appropriate methods of TNVR.

C. Socialized cats and all kittens subject to TNVR shall be eligible to be, but not mandated to be, re-socialized and put up for adoption.

D. An ear tipped cat received by local shelters shall be returned to the location where trapped unless veterinary care is required. A trapped ear tipped cat shall be released on site unless veterinary care is required.

E. [Animal control officers] shall use appropriate opportunities to inform stakeholders about TNVR.

F. Proof of ownership shall not be required to claim a community cat from a local shelter.

G. It shall not be a violation of this section to determine that the best course of action for a particular cat, or cat colony, is to be left alone.

§ XX. Implementation. [Animal control officers] within the [Name of Municipality] shall implement and administer this [Article] with the goal of reducing intakes and the eliminating humane destruction of cats via TNVR, in consultation with community cat welfare experts, including [Alley Cat Allies, [NYC Feral Cat Initiative,] Best Friends Animal Society, Neighborhood Cats, IndyFeral, and No Kill Advocacy Center.]

§ XX. Severability. Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such determination shall not affect the validity of the ordinance, other than the part declared to be invalid.

§ XX. This ordinance amendment shall take effect immediately upon being duly ratified pursuant to [§ XX].