SALT LAKE CITY COUNCIL STAFF REPORT

Date: December 8, 2006

To: City Council Members

CC: Rocky Fluhart, Ed Rutan, Steve Fawcett, Kay Christensen, Linda Hamilton, Ken Miles, Shon Hardy, Gina Chamness, Peggy Raddon, Gwen Springmeyer, Michael Stott, Barry Esham, Community Working Group, and Holly Sizemore

From: Jan Aramaki

RE: Ordinance proposal for Section 8.04.010 relating to feral cat colony registration vs permit requirements

POTENTIAL MOTIONS:

1. ["I move that the Council"] Adopt an ordinance referred to as "Version A – Administration's proposal" that implements a feral cat colony **permit** process (amending Section 8.04.010, Salt Lake City Code, pertaining to definitions; enacting Section 8.04.135, Salt Lake City Code, relating to feral cat colony registration permit requirements; enacting Section 8.04.136, Salt Lake City Code, relating to maintaining a registered feral cat colony-additional requirements; amending Section 8.04.150, Salt Lake City Code, relating to commercial and pet rescue permits-fee schedule; amending Section 8.04.200, Salt Lake City Code, pertaining to commercial establishments-inspections; amending Section 8.04.210, Salt Lake City Code, relating to emergency suspension of approval; and amending subsection A of Appendix A to Title 8, Salt Lake City Code, relating to permits and fees).

2. ["I move that the Council"] Adopt an ordinance referred to as "Version B – Community Working Group's Proposal" that implements a feral cat colony **registration** process (amending Section 8.04.010, Salt Lake City Code, pertaining to definitions; enacting Section 8.04.135, Salt Lake City Code, relating to feral cat colony registration requirements; enacting Section 8.04.136, Salt Lake City Code, relating to maintaining a registered feral cat colony-additional requirements; amending Section 8.04.150, Salt Lake City Code, relating to commercial and pet rescue permits-fee schedule; and amending subsection A of Appendix A to Title 8, Salt Lake City Code, relating to permits and fees).

3. ["I move that the Council"] Adopt an ordinance referred to as "Version C – Community Working Group's Proposal with modifications suggested by Council Staff" that includes an added sunset clause, an annual fee, and subject to inspection based on a complaint basis, and authority for Animal Control to revoke permission for registered colony under certain circumstances (amending Section 8.04.010, Salt Lake City Code, pertaining to definitions; enacting Section 8.04.135, Salt Lake City Code, relating to feral cat colony registration

requirements; enacting Section 8.04.136, Salt Lake City Code, relating to maintaining a registered feral cat colony-additional requirements; amending Section 8.04.150, Salt Lake City Code, relating to commercial and pet rescue permits-fee schedule; amending Section 8.04.210, Salt Lake City Code, relating to commercial establishments-emergency suspension of permit; and amending subsection A of Appendix A to Title 8, Salt Lake City Code, relating to permits and fees).

4. ["I move that the Council"] Oppose the proposed ordinances.

5. ["I move that the Council"] Adopt (Version A, Version B or Version C) with the following amendments. Please let Council staff know if you would like any motions drafted.

KEY ELEMENTS: (ordinance)

For City Council's reference, a copy of the Administration's January 26, 2006 transmittal which was previously provided to the Council provides information from their research relating to feral cat colonies.

There are three proposed ordinances for the City Council's consideration:

1. Version A -- ordinance that implements a **permit** process for feral cat colonies as proposed by the Administration. A summary of the Council's staff rationale relating to Version C follows Attachment A.

or

2. Version B – ordinance that implements a **registration** process for feral cat colonies as proposed by the community working group

or

3. Version C – ordinance that implements a registration process for feral cat colonies largely as proposed by the community working group with modifications suggested by Council staff: an added sunset clause, an annual fee, and subject to inspection based on a complaint basis, and authority for Animal Control to revoke permission for registered colony under certain circumstances.

As part of the fiscal year 2006-07 annual budget, the City Council adopted a resolution accepting the "public benefit" study performed in compliance with Utah Code Section 10-8-2 and authorizing a $10,000 contribution to No More Homeless Pets in Utah to support its Feral Fix Program within Salt Lake City. A copy of the resolution (adopted by the City Council on June 6, 2006) and a memorandum dated April 18, 2006 prepared by Kay Christensen is being provided once again for background information purposes. The benefit of the $10,000 contribution to No More Homeless Pets in Utah is "the program includes workshops to train members of the public in how to perform Trap-Neuter-Return (TNR), support services such as trap loans and vouchers for free or low cost spay/neuter services." The $10,000 contribution has yet to be released officially by the Administration to No More Homeless Pets in Utah until the City Council adopts an ordinance permitting residents to perform TNR.

For several weeks, Council Member Simonsen met weekly with a community working group that provided additional revisions to the Administration's proposed amendments to Chapter 8.04, Animal Control ordinance. As part of the community working group's proposed revisions, they are interested in having the City Council adopt sections of Salt Lake City Code that propose a feral cat colony "registration" process rather than a feral cat colony "permit" process as proposed by the Administration.

On August 8, 2006, the City Council scheduled a briefing for the Council to discuss proposed additions to Chapter 8.04, Animal Control ordinance relating to feral cat colony registration permit requirements. No More Homeless Pets in Utah requested that the City Council defer the issue in order to provide the community working group an opportunity to finalize their proposed ordinance revisions. The community working group has since finalized their proposed revisions to the Administration's proposal, and the City Council Subcommittee has been meeting to review the changes prior to the full Council's consideration (proposed section of City code relating to feral cat colonies of Chapter 8.04, Animal Control ordinance, is the only issue before the Council at this time – the Council will discuss and consider other proposed Administrative amendments to Chapter 8.04 at future Council meetings).

Recently, Council staff was notified by No More Homeless Pets in Utah that they are determining their budget within the next two weeks, and they hope to allocate funding for TNR in addition to the City's $10,000 contribution towards the program, but are reluctant to proceed without a City ordinance being in effect relating to feral cat colonies. In addition, before Salt Lake County Animal Control is able to work with residents who wish to maintain a feral cat colony, an ordinance must be adopted for Salt Lake City. A person who wishes to participate in the TNR process finds a veterinarian or works with No More Homeless Pets in Utah to obtain vaccinations, sterilization, traps, and ear-tipping for feral cats. Salt Lake County Animal Services will maintain registration records of feral cat colonies. If a complaint is received by Animal Services regarding a feral cat colony, enforcement efforts will be conducted.

CHRONOLOGY:

- On March 9, 2006, the City Council received a briefing regarding the Administration's proposed revisions to Salt Lake City Code, Chapter 8, Animal Control ordinance. At that time, the Council made the decision to form a subcommittee who would make recommendations for the Council's review and consideration.

- On April 11, 2006, the City Council Animal Control subcommittee presented recommendations to their Council colleagues relating to revisions to sections of Chapter 8, Animal Control ordinance. At that time, the Council discussed the proposed amendments to Chapter 8 relating to feral cat colonization permit and fee. In response to the Administration's proposed $25 fee for a feral cat colony registration permit, Council Member Jergensen, subcommittee member, suggested that the City Council consider reducing the Administration's recommended fee of $25 to a lower fee which will serve as an incentive for residents who wish to take care of feral cat colonies. Council Member Jergensen pointed out residents who are interested in feeding feral cats will bear the costs for vaccinations, sterilization, recommended microchip implant, and ear-tipping. The City Council expressed support to lower the proposed $25 fee to either $10 or $5 and made a request of Council staff to prepare a fiscal impact on the City's general fund and contract with Salt Lake County Animal Services based upon a lower fee.

Salt Lake City will be the first local municipality contracted with Salt Lake County Animal Services to implement a feral cat colony registration permit fee into city code. For example, West Valley City residents are allowed by West Valley City to participate in TNR but are not required to obtain a permit; however, the caregivers register with No More Homeless Pets in Utah. Therefore, it is difficult to forecast how many feral cat permits will be issued for Salt Lake City. However, No More Homeless Pets in Utah reported there were 40 Salt Lake City participants (caregivers) in 2004 who chose to participate in TNR.

Salt Lake County Animal Services would like to emphasize for the City Council that the $25 feral cat colony registration permit fee proposed by the Administration will basically cover their costs for feral cat colonies that occur in Salt Lake City. According to Animal Services, a $25 permit fee involves costs associated with: 1) once a person applies for a feral cat colony registration permit to maintain a colony, Animal Services will make an initial visit to the site and to educate the applicant about the process involved; 2) another visit will be required by Animal Services to inspect the property to ensure compliance has been made by the applicant according requirements listed in Salt Lake City Code prior to issuing permit; and 3) administrative costs associated to input information into their system for tracking purposes. Animal Services states that if the permit fee of $25 is reduced, they will be providing a service that does not cover their costs since a recent renewal of the contract between Salt Lake City and Animal Services has already recently taken place.

Should the Council elect to approve Option Version B, the site visits would be done on a complaint basis.

- On April 18, 2006, the City Council held a public hear regarding proposed amendments to Chapter 8.04, Salt Lake City Code, relating to Animal Control. The public hearing was closed and referred to a future Council meeting.

ATTACHMENT A
COMPARISON CHART FOR ORDINANCE VERSIONS A, B AND C

Ordinance Version A Administration's proposal	Ordinance Version B Community Working Group's Revisions to Administration's proposal	Ordinance Version C Community Working Group's Proposal with Council Staff Recommendations (Includes Sunset Clause and other additions)
Section 8.04.135 Feral Cat Permit vs. Registration Process		
It is unlawful for any person to maintain a feral cat colony without a permit. Unless prohibited by zoning or other ordinances or laws, any person over eighteen (18) years of age, **shall** obtain a feral cat colony permit from Animal Services or its designee upon:	It is unlawful for any person to maintain a feral cat colony without a permit. Unless prohibited by zoning or other ordinances or laws, any person over eighteen (18) years of age, **may** obtain a feral cat colony permit from Animal Services or its designee upon:	It is unlawful for any person to maintain a feral cat colony without a permit. Unless prohibited by zoning or other ordinances or laws, any person over eighteen (18) years of age, **shall** obtain a feral cat colony permit from Animal Services or its designee upon: Note: "shall" rather than "may" is a requirement
A) Presenting proof that the cats in the maintained colony have been sterilized, given their vaccinations as required and ear-tipped, or are being actively trapped so as to perform sterilization, vaccination and ear-tipping.	A) Cats have been sterilized, given their vaccinations as required and ear-tipped, or are being actively trapped so as to perform sterilization, vaccination and ear-tipping	SAME as Version B
B) Presenting a detailed description of each cat in the colony including vaccination history.	B) Registrant retains a detailed description of each cat in the colony including vaccination history.	SAME as Version B
C) Presenting proof of property owner and/or landlord permission at the site that the colony is being maintained.	C) Registrant obtains proof of property owner and/or landlord permission at the site that the colony is being maintained; and provide property owner/landlord cat **caregiver** contact information. Note: No definition provided for caregiver.	C) Registrant obtains proof of property owner and/or landlord permission at the site that the colony is being maintained; and provide property owner/landlord cat **custodian** contact information. Note: "Custodian" is used rather than "caregiver" -- "custodian" means a person having custody, and custody means ownership, possession of, harboring, or exercising control over any animal..
D) Providing contact information, in the event that complaints are received by the Office of Animal Services concerning management of the colony.	D) Registrant fee is required for initial registration and in the event of transfer of responsibility to a new **caregiver**.	D) The Registrant fee is paid for initial registration and in the event of transfer of responsibility to a new **custodian** Note: "custodian" used rather than "caregiver"
Ordinance Version A	Ordinance Version B	Ordinance Version C

Deleted: or are being activity trapped so as to perform sterilization, vaccination and eartipping.

ATTACHMENT A
COMPARISON CHART FOR ORDINANCE VERSIONS A, B AND C

Administration's proposal	Community Working Group's Revisions to Administration's proposal	Community Working Group's Proposal with Council Staff Recommendations (Includes Sunset Clause and other additions)
Section 8.04.136 Maintaining a Registered Feral Cat Colony – Additional Requirements		
Feral cat colony **permit holders** shall	Feral cat colony **caregivers** shall Note: No definition provided for "caregiver"	Feral cat colony **custodians** shall Note: New definition: "Custodian" means a person having custody.
A) Take responsibility for feeding the cat colony regularly throughout the year, while ensuring that the food storage area(s) are secure from insect, rodent, and other vermin attraction and harborage. Feeding times shall be set, and any remaining food shall be immediately removed after feeding.	Deleted Administration's language that states: *"Feeding times shall be set, and any remaining food shall be immediately removed after feeding."*	SAME language as Version B
B) Sterilize, vaccinate and ear-tip all adult cats that cane be captures. Implanting a microchip is recommended.	SAME language as Version A	SAME language as Version A & B
C) Remove droppings, spoiled food, and other waste from the premises as often as necessary, and at least every seven (7) days, to prevent odor, insect or rodent attraction or breeding, or any other nuisance.	SAME language as Version A	SAME language as Version A & B
Ordinance Version A	Ordinance Version B	Ordinance Version C

ATTACHMENT A
COMPARISON CHART FOR ORDINANCE VERSIONS A, B AND C

Administration's proposal	Community Working Group's Revisions to Administration's proposal	Community Working Group's Proposal with Council Staff Recommendations (Includes Sunset Clause and other additions)
Section 8.04.150 Commercial Permits-Fee Schedule		
Fees for commercial operations (kennels, catteries, groomeries, pet shops, veterinary clinics or hospitals), pet rescue permits and feral cat colony registration permits shall be as indicated in Appendix A of this Chapter.	Fees for commercial operations (kennels, catteries, groomeries, pet shops, veterinary clinics or hospitals), pet rescue permits and feral cat colony registrations shall be as indicated in Appendix A of this Chapter. Note: the community group did not include feral cat colony registrations under this section of Code; however, as a housekeeping item, Council staff included it because the community included a $5 fee in Appendix A and this section of code refers to fees included in Appendix A	SAME as Version B
Section 8.04.200 Permits-Inspections		
All establishments and residences required to be permitted under this Title shall be subject to periodic inspections, and the inspector shall make a report of such inspection with a copy to be delivered to the establishment or residence and field with the Animal Services Office.	Community group did not wish that feral cat colonies be included under this section of code.	Community group did not wish that feral cat colonies be included under this section of code; however, Council staff included feral cat colonies to be part of Section 8.04.210 Emergency Suspension of permits which will give authority for Animal Control to revoke permission for registered colony under certain circumstances on a complaint basis.
Ordinance Version A	Ordinance Version B	Ordinance Version C

Deleted: permits

ATTACHMENT A
COMPARISON CHART FOR ORDINANCE VERSIONS A, B AND C

Administration's proposal	Community Working Group's Revisions to Administration's proposal	Community Working Group's Proposal with Council Staff Recommendations (Includes Sunset Clause and other additions)
Section 8.04.210 Permits-Emergency Suspension of Permit		
Notwithstanding the other provisions of this Title, when the inspecting officer finds unsanitary or other conditions in the operation of feral cat colonies, pet rescue residences, kennels, catteries, groomeries, veterinary clinics or hospitals, riding stables, pet shops, or any similar establishments, which, in such officer's judgment, constitute a substantial hazard to the animal(s) and/or the public health, such officer may, without warning or hearing, issue a written notice to the permit holder or operator citing such condition and specifying the corrective action to be taken. Such order shall state that the permit is immediately suspended, and all operations are to be immediately discontinued. Any person to whom such an order is issued shall comply immediately therewith. Any animals at such facility may be confiscated by the Animal Services Office and impounded or otherwise provided for according to the provisions of this Title.	The community working group did not wish to include feral cat colonies under this section code; therefore their proposal exempts Animal Services from having the authority to revoke permission for a registered colony under certain circumstances on a complaint basis.	Council staff included feral cat colonies as part of Section 8.04.210 Emergency Suspension of permits which will give authority for Animal Control to revoke permission for a registered colony under certain circumstances on a complaint basis.
Appendix A – Permits and Fees		
Feral cat colony permit $25 (annual)	Feral cat colony registration fee $5 (**<u>one-time</u>** fee)	Feral cat colony registration fee $5 **<u>annual</u>** fee Note: Council staff recommends the fee to be annual rather than a one-time fee.

Attachment A (attached) is a comparison chart to show the distinction in the language between the three proposed ordinances:

Ordinance Version C contains provisions largely proposed by the Community Working Group but Council staff has added a number of items based upon conversations with Council Members, Animal Control and others:

1. An *annual* fee of $5.00 rather than a *one-time* registration fee of $5.00 as proposed by the community working group or an *annual fee of $25.00* as recommended by the Administration and supported by Salt Lake County Animal Control.
2. A one-year sunset clause which will give the Council an opportunity to discuss and re-evaluate the registration process. If at that time the process is proven to be successful, the City Council may wish to adopt an ordinance to permanently implement the registration process or consider options. Should the Council determine that there have been significant problems during the test period, additional regulations could be implemented.
3. A provision to allow for inspection, based upon complaint.
4. Authority for Animal Control to revoke the permission for the registered colony based upon certain circumstances.

Staff has made the suggestions to modify the community working group's proposal in an effort to recognize both the issues raised by the advocacy group and by Animal Control. The reasoning includes:

1. Cats have been sterilized, given their vaccinations as required and ear-tipped, or are being actively trapped so as to perform sterilization, vaccination, and ear-tipping. Version B or Version C may encourage more participation, according to comments made by advocates.

2. The feral cat colonies exist and will continue to exist with or without either registration or permit and inspection. Registration is preferred over a permit process by those currently participating in the program.

3. It is in the public's interest to minimize barriers to having these cats spayed, neutered and vaccinated.

4. There are volunteers willing to invest in paying the cost to spay, neuter, and vaccinate at least some of the feral cat population – results in a benefit to the community the more feral cats that are spayed and neutered.

5. Animal Services has stated that the purpose of permit and inspection is largely educational. This education could also be accomplished through registration and would save limited staff resources. The funding from Salt Lake City that will be available for No More Homeless Pets will enhance educational efforts.

6. Most of the City's animal control issues are handled on a complaint basis. If there is a colony that is being handled improperly, the issue will more than likely come to the attention of the County or City staff and can be handled in the same way whether we have a registration or a permit program resulting in an "emergency suspension of the registration."

RESOLUTION NO. ____ OF 2006
(ACCEPTING THE STUDY PERFORMED
IN COMPLIANCE WITH *UTAH CODE* SECTION 10-8-2
AND AUTHORIZING A $10,000.00 CONTRIBUTION
TO NO MORE HOMELESS PETS IN UTAH TO SUPPORT
ITS "FERAL FIX PROGRAM" WITHIN SALT LAKE CITY

WHEREAS, the City Administration has recommended a contribution of $10,000.00 from the City's Non-Departmental Budget to No More Homeless Pets in Utah to be used to support its "feral fix program" within Salt Lake City; and

WHEREAS, the City Council has received and reviewed a Study regarding said proposed contribution prepared by the City's Department of Management Services in compliance with the requirements of *Utah Code* Section 10-8-2, and public notice has been given at least 14 days prior hereto in a newspaper of general circulation within the City; and

WHEREAS, the Council has reviewed the Study, and has fully considered the analysis and conclusions set forth therein, and all comments made during the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Salt Lake City, Utah:

1. The City Council hereby adopts the conclusions set forth in the Study, and hereby finds and determines that, for all the reasons set forth in the Study, the net value to be received by the City by making this grant will constitute adequate consideration, or equivalent value, both tangible and intangible, for the benefit being provided by the proposed contribution;

2. In the judgment of the City Council, this appropriation will provide for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of Salt Lake City;

3. That $10,000.00 be and is hereby appropriated from the City's Non-Departmental Budget to No More Homeless Pets in Utah to be used to support its "feral fix program" within Salt Lake City as described in the aforementioned Study.

Passed by the City Council of Salt Lake City, Utah, this _____ day of June, *2006*.

SALT LAKE CITY COUNCIL

By_____
CHAIRPERSON

ATTEST:

_____
CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 4/21/2006
By _____

G:\Resolut\Doug Short matters\2006-2007\Authorizing contrib. to The Road Home for Emerg. Winter Overflow Shelter 4-20-06 clean

PREVIOUS BACKGROUND INFORMATION FROM THE ADMINISTRATION'S JANUARY 26, 2006 TRANSMITTAL

Feral Cat Colony Registration – 8.04.135 and 8.04.136
Feral cat colonies following a Trap-Neuter-Return policy have been established in some areas of the country with a large degree of success (e.g. Maricopa County, Arizona). Trap-Neuter-Return (TNR) is a non-lethal policy that advocates spaying and neutering for feral cats and then allowing them to live out their lives in managed feral cat colonies. The intent behind establishing these colonies is the long term control and health of the feral cat population. Cats are trapped, neutered, and returned to the same area, where they can help control the rodent population, but do not continue to reproduce. The cats are also vaccinated at this time. The ASPCA (American Society for the Prevention of Cruelty to Animals) endorses TNR as the only proven humane and effective method to manage feral cat colonies.

Allowing people to get a permit for a feral cat colony was discussed with the Community Council chairs and in several Community Council meetings. One community council opposed the registration of feral cat colonies, but in the others there was no strong opposition to the idea, although many residents had questions about allowing them. The Rio Grande Community Council discussed a positive experience some residents had with a TNR program for feral cats in that area. Twelve citizens expressed their support of TNR programs through e-mail.

The Salt Lake Valley Health Department expressed three main concerns about allowing feral cat colonies. They were:

1) the food set out for feral cats attracts (and supports) the rodent, raccoon and skunk population, and can act as a place for the spread of disease;
2) the initial rabies vaccine is good for only one year; and
3) it may be difficult to assign responsibility if someone is bitten by a feral cat.

These issues were discussed in a meeting on January 17th, 2006 with representatives from the Salt Lake Valley Health Department, the President-Elect of the Utah Veterinary Medical Association, the US Department of Agriculture – Wildlife Services, No More Homeless Pets in Utah, West Valley City Animal Services, the Humane Society of Utah, Salt Lake County Animal Services, and Salt Lake City. Agreement on all the issues by all the parties was not reached, but the ordinance changes propose that set feeding times be scheduled, after which the food is removed. This will minimize the feeding of animals other than cats. Also, the proposed ordinance changes include giving the feral cats vaccinations "as required" to encourage colony caretakers to get more than the initial rabies vaccine for the cats. Even an initial rabies vaccine is beneficial, though, according to a 2005 report by Alley Cat Allies, "Rabies Control and Feral Cats in the U.S." This report is attached.

The Humane Society of Utah provided a letter and statement regarding their recommendations for dealing with feral cats, which is attached. The letter (on page 2) recommends a comprehensive approach which includes mandatory licensing and microchipping for cats, mandatory rabies vaccines, mandatory sterilization of all cats adopted from community animal shelters, limiting the number of cats per household, promoting low-cost sterilization, consideration of TNR programs for feral cat populations, public education about the problems caused by abandoning cats or allowing them to run loose, and encouraging residents to keep their cats inside. The proposed changes to the ordinance support all of these recommendations.

West Valley City has implemented a feral cat TNR program through a partnership with No More Homeless Pets of Utah. West Valley City does not register the colonies, but refers interested parties and complaints to a third party who coordinates with WVC Animal Services and No More Homeless Pets. West Valley City provided a grant of $50,000 to fund the coordinator position and to provide funds for the trapping, neutering, vaccinating and dealing with other cat-related problems, such as motion-activated sprinklers to repel cats from certain areas. In a year, West Valley City has seen a 26% decrease in the numbers of cats taken in and a 34% reduction in the number of cats euthanized. A chart showing the actual numbers is attached.

While TNR programs have been successful in many areas, they are not without criticism. No More Homeless Pets has provided a comprehensive summary of TNR programs. This document is attached to provide more information. A recent article which points out that TNR programs may provide only short term reductions in the feral cat population is also attached ("Analysis of the Impact of Trap-Neuter-Return Programs on Populations of Feral Cats"). In spite of the questions about the long-term effectiveness of TNR programs, they do provide some relief in terms of limiting the feral cat population and having at least some of the cats get vaccinations. For these reasons the program is recommended for Salt Lake City.

Residents may register a feral cat colony if they meet specific requirements, including, providing proof of sterilization, vaccination, and ear-tipping of the cats or the progress being made in doing that; providing a detailed description of each cat in the colony; presenting proof that the property owner is willing to have the colony on the property; and providing contact information to Animal Services in case of complaints. Animal Services will recommend but not require affiliation with a local animal rescue organization. Permit holders are also responsible to feed the colony only at specific times, to ensure that food storage areas are free from rodents and to keep the area clean (free of droppings, spoiled food, and other waste).

Rabies Control and Feral Cats in the U.S.

Alley Cat Allies
The National Feral Cat Resource

Rabies is an acute viral infection of the central nervous system. If a person has been exposed to the rabies virus and does not receive treatment while the virus is incubating, i.e., before onset of symptoms, the result will virtually always be fatal. This is why rabies continues to be the most feared of all zoonotic diseases (diseases that can be transmitted from animals to humans). In fact, fear of rabies far outweighs the actual threat from this disease.

The danger of humans contracting rabies in the United States is extremely slight, although in many other countries rabies continues to be a danger to the human population. Much unnecessary fear can be alleviated by educating people that rabies in the U.S. is overwhelmingly a disease of wildlife that is in most areas contained, that treatment is fully effective if begun within a known time frame, and that the threat to humans and companion animals is minimal and can be even further reduced.

Facts about Rabies in the U.S.

1. Massive immunization and education programs begun in the 1940s have virtually eliminated rabies in domestic animals.
2. Oral rabies vaccine (ORV) has been highly effective in halting the spread and eliminating rabies in several wildlife species where adequate programs are carried out.[1,2,11,13]
3. Treatment for humans who have been exposed to the rabies virus, called post-exposure prophylaxis (PEP), is fully effective in destroying the virus when it is administered before the onset of symptoms. "In the United States, human fatalities associated with rabies occur in people who fail to seek medical assistance, usually because they were unaware of their exposure."[3]

While no one underestimates the lethal nature of this disease when it is left untreated, the fact is that ongoing immunization, prevention, and awareness campaigns currently exceeding $300 million annually (most for dog vaccinations)[3] have contained the danger of rabies to humans. Rabies is not a public health crisis in the United States.

Compare these statistics from the Centers for Disease Control (CDC):

Period	Disease	Cases in humans in the U.S.
1990-2002 (12 years)	Rabies[4]	36*
2002 (1 year)	West Nile virus[5]	4,161 resulting in 277 deaths

*Of 36 laboratory-confirmed rabies cases, at least seven were known to originate outside the U.S. **None was acquired from a cat.**

Background of Rabies Control

Rabies is an ancient disease which appears in recorded human history as early as 2,300 B.C. Rabies is found throughout much of the world today and, in many countries other than the U.S., still presents a serious threat to humans.

In the United States, rabies was found primarily in dogs through the middle of the last century, but

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starting as early as the 1940s, widespread immunization and education programs brought canine rabies under control. Today, more than 90 percent of rabies cases occur in wildlife.[1] The primary carriers, in descending order, are raccoons, skunks, bats, and foxes. Infection is extremely rare, although not unheard of, in rodent populations.

With the effective end of the canine rabies epizootic, cats became the domestic animal with the highest incidence of rabies, possibly because while laws requiring vaccination of dogs are standard, many jurisdictions still do not require vaccination of cats. Although cats are now the domestic animal with the highest rabies rate, it should be noted that the rate is consistently very low, ranging between three and four percent of reported cases.[6,7,8]

Raccoon rabies is the most prevalent variant of the disease today. Raccoon rabies appeared in Florida in the 1950s and spread very slowly through Florida and neighboring states until 1976, when some 3,500 raccoons were transported to West Virginia as hunting stock.[9,10] How many of the translocated raccoons were infected with the rabies virus is unknown, but the disease became established in the Mid-Atlantic States and rapidly spread northward, reaching Maine and into Canada by the century's end.

Controlling Rabies in Wildlife

Development of an oral rabies vaccine (ORV) for raccoon-strain rabies began in the 1970s, with the first field evaluation conducted in 1990. ORV is a liquid vaccine embedded in baits that are distributed either manually or by air throughout target areas and has been found to be effective for species other than raccoons. ORV has been or is being utilized in at least eleven rabies control efforts in Pennsylvania, New Jersey, Massachusetts, Florida, New York, Vermont, Ohio, Maryland, Virginia, and Texas.[1] For example:

- Using ORV, in five years (1996-2000) the state of Ohio was able to establish an effective buffer zone of immunity along its border with Pennsylvania and West Virginia, thereby halting the westward progress of raccoon-strain rabies. This buffer zone and the natural barrier formed by the Appalachian mountains have prevented the possibly uncontrollable spread of raccoon rabies through the Midwestern and western United States.[11]
- In 1988, canine rabies was discovered in coyote populations in South Texas. The same year, gray fox rabies appeared in West Central Texas. The state experienced human deaths from these outbreaks, as well as significant costs for extensive PEP treatments which were necessary because canine rabies spread easily from coyotes to pet dogs and then to humans.[12]

  Beginning in 1995, intensive ORV baiting programs were conducted in South and West Central Texas that have resulted in a 100 percent decline in reported canine (coyote) rabies cases and a 91 percent decline in gray fox rabies.[13]

Basic Facts about Feral Cats

1. Feral cat populations are prevalent throughout the United States. They are the result of decades of human irresponsibility in failing to neuter pet cats.
2. Feral cats breed prolifically—far faster than they can be effectively trapped and removed. Decades of trap-and-remove campaigns have failed to either stabilize or reduce the numbers of feral cats. There is no realistic expectation that ongoing trap-and-remove programs will succeed in eliminating feral cat populations in the long term.
3. The public is becoming increasingly intolerant of the massive killing of healthy animals.[14,15] No jurisdiction has enough money to exterminate all feral cats if the public won't cooperate.

Value of Trap-Neuter-Return (TNR) in Rabies Control

The best way to eliminate the threat of rabies to feral cats (and thereby protect humans who may come into contact with them) is to vaccinate feral cats for rabies. Feral cats that undergo TNR in any jurisdiction where rabies is enzootic or vaccination for rabies is required by law, and in many other jurisdictions as well, are vaccinated for rabies. The multitudes of feral cats that escape trap-and-remove efforts are not vaccinated.

If exposed to a rabid raccoon or other rabid animal, a vaccinated cat will not acquire the rabies virus

and therefore cannot transmit it to other animals or humans. Sterilized feral cats also are less likely to encounter infected wildlife because of behavioral changes that result from neutering, such as reduced roaming. In the very unlikely event of a feral cat coming into contact with a human other than a caretaker, a vaccinated (TNR-ed) cat presents no rabies threat.

Is revaccination necessary? This question arises because pet cats are traditionally boostered at regular intervals and many local ordinances require it. However, virtually no feral cat TNR programs in place around the country require a second rabies vaccination for cats in managed colonies.

One reason for this is that rabies immunity far outlasts the expiration date indicated on the vaccine label. According to "Experimental Rabies in Cats: Immune Response and Persistence of Immunity,"[16] a study conducted in 1981, "Complete protection was observed after more than 3 years following a single vaccination." In other words, a one-year rabies vaccine maintained immunity for a full three years, and possibly for much longer. The study was concluded after three years, however, so the actual period of immunity could not be determined.

Further, a *Wall Street Journal* article published July 31, 2002 reported: "No one truly knows how long protection from vaccines lasts. Vaccine makers say that proving their duration would be expensive and would require large numbers of animals to be isolated for years. One company, Pfizer Inc., ...sells the identical (rabies) formula simply packaged under different labels – Defensor 1 and Defensor 3 – to satisfy different vaccination requirements."[17]

Rabies Control and People

Humans are most commonly exposed to rabies when bitten by a rabid animal. This exposure does not constitute "getting rabies." A person is only classified as having rabies at the onset of symptoms, at which point there is no cure. However, the incubation period in humans is generally from three to eight weeks, during which treatment is completely effective in eliminating the virus.

Treatment for exposure to the rabies virus consists of one dose of human rabies immune globulin (HRIG) and five doses of rabies vaccine over a 28-day period, with the regimen begun as soon as possible after exposure. Current vaccinations are given in the arm, like a tetanus vaccine, and are painless.

People who work with wild animals often receive pre-exposure rabies vaccinations. If a person heeds established safety precautions for working with feral cats, it is unlikely that he or she will ever get close enough to be bitten and, therefore, would not need a pre-exposure rabies vaccination. However, persons working with feral cats should be aware that pre-exposure rabies vaccinations are available to them.

If a person with a current pre-exposure rabies vaccination is subsequently bitten by an animal suspected to have rabies, that person will still have to undergo treatment for rabies, but to a lesser degree than someone who was not vaccinated. Pre-exposure vaccination eliminates the need for HRIG and decreases the number of vaccine doses needed. This can be significant in areas where treatment products are not readily available or where post-exposure therapy could be delayed. It also lowers the risk of adverse reactions to multiple doses of vaccine. Finally, pre-exposure vaccination may provide protection when a person's exposure to rabies is not obvious, e.g., a bat's teeth are very small and a bat's bite may not be recognized as such.[18]

Recommendations

Alley Cat Allies advocates comprehensive rabies control based on three initiatives:

1. Further implement widespread oral vaccine (ORV) immunization barriers for key wildlife species susceptible to rabies.
2. Educate the public on steps to minimize human risk from wildlife rabies, including vaccinating outdoor cats and dogs, reporting sick or suspicious-acting animals to appropriate agencies, animal-proofing homes and outbuildings, and educating children on safety precautions.
3. Support and promote the vaccination and nonlethal management of feral cat colonies as an effective part of a comprehensive control program.

TNR is the only widely available, effective, and cost-effective method to exclude rabies infection from feral cat populations.

Notes

[1] Controlling Wildlife Vectors of Bovine Tuberculosis and Rabies: Rabies, National Wildlife Research Center, USDA. Available at www.aphis.usda.gov/ws/nwrc/research/mammal_diseases/rabies.html. Accessed April 14, 2003.

[2] Details of the Fairfax County, Virginia, oral rabies vaccination program: ww.co.fairfax.va.us/service/hd/rabpilot01.htm.

[3] www.cdc.gov/ncidod/dvrd/rabies/introduction/intro.htm

[4] Cases of rabies in human beings in the United States, by circumstances of exposure and rabies virus variant, 1990-2001. Available at www.cdc.gov/ncidod/dvrd/rabies/Professional/publications/Surveillance/Surveillance01/Table2-01.htm. Accessed April 14, 2003.

[5] West Nile Virus Update Current Case Count. Data currently listed shows case counts for 2002 only. Available at www.cdc.gov/od/oc/media/wncount.htm. Accessed April 14, 2003.

[6] "Rabies surveillance in the United States during 2001," *Journal of the American Veterinary Medical Association* (JAVMA), Vol. 221, No. 12, Dec 15, 2002.

[7] "Rabies surveillance in the United States during 2000," *Journal of the American Veterinary Medical Association* (JAVMA), Vol. 219, No. 12, Dec 15, 2001.

[8] "Rabies surveillance in the United States during 1999," *Journal of the American Veterinary Medical Association* (JAVMA), Vol. 217, No. 12, Dec 15, 2000.

[9] "Trappers and rabies return to rampage," *Animal People,* June 1997.

[10] "Rabies Risk," Amy Shojai. *Cat Fancy,* June 1994.

[11] Ohio Oral Rabies Vaccination Program. Ohio Department of Health, Division of Prevention, Bureau of Infectious Disease Control, Zoonotic Diseases – Rabies Program. Available at: www.odh.state.oh.us/odhprograms/zoodis/rabies/pubs/orvslide_files/frame.htm. Accessed April 14, 2003.

[12] www.tdh.state.tx.us/zoonosis/EDUCATIO/PAMPHLET/711broc.pdf. Accessed April 14, 2003.

[13] Texas Department of Health Zoonosis Control Division's Oral Rabies Vaccination Programs (ORVP).Background and details by year are available at: www.tdh.state.tx.us/zoonosis/orvp/. Accessed April 14, 2003.

[14] "Evaluation of the effect of a long-term trap-neuter-return and adoption program on a free-roaming cat population," *Journal of the American Veterinary Medical Association* (JAVMA), Vol 222, No. 1, January 1, 2003.

[15] "Urgent! Feral Cats on Navy Bases Need Your Help!" *Feral Cat Activist,* Spring 2002.

[16] "Experimental rabies in cats: immune response and persistence of immunity," Cornell Vet. 1981, 71: 311-325.

[17] "Are Annual Shots Overkill? For Some Pet Diseases, Yearly Boosters Are Based On Tradition, Not Science," by Rhonda L. Rundle. *The Wall Street Journal,* July 31, 2002.

[18] www.cdc.gov/ncidod/dvrd/rabies/bats_&_rabies/bats&.htm. Accessed April 14, 2003.

COPY

October 25, 2004

Mayor Richard Owen
Garland City Offices
PO Box 129
Garland, Utah 84312

Dear Mayor Owen,

I recently had my attention called to an Ogden Standard-Examiner article dated October 22, 2004, "Kitties Litter Garland Streets," which describes several complaints from area residents concerning stray and/or feral cats in your community. Unfortunately, this is not an uncommon problem throughout Utah.

Traditionally, the most common method for control of stray cats has been to use live traps to capture the cat and then euthanize them following the prescribed three-working day holding period mandated by state law, Title 77, Chapter 24, Part 1.5 (2) (a). Unfortunately, this simply removes one animal from the environment, reducing the population pressure and as a consequence, usually resulting in larger litters of kittens and more available food for the remaining cats in the community, thereby exacerbating the problem.

HUMANE SOCIETY OF UTAH

4242 South 300 West
PO Box 573659
Murray, Utah 84157
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Fax # (801) 261-0577
www.utahhumane.org

The usual source of "stray" cats in our communities is from human caretakers' neglect of their unsterilized domestic house cats, allowing them to roam and reproduce. "Feral" cats are the offspring of stray or abandoned domestic cats who revert to a wild state. Feral cats are elusive, often nocturnal, and usually fearful of humans. This population problem is further heightened when sympathetic neighbors place food out for these stray and/or feral cats, allowing their population to expand far beyond the normal carrying capacity of the area.

The first step in developing a realistic plan to control the number of stray and feral cats in a community is to develop a long-term, comprehensive plan which addresses the concerns of the city, cat-owners, and non-cat owning residents. West Valley City has recently begun a program of trap, sterilize, and release throughout the city. You may want to contact their shelter manager, Ms. Karen Bird (801-250-4102) for information on their program.

The lifespan of a companion cat kept indoors can be as long as twenty years. The lifespan of an outside or feral cat, taking into consideration the hazards with which they must contend may be much shorter than that of the indoor cat. Many estimates place the average lifespan of outdoor cats at about three years!

Free-roaming cats are often hit by cars, fall victim to disease, starvation, poisons, death in vehicle fan belts/engines, attacks by other animals, or mistreatment by humans. Free-roaming cats also prey on small mammals, songbirds, and other wildlife; spread zoonotic diseases such as rabies; defecate and urinate on people's property; fight with other pets or strays, aggravate confined dogs, walk on freshly-washed cars or freshly-poured cement, and cause vehicular accidents; among other problems.

The Humane Society of Utah recommends a combination of the following options to help limit the number of stray and feral cats in our communities: (1) mandatory registration and licensing / microchip implanting of cats (2) mandatory rabies vaccinations of all cats more than three months of age (3) mandatory sterilization of all cats adopted / purchased from community animal shelters (4) limiting the number of adult cats which can be possessed by any one household (5) promoting low-cost sterilization (6) consideration of live-trapping, sterilization, rabies vaccination, and re-release of appropriate stray and feral cats to stabilize the area cat population (7) public education programs designed to inform residents about the problems caused by abandoning cat or allowing cats to run loose, and (8) encouraging residents to keep their cats inside to promote a longer, healthier life for their animals.

I suggest that you visit http://www.utahpets.org to apply for the No More Homeless Pets In Utah's Feral Fix program. This program offers feral cat surgeries for a much reduced rate for caregivers who could not afford the surgery. Some restrictions do apply, so call for more information (1-866-738-7349). They can also be reached via e-mail at feralfix@utahpets.org.

If live-trapping is instituted in an area, signs should be placed in the area and informational leaflets should be distributed to residents to give owners of outdoor cats a reasonable time to safely confine their cats. Ensure that traps are checked frequently (ideally every two to three hours), at a minimum every eight hours so that captured animals can be transported quickly. Captured, unclaimed animals should be evaluated to determine which cats, if any, are appropriate candidates for sterilization, rabies vaccination, and return into the community. Any released cats should be permanently marked using either a microchip, ear-tipping, or tattoo.

Thank you for your community's concern over this issue. We hope that Garland will take a humane approach in dealing with resident's concerns over outdoor, stray, or feral cats.

Sincerely,

Gene Baierschmidt
Executive Director

GB/jpf

AHA Announces New Position Statement on Feral Cats

Recently, the AHA issued a new position statement on the treatment of feral cats. The position reads as follows:

The American Humane Association has a history of concern for the humane treatment and responsible ownership of cats. When these conditions are not met, some cats become free-roaming/feral/unowned. Recognizing that this population is large, the American Humane Association strongly supports policies and programs that work to reduce the overpopulation and abandonment of cats in a humane manner. In some cases, the most humane solution is euthanasia. The American Humane Association opposes those methods that are inhumane (traps that injure, poisoning).

The American Humane Association also recognizes that concern for pursuing non-lethal alternatives for cats who are not suitable candidates for adoption, and therefore acknowledges that interim programs may be needed to provide these cats with sterilization, disease prevention, safety, and sanctuary. The goal of these programs should be to eventually eliminate feral cat colonies. The American Humane Association does not condone the placement of socialized cats (e.g., those that can be handled and relate to humans) in feral cat type colonies because life on the street is not acceptable when life in a loving home is a possibility. Every effort should be made to remove socialized cats or kittens from these colonies so that they may have the opportunity for adoption.

The American Humane Association recommends that communities develop programs to deal with feral cats within the scope of this policy, with consideration given for public health issues, possible negative impact on wildlife, and regional concerns, such as climate that might apply. The American Humane Association strongly urges research and data collection that would define the scope of the problem, indicate sources of feral cats, and document the results of feral cat management programs.

HSUS Statement on Free-Roaming Cats

The Humane Society of the United States (HSUS) believes that every community has a legal and ethical responsibility to address problems associated with free-roaming domestic cats.

Free-roaming cats—owned cats allowed to go outside as well as stray and feral cats—often are hit by cars or fall victim to disease, starvation, poisons, attacks by other animals, or mistreatment by humans. Free-roaming cats also prey on small mammals, songbirds, and other wildlife; spread zoonotic diseases such as rabies; defecate on other people's property; and cause car accidents, among other problems.

When developing approaches to address problems associated with free-roaming cats, animal care and control agencies, policy makers, public health officials, veterinarians, cat owners, and the public should recognize the following:

■ **CATS BELONG IN HOMES.** All cats deserve loving, permanent homes with responsible caregivers who keep cats safely confined and meet their special needs. Long-term solutions developed to respond to cat-related conflicts should foster the responsible caretaking of cats.

■ **CATS ELUDE SIMPLE CATEGORIZATIONS.** Free-roaming cats are often referred to as either stray or feral, but these designations do not reflect the many types of outdoor cats. Free-roaming cats can be owned cats who are allowed to roam; owned cats who have become lost; previously owned cats who have been abandoned and no longer have a home; quasi-owned cats who roam freely and are fed by several residents in an area but "owned" by none of them; and so-called working cats who serve as "mousers." Almost every community also has feral cats, unsocialized cats who may be one or more generations removed from a home environment and who may subsist in a colony of similar cats living on the fringes of human existence. Because cats exhibit varying degrees of sociability, even an animal care and control professional may not immediately be able to tell the difference between a feral cat and a frightened indoor-only cat who has escaped and become lost.

■ **CATS ARE NOT ADEQUATELY PROTECTED BY LAWS.** Domestic cats have been the nation's most popular pet since the mid-1980s, and more than 60 million now live in U.S. households. But laws and policies developed to protect and control cats have not kept pace with their status as America's preferred pet. Few communities, for example, register or license cats or require that they be confined or supervised when outdoors. Fewer still regulate feral cats.

Comprehensive Cat Control Programs

Historically, communities have responded to cat-related conflicts by using methods that rarely provide long-term solutions. For example, traditional programs to reduce feral cat populations include either live-trapping and euthanizing cats or live-trapping, sterilizing, and releasing cats so that they cannot reproduce. Neither approach, however, provides a long-term solution unless carried out in conjunction with a comprehensive cat control program. Moreover, these approaches are labor- and cost-intensive and may alienate feral cat caregivers or residents not willing to tolerate free-roaming cats in their neighborhoods.

The HSUS believes that communities must develop, implement, regularly evaluate, and update comprehensive laws, policies, and education programs about cats and cat care. These must be pragmatic approaches designed to reduce cats' suffering and also respond to cat-related conflicts, yet remain acceptable to people in the community.

Local governments must adequately fund animal care and control programs and enforce cat control ordinances, using general revenues as well as monies collected through licensing and user fees. Sufficient funds must be allocated to implement prevention programs; hire and train staff; construct or renovate animal-holding facilities; and purchase and maintain equipment to handle, house, and care for cats.

The HSUS believes that community cat care and control programs should include the following:

■ Mandatory registration or licensing of cats. If a fee is charged, it should be higher for unsterilized cats than sterilized cats (a concept termed "differential licensing").

■ Mandatory identification of cats. In addition to requiring that cats wear collars and tags, communities should consider implementing a back-up permanent identification system such as microchips.

■ Mandatory rabies vaccinations for all cats more than three months of age.

■ Mandatory sterilization of all cats adopted from public and private animal shelters and rescue groups.

■ Mandatory sterilization of all free-roaming cats.

■ A mandatory minimum shelter holding period for stray cats consistent with that established for stray dogs. This policy should allow for euthanasia of suffering animals prior to completion of the holding period.
■ Adequate and appropriate shelter holding space, staffing, and other resources necessary to hold stray felines for the mandatory minimum holding period.
■ An ongoing public-education program that promotes responsible cat care.
■ Subsidized sterilization services to encourage cat owners to sterilize their animals.

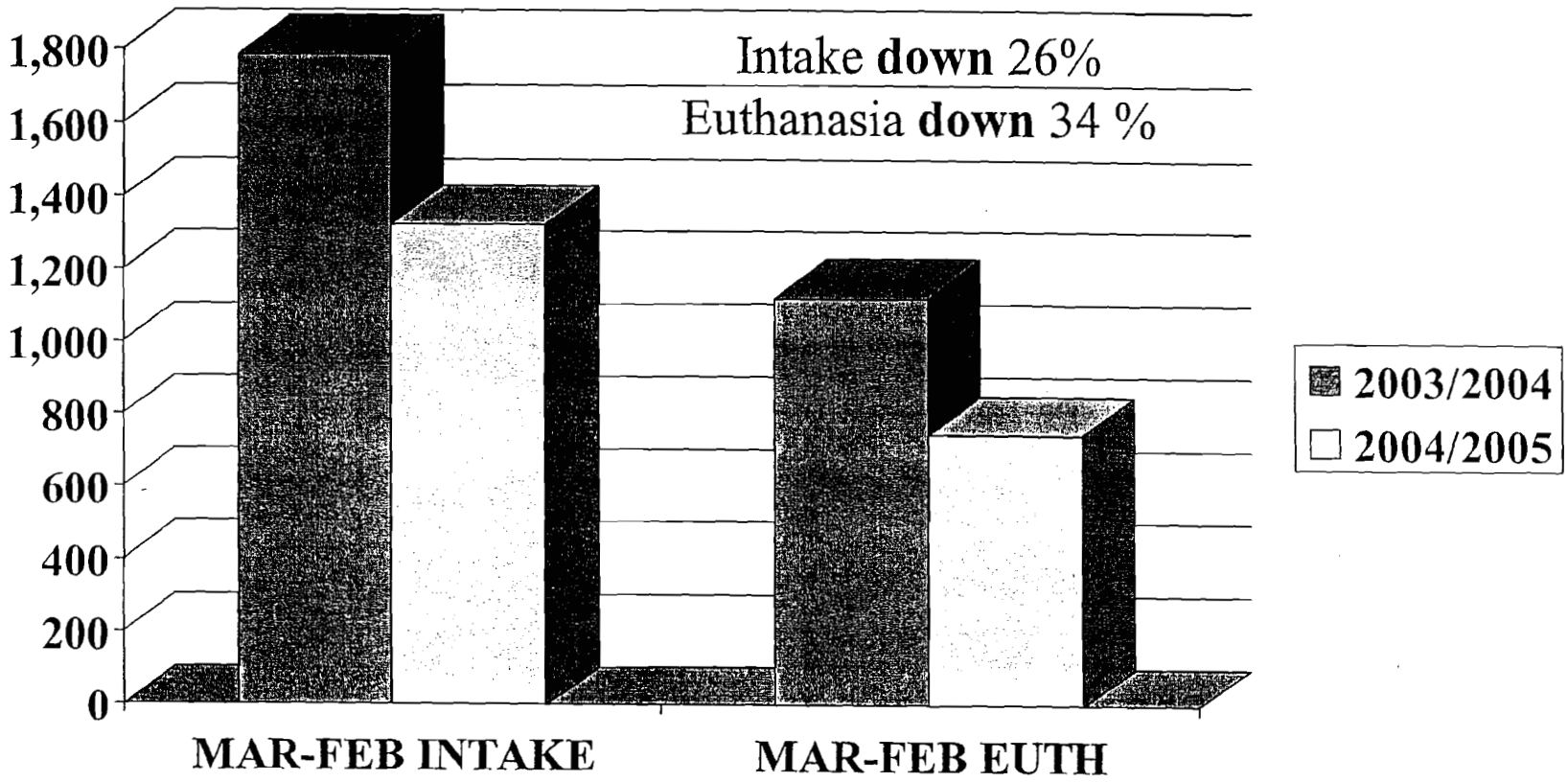
Trap-Remove-Evaluate Programs

The HSUS recognizes that, in many instances, free-roaming cats must be live-trapped and, after completion of the mandatory holding period, evaluated for adoption or euthanasia. The HSUS believes that any individual or group that initiates a trap-remove-evaluate program should:
■ Before trapping, place trapping-notification signs in the area and distribute informational leaflets to residents to give owners of outdoor cats a reasonable amount of time to safely confine their cats. Signs and leaflets should also educate readers about abandonment laws and restrictions on feeding unowned cats.
■ Schedule several days for live-trapping and follow humane trapping guidelines. Ensure that traps are checked frequently (ideally every two to three hours, at a minumum every eight hours) so that captured animals may be transported quickly.
■ Carefully evaluate captured cats to ascertain whether they are owned or possible candidates for adoption. Give them a "calm-down" period to help distinguish between cats who are simply frightened or stressed and those who are truly unsocialized.
■ Survey the area regularly to ensure that all cats have been captured. Retrap if necessary.

TTVARM Programs

In recent years, traditional trap, sterilize, and release programs have been supplanted by more responsibly managed programs that trap, test, vaccinate, alter, release, and monitor (TTVARM) free-roaming cats. The goal of any TTVARM program should be to stabilize and eventually eliminate the colony through attrition. If a community's animal care and control agency or other group chooses to participate in TTVARM programs in cooperation with feral cat caregivers, it should:
■ Make sure that feral cat colony maintenance programs are consistent with cat-related laws such as mandatory shelter holding periods for stray animals and ordinances prohibiting cats from roaming at large.
■ Register caregivers who are willing to devote the time and resources necessary to fulfill program goals. In cooperation with caregivers, develop uniform guidelines covering colony care and maintenance, spaying and neutering, health monitoring, census-taking, and related topics.
■ Assess each area to determine whether a colony can be safely maintained. For example, colonies should not be maintained near roads with heavy traffic or in areas with extreme weather conditions and insufficient shelter.
■ Assess the impact of feral cats on local wildlife populations before deciding whether to return the animals to an area. Cat colonies should never be maintained on lands managed for wildlife (such as wildlife sanctuaries).
■ Secure the permission of landowners and residents to maintain feral cat populations on their property.
■ Assess the carrying capacity of each area to determine how many cats can be released. Carrying capacity should be based on the number of colony members, the number of caregivers, the size and nature of the area, and the available resources.
■ Before trapping, place trapping-notification signs in the area and distribute informational leaflets to residents to give owners of outdoor cats a reasonable amount of time to safely confine their cats. Signs and leaflets should also educate readers about abandonment laws and restrictions on feeding unowned cats.
■ Schedule several days for live-trapping and follow humane trapping guidelines. Ensure that traps are checked frequently (ideally every two to three hours, at a minimum every eight hours) so that captured animals can be transported quickly.
■ Carefully evaluate captured cats to determine whether they are appropriate candidates for readmission into the colony. Socialized cats should be removed from the colony and, if possible, placed for adoption.
■ Test trapped cats for fatal infectious diseases such as feline leukemia (FeLV) and feline immunodeficiency virus (FIV). Remove from the colony any cats who test positive for FeLV, FIV, or any other chronic or debilitating disease.
■ Prior to release, vaccinate cats against rabies and other common diseases or viruses for which vaccinations are available.
■ Sterilize cats prior to release.
■ Permanently identify animals prior to release using a microchip and/or a visible means of identification such as ear-tipping or tattooing.
■ Immediately trap any new cats who enter a colony and assess them for placement or release. 9/98

WVC Cat Intake and Euthanasia Before and After Feral Fix



Statewide comparison for same time-frame
Cat intake down approx 3%
Cat euthanasia down approx 4%

NO MORE HOMELESS PETS IN UTAH

A program of Best Friends ANIMAL SOCIETY

Trap, Neuter, Return (TNR)

In Salt Lake City

Trap-Neuter-Return: Developing an Effective Strategy for the Permanent Reduction of Feral and Stray Cat Populations in Salt Lake City

Contents

Foreword

"The ASPCA supports Trap-Neuter-Return (TNR) as the most humane and effective strategy for managing the feral cat population....."[1]
American Society for the Prevention of Cruelty to Animals Policy Statement

"...I, Dave Sakrison, Mayor of the City of Moab, do hereby endorse nonlethal Trap-Neuter-Return (TNR), when accompanied by ongoing feral cat management...and encourage all citizens to support Trap-Neuter-Return for feral cats throughout the Moab area."[2]

" I was skeptical when first presented with TNR....(but) now when other animal control agencies come to me, I can say 'yes, it works. We are giving the public the tools to resolve problems."[3]
Karen Bird, Supervisor, West Valley City Animal Control

"...The problem is there are a lot of wild cats without owners, Ferre (Utah County Sheriff's Lt. and former director of Utah County Animal Shelter) said, and it is very difficult, if not impossible, to rehabilitate a feral cat and turn it into a family cat....euthanization helps to manage the problem, but a more effective approach would be to stop the animals from reproducing..."[4]

Introduction

No More Homeless Pets in Utah's Feral Fix is an animal control program designed To help resolve our community's severe feral and stray cat overpopulation crisis through the use of Trap-Neuter-Return, popularly known as TNR.[5] The program includes workshops to train members of the public in how to perform TNR, support services such as trap loans and free or low cost spay/neuter, referrals by animal control of feral and stray cat complaints to the program, and shelter policies/training designed to encourage the use of TNR by the public. The question now before city leaders is whether to make Trap-Neuter-Return an official option for dealing with feral and stray cats in Salt Lake City and how to best incorporate such policy into our animal control ordinances.

[1] See Appendix 1 for full ASPCA Statement on Trap-Neuter-Return.
[2] See Appendix 2 for full Moab City proclamation on TNR.
[3] See Appendix 3 for full article on WVC TNR program.
[4] "Cat problem," *Daily Herald,* November 15, 2004
[5] "Feral" refers to cats who are living outside human homes and have reverted to a wild state, while "stray" refers to cats that have been recently abandoned and are still domesticated. Most street cats are feral and tend to live in family groups referred to as colonies.

Feral and stray cats can be found throughout our community. Their unchecked reproduction has created a significant burden in terms of quality of life. As catalogued by Dr. Margaret Slater, DVM, of Texas A&M, another leading veterinarian in the field, complaints include such behaviors as, "spraying, fouling yards and gardens with feces, yowling and fighting; sick, injured, or dead cats; and dirty footprints on cars."[6] The cats have commonly been accused of driving people from their gardens and backyards with the noxious odor of unaltered males spraying, and waking residents up night after night from the noise of fighting and mating.

The impact of the feral and stray cat population goes beyond quality of life issues and reaches far into the cost and effectiveness of our community's animal control system. The un-neutered street cat population serves as a constant source of new cats and kittens. Many of these animals find their way into local shelters, taking up badly needed space, making it more difficult to adopt out cats already rescued and contributing to a financial burden of hundreds of thousands of dollars a year from the cost of euthanizing cats. To date, the official policy for dealing with feral cats has been a mixture of ***"trap-and-kill"***- so named because ferals are unadoptable and invariably end up being euthanized when captured - ***and doing nothing***. Both approaches have failed and will continue to fail if further pursued. As will be explained fully, because of feral population dynamics, trap-and-kill has little impact on the overall number of cats, creating no more than short-lived dips in their levels. The method is particularly ineffective when practiced sporadically and in random locations as has been the case for many years in our community. Doing nothing happens when limited resources demand that animal control rely on the citizenry to trap the cats for impound. Many people will either resent having to spend the time, or feel an aversion to trapping cats they know will be killed. So, they do nothing.

In sum, the present situation in Salt Lake City is characterized by a city overrun with feral and stray cats, an animal control agency flooded with complaints that cannot be properly addressed, a shelter system overburdened with the cats and their offspring, and the employment of methodologies that have completely failed in the past and have no reasonable chance of success in the future. Clearly the time has come to take a new approach. An alternative that has proven effective at controlling the cats' population in many communities does exist: Trap-Neuter-Return (TNR).

TNR involves three steps: (1) trapping the cats in a colony, (2) veterinary intervention in the form of neutering, eartipping[7] and rabies vaccination, and (3) return of the cats to their home territory where they are then fed, sheltered and monitored on an ongoing basis by a designated caretaker. Whenever possible, kittens and friendly, adoptable adults are removed from the colony and offered for placement in homes.

[6] Slater, Margaret R., DVM, *Community Approaches to Feral Cats*, p. 39 (Humane Society of US Press, 2002) [hereinafter referred to as "Slater"].

[7] "Eartipping" is the universal sign of a neutered feral cat and involves removing the tip of the left ear in a straight line cut.

As described in this report, TNR is growing increasingly popular and being utilized in more and more communities across the nation. This movement can be attributed to its many proven advantages over more traditional methods of animal control, including permanent reduction of feral and stray cat populations, cost savings to animal control and the elimination of nuisance behaviors like spraying and fighting. In addition, by returning the ferals to their territory, TNR allows the neutered and vaccinated cats to provide the public health benefits of rat abatement and protection against rabies transmission from wildlife species. The lower feral population also helps to lower any predation on birds and wildlife by the cats.

Unlike any other method known, Trap-Neuter-Return holds out the realistic possibility of a permanent, long-term solution to feral and stray cat overpopulation and all its associated ills. That is what the Feral Fix is all about.

The Advantages of TNR

• Feral and Stray Cat Population Reduction

TNR reduces free-roaming cat populations through two means – first, by the removal of adoptable cats,[8] and, second, through attrition outpacing births over time.

An excellent example of both means is provided by the twelve-year-old TNR program practiced with municipal approval and cooperation in Newburyport, a popular coastal town in Massachusetts. In 1992, after attempts to eradicate the approximately 300 cats living on the town's waterfront had failed, the municipality agreed to allow a TNR project. In 1992 through 1993, a private organization, Merrimack River Feline Rescue Society,[9] trapped all of the cats and kittens. 200 were removed for adoption, resulting in an immediate population decline of over 66 percent.[10] The other 100 cats were returned and then closely monitored over subsequent years. Some died or disappeared, while others became adoptable and were removed. Presently in 2004, there are 17 cats left, representing a decline of 83 percent from the original number returned, and a drop of 94 percent from the 300 cats present prior to the initiation of TNR. [11]

In San Diego County, from 1988 through 1991, stray cat intake rates for municipal shelters were rising at a rate of approximately 10% a year, peaking in fiscal year 1991-1992 at a total of 19,077 cats, of whom 15,525 were euthanized.[12] In 1992, the Feral Cat Coalition of San Diego was founded and began implementing TNR on a county-wide basis. Two years and 3100 neutered feral cats later, stray intake rates had dropped by 35% and euthanasia by 40% with no other plausible explanation for the declines other than the TNR efforts.[13] [14]

[8] Slater, Margaret R., DVM, *Community Approaches to Feral Cats*, p. 39 (Humane Society of US Press, 2002).

[9] www.mrfrs.org

[10] Correspondence of Stacey LeBaron, President, Merrimack River Feline Rescue Society, to Bryan Kortis, Executive Director, Neighborhood Cats, July 15, 2004.

[11] Ibid

[12] Chappell, Michelle, DVM, "A Model for Humane Reduction of Feral Cat Populations," *California Veterinarian* (Sept/Oct 1999).

[13] Ibid.

[14] Cat Fanciers Association Almanac (1995), www.cfainc.org/articles/trap-alter-release.html

In San Francisco, beginning in 1993, the San Francisco SPCA combined with San Francisco Animal Control to introduce a comprehensive city-wide TNR program, one that combined no cost spay/neuter with educational initiatives and incentives for getting feral cats altered. From 1993 through 1999, cat impounds dropped by 28%, euthanasia rates for feral cats dropped by 73%, and euthanasia rates for all cats fell by 71%.[15]

Maricopa County, Arizona, is one of the most heavily populated and rapidly growing Maricopa County Animal Care & Control introduced a TNR program (entitled Operation FELIX) as part of a comprehensive spay/neuter and adoption program. As a result of the overall program, there was a drop in the euthanasia rate from 25 cats per 1000 county residents to only 9 cats per 1000.[16] FELIX was considered so successful that the Maricopa County Board of Supervisors has passed a resolution declaring TNR the official county policy for feral cat control.

In southern Florida, where local TNR programs were introduced in the early 1990's, euthanasia by animal control has dropped by half with most of the decline attributed to fewer cats being killed. For example, in 2001, all shelters combined in the Fort Lauderdale/Miami corridor euthanized 14.1 cats and dogs per 1000 residents, compared to 33.0 per 1000 in 1997.[17] In Tampa, where TNR has not been implemented, the euthanasia rate in 2001 was 32.4 cats and dogs per 1000 residents, while across the bay in St. Petersburg where TNR has been widely practiced, the rate is only 13.7.[18]
Proof that TNR effectively reduces feral populations in the long term also comes from the academic community. Dr. Levy conducted an eleven-year TNR project at her campus at the University of Florida, Gainesville.[19] The program resulted in a 66% decline in the feral population over the course of the study. Dr. Levy concluded that, "A comprehensive long-term program of neutering followed by adoption or return to the resident colony can result in reduction of free-roaming cat populations in urban areas."

• Cost Savings

TNR provides substantial cost savings to animal control in two ways. First, there is the volunteer manpower generated to get the cats fixed and stop them from reproducing. Even now, at its early stages in Salt Lake County TNR has brought countless hours of volunteer labor to bear on getting the feral cat situation under control, none of which has cost the community a cent. Given the magnitude of the problem, there is no realistic possibility the municipality could ever itself fund a large enough animal control work force to resolve the overpopulation crisis. The volunteers and the cost savings they represent are crucial to move beyond the current state of affairs.

15 Reducing the feral population lowers euthanasia rates in primarily two ways. First, fewer feral cats are brought into shelters and euthanized. Second, fewer feral kittens means friendly cats already in the system face less competition for shelter space and homes and are spared euthanasia.
16 Leonard, Christina, "Animal Control sets records with more adoptions, less euthanasia," *The Arizona Republic*, July 15, 2002.
17 Clifton, Merritt, "Where cats belong--and where they don't," *ANIMAL PEOPLE*, June 2003.
18 Ibid.
19 Levy, J.,"Evaluation of the effect of a long-term trap-neuter-return and adoption program on a free-roaming cat population," *Journal of the American Veterinary Medical Association*, Vol. 222, No. 1, January 1, 2003.

Substantial cost savings are also realized when TNR is implemented on a large enough scale to realize lower euthanasia rates in municipal shelters. In San Diego, during the period of 1992 through 1994, the average cost of interning and then euthanizing a cat was $121. The 40% drop in euthanasia over those two years from the privately funded county-wide TNR program saved the county approximately $796,000.[20]

Studies have found there is a significant cost savings even when the municipality itself funds TNR efforts and does not rely on private organizations to bear the costs. Orange County, Florida, implemented a TNR program for two and a half years from 1995 through 1998. Previously, when they received a feral cat complaint, they sent out an officer to trap the cat, held the animal for the mandatory waiting period, then euthanized. This cost $105 per cat. By contrast, having volunteers trap the cats and then providing spay/neuter and vaccination services cost the county $56 per cat, a savings of $109,172 over the length of the study (2228 cats).[21]

• Reduced Nuisance Behavior and Fewer Complaints

Neutering the cats resolves most quality of life issues. The noxious odor associated with the spraying of unaltered males is caused by testosterone in the urine. Once the cat is fixed, this is no longer a problem. The cessation of reproductive activity also brings an end to mating behavior and the noise associated with it – both the yowling of females in heat and the fighting among male cats. In addition, neutered feral colonies tend to roam much less and so become much less visible.

According to Dr. Slater's research, "Managed colonies of feral cats can be part of the solution to nuisance complaints."[22] Dr. Slater cites one animal control agency in Florida that found complaints in a six-square block area dropped by half after implementation of a TNR program.[23] In the city of Cape May, New Jersey, complaints to animal control about cats dropped by 50 percent after four years of sanctioned TNR.[24] After funding and running its own TNR program, the Animal Services Department of Orange County, Florida, also reported decreased complaints about cats.[25]

• Caretaker Cooperation

No effective animal control policy for feral cats can be implemented on a large scale without the cooperation of the people who feed and watch over the cats on a daily basis. Trapping cats is generally accomplished by baiting humane box traps that close behind a cat when he enters to eat the bait. If food is not withheld the day prior to trapping, many cats will not enter the traps. Caretaker cooperation in withholding food is thus essential. Caretakers also possess unique knowledge regarding the cats, including their numbers, habits and whereabouts. As a result, a caretaker can either greatly assist or effectively thwart animal control efforts.

20 Chappell, Michelle, DVM, "A Model for Humane Reduction of Feral Cat Populations," *California Veterinarian* (Sept/Oct 1999).
21 Appendix 15 ("Orange County, Florida," Alley Cat Allies fact sheet).
22 Slater, p. 39.
23 Ibid.
24 Ibid.
25 Levy, p. 381.

A survey of cat caretakers who presented cats for sterilization in a TNR program revealed that they are intensely bonded to the cats they feed and will not participate in animal control programs that threaten their felines' welfare.[26] At the same time, caretakers are easily recruited to perform much of the labor involved in getting the cats controlled through sterilization, representing, as mentioned, a substantial cost savings compared to traditional animal control programs using paid staff.[27] Thus, TNR is an effective tool for enlisting public support to solve a difficult community problem while at the same time mitigating public anger resulting from either the "trap-and-kill" or "do nothing" methodologies.

The Lack of Effective Alternatives for Feral Cat Control

One of the most powerful arguments for Trap-Neuter-Return as a method of feral and stray cat control is also one of the most basic – nothing else works. Whatever its imperfections in practice and theory, TNR is the ***only*** animal control methodology that has shown a reasonable chance of controlling feral cat populations in an urban environment like Salt Lake County. Whatever ills one may rightly or wrongly associate with feral cats – whether it's public health concerns, wildlife predation or anything else – those problems will not be reduced without a reduction in the level of the feral cat population. To achieve this, TNR is the only approach with hope of success, as an examination of the available alternatives makes clear.

• Trap-and-kill

Trap-and-kill has been the traditional approach of animal control in the United States towards free-roaming cats for decades. It should be enough to conclusively establish the complete failure of this method by pointing out that current estimates of the number of feral cats in this country now run into the tens of millions.[28] Trying to remove the cats doesn't work to lower their numbers. It's a clumsy, simplistic technique that completely fails to take into account critical environmental factors and feral cat population dynamics. Trap-and-kill results in nothing but turnover – new feline faces, but not fewer. There are a number of reasons for this, including (a) the "vacuum effect," (b) over breeding by untrapped cats, (c) abandonment of domestic cats and, (d) lack of animal control resources.

The Vacuum Effect

Wildlife biologist Roger Tabor first chronicled the "vacuum effect" during his studies of London street cats. He observed that when a colony of feral cats was suddenly removed from its territory, cats from neighboring colonies soon moved in and began the unchecked cycle of reproduction anew until the population was back up to its former level. [38] As explained in another study, "the presence of feral cats in a place indicates an ecologic niche for approximately that number of cats; the permanent removal

[26] Centonze LA, Levy JK, "Characteristics of feral cat colonies and their caretakers," *Journal of the American Veterinary Medical Association* 2002; 220:1627-1633.

[27] See caretaker participation in sterilization clinics described in: Williams LS, Levy JK, Robertson SA, Cistola AM, Centonze LA, "Use of the anesthetic combination of tiletamine, zolazepam, ketamine, and xylazine for neutering feral cats," *Journal of the American Veterinary Medical Association* 2002; 220:1491-1495.

[28] Slater, p. xi.

of cats from a niche will create a vacuum that then will be filled through migration from outside or through reproduction within the colony, by an influx of a similar number of feral cats that are usually sexually intact; and removal of cats from an established feral colony increases the population turnover, but does not decrease the number of cats in the colony."[29] Migration of new cats into recently vacated territory can be traced to two factors: first, feral cats are present at a particular location for a reason - the habitat provides adequate food and shelter. Second, no feral colony is an island, but is part of an extensive ecosystem containing similar colonies, one adjoining the next. As a result, if a colony is removed from its territory, but the habitat is left unchanged, neighboring cats will move right in to take advantage of the food source and shelter that remains. Reproduction and population growth ensue until the natural ceiling is again reached, that being the number of cats the habitat can support.[30] Eliminating all food sources is virtually impossible.[31] Once a cat is spotted by a kind soul who starts to leave food, a food source is created. People are going to feed outdoor cats no matter what, as the ineffectiveness of feeding bans with serious civil and criminal consequences has demonstrated.[32] It is also difficult in institutional settings, whether it's jails, restaurants or apartment complexes, to adequately seal dumpsters and other garbage containers to keep out feral cats.

Over breeding

The trapping and removal of every member of a feral colony is a difficult and time-consuming task. Even TNR activists have great difficulty in capturing 100 percent of a colony and must allow at least several days of trapping efforts to accomplish this. When busy animal control personnel attempt to trap a feral colony, inevitably some cats are left behind. With less competition for the food and shelter that remains, these cats reproduce faster and more of their offspring survive until the carrying capacity of the habitat is again reached.[33]

Abandonment

Unaltered domestic cats are constantly being abandoned into our streets, often by uneducated owners who do not realize problem behaviors by sexually intact cats could be readily resolved by neutering. Without monitors and caretakers in place to quickly capture and either fix or adopt out these former domestics, they too, are available to repopulate any suitable habitat made vacant by trap-and-kill efforts.

Lack of animal control resources

Few communities, including Salt Lake County have the resources to devote to routinely trying to trap and remove a significant percentage of the feral cats in the municipality.

29 Tabor, Roger, "The Wild Life of the Domestic Cat," p. 183 (1983) [hereinafter referred to as "Tabor"].
30 Zaunbrecher, Karl I., DVM, & Smith, Richard E., DVM, MPH, "Neutering of Feral Cats as an Alternative to Eradication Programs," *Journal of the American Veterinary Medical Association*, Volume 203, Number 3, August 1, 1993.
31 Clifton, Merritt, "Seeking the truth about feral cats and the people who help them," *ANIMAL PEOPLE*, Nov. 1992.
32 Hartwell, Sarah, "Why Feral Eradication Won't Work," (1994, 2003), E.g., a court in Fort Lee, NJ, where feeding any animal outdoors is banned, recently fined a stray cat feeder $300 and threatened her with a 30 day jail term if she continued. Nonetheless, Neighborhood Cats has documented the ongoing feeding and care of scores of feral cats in the township. www.messybeast.com/eradicat.htm.
33 Clifton, Merritt, "Street Dog & Feral Cat Sterilization and Vaccination Efforts Must Get 70% or Flunk," *ANIMAL PEOPLE*, October 2002.

Waukegan, Illinois: a case study in the failure of trap-and-kill

Waukegan, Illinois is a township of 88,000 located on the shore of Lake Michigan. Waukegan's long-standing method for controlling their feral cat population has been the traditional trap-and-kill.[34] Recently, the town has made news by trying to effectively ban TNR. The town's council enacted an ordinance that forbids the release of any cat except into an outdoor enclosure. To build and operate such an enclosure, a kennel license must be sought and paid for. In addition, a prior ban against feeding stray cats is in effect. Stiff fines enforce these provisions.[35]

According to Tina Fragassi, the local animal control warden, her agency has trapped and removed approximately 500 feral cats each of the past eleven years.[36] In Ms. Fragassi's view, this steady number reflects the success of Waukegan's policies in controlling the cats.[37] The truth is just the opposite and points to the futility of trap-andkill. That every year 500 cats need to be trapped indicates the feral population is remaining at the same level. The feline faces may be changing, but the total number of cats is staying the same. As a result, every year in Waukegan the same amount of time and wages is invested in animal control seizing 500 cats, the same cost is incurred by the township in adhering to mandatory waiting period and euthanasia requirements, and the same number of complaints are made. By contrast, a successful animal control approach would mean fewer and fewer feral cats in the community as reflected by continually *falling* seizures, costs and complaints. This is the goal of TNR. As explained by Dr. Slater, TNR "should be considered an interim solution to the problem of feral, freeroaming cats – the first step towards reducing the size of the colony through attrition."[38]

• **Eradication**

Eradication of feral cats, defined as the one hundred percent removal of all ferals from an area, has been advocated since at least 1916.[39] The method has proven successful, however, only on small, uninhabited islands after decades of intensive control measures including poisoning, hunting, trapping and introduction of infectious feline diseases.[40] One of the best-known examples of the difficulty of eradication is Marion Island, a small uninhabited island (12 miles x 8 miles) located southeast of South Africa between South Africa and Antarctica.[41]

In 1949, a group of scientists left the island, leaving behind 5 unneutered cats. By 1977, there were an estimated 3,400 cats preying on ground-nesting seabirds.[42] Deliberate infection of the feral cat population with Feline Panleukopenia Virus (feline enteritis) followed and killed around 65% of the cat population by the early 1980's.[43] Many of the remaining 35% developed immunity to the disease and continued to breed.[44]

35 Ibid.
36 Hamill, Sean, Chicago Tribune reporter, interview of Tina Fragassi.
37 Ibid.
38 Slater, p. 14.
39 Berkeley, Ellen Perry, *Maverick Cats*, p. 121 (New England Press, 1982, 2001).
40 Levy, Julie, DVM, "Feral Cat Management," Chap. 23, p. 378, in *Shelter Medicine for Veterinarians and Staff* (Blackwell Publishers, 2004) [hereinafter referred to as "Levy"].p. 380.
41 Hartwell, Sarah, "Why Feral Cat Eradication Won't Work," (1994, 2003), www.messybeast.com/eradicat.htm.
42 Ibid.53 Id.; Berkeley, pp. 123-124.
43 Hartwell (see fn. 71, *supra*).
44 Ibid

Between 1986 and 1989, 897 cats were further exterminated by hunting. Traps with poison baits were then used to kill the cats who eluded the guns. No cats have been seen since 1991. In 1993, sixteen years after it was begun, the eradication program was declared a success.[45]

The methods used on Marion Island – introduction of infectious disease, shooting and poisoning – would be unfeasible in a populated area such as Salt Lake County for safety, cost and aesthetic reasons.[46] Even assuming such techniques could be employed, the vacuum effect discussed earlier, which was not present in a geographically isolated situation like Marion Island, would likely outpace eradication efforts.

Despite these considerations, Akron, Ohio recently undertook an attempt to eradicate all free-roaming cats within its city limits. On June 25, 2002, the City Council passed a cat confinement law that authorized the animal control warden to seize and euthanize any cat at large if left unclaimed.[47] Animal control reportedly requested an additional annual budget of $410,385 to trap-and-kill what they estimated would be a total of 3500 cats.[48] Over the next two years following the law's enactment, a total of 2750 cats were picked up and killed.[49] It is too soon to say whether the law will eventually have its desired effect of eliminating free-roaming cats or whether, as in Waukegan, animal control will continue to seize a consistent number of cats on an annual basis. But it is already abundantly clear that the trap-and-kill program has had serious negative side effects. The killing has spawned extreme divisiveness within the community between animal advocates and municipal officials,[50] has given rise to at least one lawsuit,[51] has created negative publicity for Akron on a national scale,[52] has cost the city hundreds of thousands of dollars between the trapping efforts and litigation, and has ship-wrecked the county animal shelter because of the sudden deluge of cats[53]

Akron represents the antithesis of what is needed to successfully control feral cat populations on a large scale. According to Dr. Levy, "Clearly, any realistic plan to control feral cats must recognize the magnitude of the feral cat population, the need to

45 Ibid.

46 Levy, p. 381.

47 Akron OH Municipal Code, Title 9, sec. 92.15; *see also*, Sangiacomo, Michael, "Akron law to trap, kill cats is OK, judge rules," *Cleveland Plain Dealer*, May 6, 2004.

48 Pet FBI (2002), www.petfbi.com/issuetravel.htm

49 Sangiacomo, Michael, "Akron law to trap, kill cats is OK, judge rules," *Cleveland Plain Dealer*, May 6, 2004.

50 Protest held in front of City Hall (Wallace, Julie, "Akron may help cats get to homes," *Akron Beacon Journal*, Feb. 11, 2004); City Council received 1200 letters protesting the ordinance, 10 in favor (Cat Fanciers' Association Legislative Group, "Trends in Animal Legislation: The Year 2002 in Review," www.cfainc.org/articles/legislative/legislation-review02.html); nonprofit organization called Citizens for Humane Animal Practices formed to fight the Akron law (USA Today.com, "Ohio city council considers electronic tracking of cats," Feb. 10, 2004).

51 Lawsuit filed by Animal Legal Defense Fund and six Akron residents with cats (Animal Legal Defense Fund [Akron, Ohio], pub. 10/27/03, www.aldf.org/article.asp?cid=249).

52 Akron referred to by Florida resident as having "a national reputation for using the most ineffective, expensive and morally reprehensible means of dealing with feral cats," (Letter to the Editor, Miami Herald, December 21, 2003); Akron website's message board closed down due to deluge of angry emails from around the world (Sangiacomo, *supra*, *Cleveland Plain Dealer*).

53 Summit County Executive Director James McCarthy "has blamed Akron's cat law for worsening shelter problems," (Abraham, Lisa, "Animal Shelter Review Approved – Summit County will bring in national experts to evaluate the troubled program," *Akron Beacon Journal*, Jan. 23, 2004)

engage in continuous control efforts, and the significance of the public's affection for feral cats. The most successful examples of enduring community-wide animal control have incorporated high-profile non-lethal feral cat control programs into integrated plans to reduce animal overpopulation."[54]

• Trap-and-remove

Compassionate callers reporting feral cats often initially seek the adoptive placement of the cats or their relocation to a safer place. This "trap-and-remove" approach is impractical on a large scale. Socialization of feral cats is an uncertain process, and even if the time and resources existed to implement socialization on a widespread basis, there are not enough available homes for them. As it is, completely tame cats already in city shelters and up for adoption are regularly euthanized for lack of space. Regarding relocating the cats, Dr. Slater writes, "Transfer to a new location is rarely recommended because finding a suitable site can be difficult, time consuming, and stressful for the cats and often has low survival rates at the new site."[55]

Furthermore, trap-and-remove creates the same vacuums in the original territory as trap-and-kill and so will likewise have no long-term impact on feral population levels.

• Do nothing

The growth of an uncontrolled feral cat population, as with any wild species, will level off when the cats exceed the capacity of the habitat. Beyond capacity, population control comes in the form of starvation and disease.[56] The problems associated with unneutered feral cats remain. Usually, doing nothing, "results in continued breeding, increased cat mortality, continuing complaints by those near the colony, public health concerns, animal welfare concerns (often generated by high kitten mortality rates), and eventual financial costs in personnel, transportation, and euthanasia to animal care and control agencies and local governments."[57]

Issues Surrounding Trap-Neuter-Return

• Wildlife Predation

Despite its proven track record for reducing feral cat populations and animal control costs, and despite the lack of any effective alternatives, TNR is still controversial. Much of this controversy can be traced to concerns that feral cats are responsible for a disproportionate amount of predation on birds and other forms of small wildlife. The American Bird Conservancy, sponsor of the "Cats Indoors!" campaign, claims feral cats, "are efficient predators estimated to kill hundreds of millions of native birds representing 20-30% of the prey of free-roaming cats, and countless small mammals, reptiles, and amphibians each year...."[58] The argument goes that by returning feral cats to their territory, TNR encourages this predation to continue and so should be outlawed for the protection of wildlife.[59]

The American Bird Conservancy's position suffers from two key defects. First, no

54 Levy, p. 381.
55 Slater, p. 12.
56 Clifton, Merritt, "Street Dog & Feral Cat Sterilization and Vaccination Efforts Must Get 70% or Flunk," *ANIMAL PEOPLE*, Oct. 2002.
57 Slater, p. 15.
58 American Bird Conservancy's Resolution on Free-Roaming Cats, www.abcbirds.org/cats/resolution.pdf
59 Ibid.; see also Wildlife Society's Policy Statement on Feral and Free-Ranging Domestic Cats, www.wildlife.org/policy/index.cfm?tname=policystatements&statement=ps28

reliable studies support the predation levels being claimed and none identify feral cats as a contributing factor to the decline of any bird or wildlife species. Second, TNR does not encourage but actually discourages predation – in the long run, by reducing the feral cat population in a given area, it reduces whatever level of predation already existed

Available research does not support the conclusion feral cats have a species level impact on bird or wildlife populations

Studies that claim feral cats are responsible for substantial numbers of bird deaths over wide geographical areas, like a state or an entire country, are based on insufficient data and highly questionable extrapolations, and have been repeatedly discredited.[60] One example is the oft-cited study of predation by cats conducted in a village in the English countryside.[61] The researchers counted the number of prey brought home by 77 cats. Based on this one small sample, they projected a total of 70 million prey by Britain's entire free-roaming cat population, with birds accounting for 30 to 50 percent of the catch.[62] Extrapolating from one non-randomly selected village to the whole of Great Britain lacks all scientific validity.[63] Yet this and similar small-scale studies have been repeatedly subjected to extrapolation and have been sensationalized.[64]

Dr. Gary J. Patronek, DVM, Ph.D., commented on the use of unreliable extrapolations to quantify cat predation as follows:

If the real objection to managed colonies is that it is unethical to put cats in a situation where they could potentially kill any wild creature, then the ethical issue should be debated on its own merits without burdening the discussion with highly speculative numerical estimates for either wildlife mortality or cat predation. Whittling down guesses or extrapolations from limited observations by a factor of 10 or even 100 does not make these estimates any more credible, and the fact that they are the best available data is not sufficient to justify their use when the consequences may be extermination for cats.[65] The use of small-scale, non-random studies by the American Bird Conservancy and other organizations to make the case that feral cats are killing hundreds of millions of birds annually in the United States and negatively impacting entire species amounts to no more than sheer propaganda. "In mainland ecosystems, no published data have shown that cats have a detrimental impact on wildlife populations of particular species."[66] The American Bird Conservancy's claim that birds make up 20 to 30 percent of a free-roaming cat's diet is also based on misinterpretation of several studies.[67] The assertion is "misleading, inflammatory,

60 "Many studies indicate that claims about wildlife mortality due to cat predation are overblown, not based on data or scientific study, or are extrapolated to dissimilar populations or environments." *The Animal Policy Report*, p. 1, Tufts University School of Veterinary Medicine, March 2000.

61 Churcher PB, Lawton JH, "Predation by domestic cats in an English village," *J Zool (London)* 1987; 212:439-455; Churcher PB, Lawton JH, "Beware of Well-Fed Felines," *Natural History* (July 1989) 98(7): 40-46.

62 Ibid.

63 Slater, p. 34; see also Elliot, J., "The Accused," *The Sonoma County Independent* (March 3-16, 1994) [criticizing extrapolations made by Churcher and Lawton], article excerpted at: www.stanford.edu/group/CATNET/articles/understd_pred.html;

64 Slater, p. 34.

65 Letter to Editor, *Journal of the American Veterinary Medical Association*, Vol. 209, No. 10 (November 15, 1996).

66 Ibid.

67 Berkeley, pp. 137-138.

self-serving, and undeserving of the repetition it has received in the media."[68] To the contrary, reputable studies have repeatedly demonstrated that birds are a relatively small percentage of a feral cat's diet, which relies much more on ground mammals when they're available.[69] Further pointing to the complexity of the issue is a recent study by Britain's Royal Society for the Protection of Birds. The study was designed to determine the causes of the decline of Britain's most common garden birds. It was found that cats and magpies preyed on robins, chaffinches, collared doves and wood pigeons, but these bird species were actually rising in number.[70] This study, as well as others, demonstrates that predation alone does not necessarily have a negative impact on the total prey population.[71] Factors that have been reliably demonstrated to significantly contribute to the decline of bird and wildlife species include, foremost, habitat destruction, then also pollution, competition from other bird species, and predators such as raccoons and opossum.[72] Effectively exonerating cats is an exhaustive study of the causes of migratory bird decline in the United States published in the spring of 2003 by David I. King of the USDA Forest Service Northeastern Research Station and John H. Rappole, a research scientist with the Smithsonian Conservation and Research Center.[73] The study was commissioned by the Defenders of Wildlife,[74] a prominent national organization whose mission is the protection of native wild animals and plants in their natural environments. The researchers, after reviewing annual bird census data and 36 earlier studies, reached three important conclusions: (1) the migrant bird populations have declined in numerous species, (2) the most threatened group of species are long distance migrants, and (3) the most important threat to migrants is the destruction of breeding, stopover and, especially, winter tropical habitat.[75] Specifically, they identified 106 different types of migrant birds and listed the proposed or documented causes for the decline of each. Loss of habitat was by far the cause listed most often. Other causes included human disturbance of breeding sites, pesticides, poisons, and hunting. "Cats" was not listed once.[76] At least one wildlife author has concluded this study indicates that, "[W]indows, cats, West Nile virus, wind turbines — all those specific causes of death that are apparent in people's backyards -- are not, at present, having any known effect on the population size of any continental bird species."[77]

68 Berkeley, p. 137.
69 Coman, Brian J. and Brunner, Hans, "Food Habits of the Feral House Cat in Victoria," *Journal of Wildlife Management* 36:3 (1972) 848-853; Fitzgerald BM. Chapter 10: "Diet of domestic cats and their impact on prey populations," in: Tuner DC, Bateson P, eds. *The domestic cat.* Cambridge: Cambridge University Press, 1988;123-147.
70 "Cats in Clear re: Birds," *Best Friends*, July/Aug. 2004.
71 See "Predation by house cats, Felis catus, in Canberra, Australia. I. Prey composition and preference," *Wildlife Research* 1997, 24:263-277 & H. "Factors affecting the amount of prey caught and estimates of the impact on wildlife," *Wildlife Research* 1998, 25:475-487.
72 Slater, p. 34.
73 King, D., Rappole, J., *Population Trends for Migrant Birds in North America: A Summary and Critique*, www.defenders.org/wildlife/new/birds.html (2003)
74 www.defenders.org/wildlife/new/birds.html.
75 Ibid.
76 Id. (contained in appendix 3 of the King & Rappole report).
77 Yakutchit, Maryalice, "Plight of the Vanishing Songbirds," *Defenders of Wildlife Magazine*, Spring 2003; www.defenders.org/defendersmag/issues/spring03/plightsongbird.html

Further support for the position that feral cats do not have a significant impact on bird species comes from the most recent issue of Audubon, the magazine published by the National Audubon Society. The Sept./Oct. issue contains a report entitled, "State of the Birds 2004." According to the magazine, "Audubon's science team has pooled the best data available since Silent Spring to report on [the nation's birds'] overall health."
The report opens with an article by Greg Butcher, Audubon's director of bird conservation. He writes that, "Threats to avian life in the United States are many, but the most serious is the outright loss of habitat due to expanding agriculture, the clear-cutting of forests, the draining of wetlands, and sprawl."[88] Mr. Butcher also states that, "...birds here face other perils, as well. Climate change, air and water pollution, pesticides, and collisions with buildings, towers, and wind turbines also take a toll."[89]
Notably, Mr. Butcher does not cite cats as posing a risk to bird species. The only specific mention of cats in the entire State of the Birds 2004 report is in an article entitled "What You Can Do," in which the common sense advice of keeping pet cats indoors is given. The National Audubon Society's conclusions are consistent with all available research that is regarded as reliable and credible and which concludes feral cats do not have a species-wide impact on any birds or wildlife. The Audubon's director of bird conservation would not fail to mention feral cats as a risk to bird species if he agreed with the American Bird Conservancy's claim that these cats are killing hundreds of millions of birds annually. The Audubon report points to the limited scope of the predation issue, which in truth involves select, isolated sanctuaries and wildlife habitat and not the vast majority of cities, towns and rural settings where feral cats live.

TNR reduces rather than encourages predation

Rather than encouraging predation, TNR can actually aid in the protection of wildlife and bird interests. It must be kept in mind that before any TNR work is done at a given site, the cats are already there, preying upon other species to whatever extent they do. If the cats are then neutered, returned and monitored by a caretaker, reproduction ceases and the population goes down over time, with the fewer cats leading to less predation. The American Bird Conservancy argues wildlife would be best protected if the first step of trapping is taken, but not the second of return. Euthanasia, they believe, is a more acceptable solution.[90] This amounts to no more than advocacy of the trap-and-kill method and suffers from all its flaws – the vacuum effect of cats migrating into newly vacant habitat to take advantage of food sources, the over breeding of any cats in the colony left behind, the lack of adequate animal control resources, and the opposition of caretakers to trapping efforts.
What many bird and wildlife advocates fail to come to grips with is the impossibility of quickly ridding the environment of feral cats in order to protect other species – it simply cannot be done. The only known way to eliminate feral cat colonies, as has been accomplished in Newburyport, is gradually through the TNR process. In Newburyport, where 300 feral cats resided twelve years ago, there are now 17. Plainly, whatever predation existed in 1992 is far lower now. The return of the neutered ferals was not an encouragement for more predation – it was part of the method for permanently lowering

88 Butcher, G., "The Big Picture," Audubon State of the Birds 2004, Audubon, Vol. 106, No. 4 (Sept.-Oct. 2004).
89 Ibid.
90 American Bird Conservancy's Resolution on Free-Roaming Cats, www.abcbirds.org/cats/resolution.pdf

the cats' numbers. Ironically, and sadly, groups like the American Bird Conservancy are actually harming their own interests by opposing the only known method of feral cat control with any reasonable chance of success. By advocating what amounts to either "trap-and-kill" or "trap-and-remove" instead of TNR, they help perpetuate the failed methods of the past– the methods which have led to a national overpopulation of feral cats in the tens of millions. To protect the birds, new approaches and open minds are needed. It's also important in considering the predation issue to draw a distinction between two very different situations that the current debate tends to muddle together. It's one thing if the particular site in question serves as a unique and critical habitat for wildlife, especially endangered species or migrating birds who might be vulnerable to a cat attack because of factors like their ground-nesting behavior. In those situations, humane alternatives to TNR such as relocation must be considered. It's another thing if the geographical area in question is an entire city or town. Simply because TNR might not be appropriate in a bird sanctuary doesn't mean it should be rejected for all of Salt Lake County

- **Public Health**

From the perspective of public health, feral cats and TNR touch upon three major issues: (1) rabies, (2) other zoonotic diseases, and (3) rat abatement. An examination of these issues demonstrates that on balance, the public health benefits of maintaining neutered, rabies-vaccinated feral cats in their environment through TNR far outweigh any possible public health threats.

Rabies

In 2001, according to the Centers for Disease Control and Prevention (CDC), wild animals accounted for 93% of reported cases of rabies in the United States. Among wild animals, the leading species were raccoons (37.2% of all animal cases in 2001), followed by skunks (30.7%), bats (17.2%), foxes (5.9%) and other wild animals, including rodents (0.7%). Only 6.8% of reported rabies cases were domestic animals.[81] The total number of cases attributed to cats in 2001 was 270. Since 1975, there have been no reported cases of a cat transmitting rabies to a human in this country.[92] Three large-scale exposures of humans to rabid or potentially rabid cats were reported from 1990 through 1996.[93] The risk that feral cats, who tend to be shy by nature and fearful of people, could transmit rabies to humans while at large is thus minimal judging by past experience.[94] The risk does exist to a greater degree in regions where rabies is prevalent among the local raccoon population. Raccoons often inhabit the same territory as feral cats. Most raccoon rabies occurs in the northeast/mid-Atlantic region (69.1% in 2001).[95] Most cat rabies occurs (214 of the 270 reported cases in 2001) in states where the raccoon-variant of rabies is present.[96] In 1999, it was discovered that, "Nearly all [rabid domestic] animals (229 cats and 78 dogs) were infected via spillover with the predicted terrestrial

81 Krebs, J., Noll, H., Rupprecht, C., Childs, J., "Rabies surveillance in the United States during 2001," *Journal of the American Veterinary Medical Association* 221(12):1690-1701 (2002): *see* www.cdc.gov.
82 Levy, p. 379.
83 Slater, p. 32.
84 Ibid.
85 Krebs, J., Noll, H., Rupprecht, C., Childs, J., "Rabies surveillance in the United States during 2001," *Journal of the American Veterinary Medical Association* 221(12):1690-1701 (2002): *see* www.cdc.gov.
86 Ibid.

variant of the rabies virus, i.e., the variant maintained by and circulated in the dominant terrestrial reservoir species in the geographic location where the infection occurred."[87] Consequently, "...feral cats may form an interface between wildlife reservoirs and humans."[88]

TNR can remove much of the opportunity for rabies to be transmitted from raccoons to feral cats and then to humans by having the cats vaccinated against the virus at the time of neutering. Vaccination of a large percentage of the feral cats in a given location may then create a barrier species for transmission of the virus from raccoons to humans: "By keeping a critical mass (usually 80 percent) of feral cats vaccinated against rabies in managed colonies, a herd immunity effect may be produced, potentially providing a barrier between wildlife and humans and preventing one of the major public health threats caused by feral cats."[89]

Using TNR to rabies-vaccinate the feral population also makes sense when the lack of suitable alternatives to remove the public health threat is considered. As discussed earlier, eradication of the feral population is not feasible. Trapping and removing a portion of the population results only in turnover, not diminishing numbers, and leaves the feral cat population unvaccinated and susceptible to rabies infection from raccoons. Doing nothing also leaves the ferals unvaccinated and fails to lessen the risk of rabies transmission from wildlife to cats to humans. A managed colony approach, where the cats are vaccinated, monitored on a regular basis and gradually diminish in number, is far more effective in removing the rabies threat.

Supporting the view that vaccinating the feral population can create a barrier against rabies for humans is past experience with domestic dogs. "[A]nimal control and vaccination programs begun in the 1940's have practically eliminated domestic dogs as reservoirs of rabies in the United States."[90] While feral cats may not be a reservoir for rabies to the same magnitude that domestic dogs once were, widespread implementation of TNR could eliminate even the possibility of that happening. This is a matter of great significance as, "A single incident involving a case of rabies in a companion species can result in large expenditures in dollars and public health efforts to ensure that human disease does not occur."[91] The hands-on practice of TNR entails close interaction between feral cats and humans during the initial phase of trapping and neutering, potentially creating opportunities for bites and rabies transmission. Access to TNR services should, as a result, be conditioned upon training in safe handling techniques.

Other zoonotic diseases

A common misconception is that feral cats pose a health hazard through risk of transmission of other zoonotic diseases besides rabies. Available evidence indicates this is not true. For example, the 8000 acre campus of Stanford University is home to one of the oldest TNR programs in the country. The university-approved, but privately funded and operated program began operation in 1989.[102] Subsequently, when a graduate

87 Id.
88 Levy, p. 385.
89 Slater, p. 32.
90 Krebs, J., Noll, H., Rupprecht, C., Childs, J., "Rabies surveillance in the United States during 2001," *Journal of the American Veterinary Medical Association* 221(12):1690-1701 (2002): *see* www.cdc.gov.
91 Ibid.
92 http://www.stanford.edu/group/CATNET/about.html

student complained that the cats presented a health risk, campus administration took up the issue.[93] The Environmental Health & Safety Department of the university, in consultation with the Santa Clara County Health Department, "determined that there is a general consensus that feral cats pose little health and safety risk to individuals on campus."[94] The Stanford TNR program continues to the present date, claiming reduction of the feral population from a total of 1500 cats at inception to 200 currently.[95] A transmissible disease often associated with cats is toxoplasmosis which is caused by a common parasite (toxoplasma) probably already found in more than 60 million people in the United States.[96] Very few people display symptoms, but infection can be serious in pregnant women and those with compromised immune systems.[97] The parasite can be transmitted through the accidental ingestion of contaminated cat feces, but infection is more commonly the result of eating or handling raw meat, or gardening.[98] A study conducted in Norway found that living in a neighborhood with cats is not by itself a risk factor for contracting toxoplasmosis.[99] Plague can be transmitted by feral cats who catch the disease from infected fleas, but this concern appears to be geographically limited to the southwestern United States.[100] In these regions, flea control and care in handling feral cats with symptoms of pneumonia is recommended.[101] Fleas in Utah are uncommon, due to lack of humidity.

"Cat scratch fever," caused by the bartonella bacteria, is relatively common, although it is not clear the risk factor is any higher with the feral cat population as compared to the domestic cat.[102] Given ferals' wariness towards humans and their tendency to keep a distance, presumably the risk factor is lower for them.

Ringworm transmission requires physical contact with the cat and is most likely to be a problem only for caretakers fostering injured or ill feral adults, or fostering kittens.[103] Transmission of roundworms to humans is another health risk mentioned in the literature, but is not unique to feral as opposed to domestic cats.[104]
When TNR succeeds in lowering free-roaming cat populations – which no other method has been shown to accomplish – then whatever risk exists of transmission of these diseases is lowered as well.

Rat abatement

The rat problem in most urban areas is chronic and growing. For example, according

93 Correspondence from Carole Miller, co-founder of Stanford Cat Network, April 29, 2002.
94 Letter from Gary W. Morrow, Biosafety Officer and General Safety Manager, Environmental Health and Safety Dept., Stanford University, Nov. 24, 1992.
95 http://www.stanford.edu/group/CATNET/about.html
96 www.cdc.gov/healthypets/animals/cats.htm
97 Ibid.
98 Id.
99 Slater, p. 33, citing Kapperud, G., et.al., "Risk factors for Toxoplasma gondii infection in pregnancy; Results of a prospective case-control study in Norway," *American Journal of Epidemiology* 144: 405-412, (1996).
100 Slater, p. 33.
101 Ibid.
102 Id.; www.cdc.gov/healthypets/animals/cats.htm
103 Slater, p. 33.
104 Ibid.

to recent statistics from the New York City Department of Health, complaints in that city about rats have risen 40% in the past two years.[115] Complaints continued to rise in the past year despite significantly increased efforts at inspections and exterminations.[106] The usefulness of feral cats in controlling rat populations is well documented. Roger Tabor, in his studies of London street cats, noted that one particularly adept tabby female was recorded as having caught 12,480 rats over a six year span (an average of 5 to 6 per day.)[107] Farmers and stable owners have long employed feral cats for rodent control.[108] Thomas Gecewicz, while serving as Director of Health for the city of Fall River, Massachusetts, found that a TNR'ed colony of feral cats at a local landfill resulted in a cost savings for rodent control.[109] In Pennsylvania's Longwood Gardens, feral cats "are part of the integrated pest management control program to protect certain plant life from damage by small rodents."[110] One researcher, Paul Leyhausen, suggests that in urban environments where food sources such as garbage and rats cannot be permanently removed, "the feral cat population serves a very useful purpose and should rather be encouraged than fought."[111] Some researchers believe the Black Death during the Middle Ages in Europe was exacerbated when the disease was blamed on witches and their feline companions, causing cats to be exterminated and thereby reducing a significant control on the transmission of the disease from flea-infested rats.[112]
TNR allows the cats to remain in the environment and continue to provide no-cost rat control, while at the same time stemming future population growth and curbing nuisance behavior such as noise and odor.

TNR has the Growing Support of Public Health Officials, Academics, Animal Control Officers and Animal Welfare Organizations

Thomas Gecewicz, who in addition to his service in Fall River also served as the Director of Public Health in Bridgeport, Connecticut from 2000 through 2004, writes: "I can unequivocally state that I, as a public health official, do openly endorse any and all trap, spay, and neuter programs as a public health benefit and cost savings to any community to which it is offered."[113] Dr. Jonathan Weisbuch, M.D., the Chief Medical Officer for Maricopa County, states, "The effectiveness of TNR has been demonstrated by the Maricopa County Animal Care and Control Agency in resolving a complex problem of feral cats overpopulating the streets and alleys of 24 of the most populated cities and towns in Arizona. The program has reduced the number of strays, diminished the number of kittens and resulted in a managed community of felines that no longer

105 "City's scurry worry: Rat complaints up despite crackdown," *Daily News*, August 16, 2004.
106 Ibid.
107 Tabor, pp. 112-113.
108 Slater, pp. 38-39.
109 Correspondence, Thomas Gecewicz, July 16, 2004.
110 Slater, p. 39.
111 Berkeley, p. 122.
112 Clifton, Merritt, "Where cats belong – and where they don't," *ANIMAL PEOPLE*, June 2003.
113 Correspondence, Thomas Gecewicz, July 16, 2004. Mr. Gecewicz also served as Director of Health in Braintree, Mass., from 1977 through 1990, and as Executive Health Officer in Braintree from 1996 through 1999.

stimulate the number of community complaints that were common prior to our initiating the program."[114] Ron Cash, Health Officer for Atlantic City, New Jersey, has also found TNR to be a useful public health tool: "We serve a population of approximately 35 million people who visit this community every year. I need to operate a safe city for the tourists of Atlantic City. When we went shopping for a solution to the feral cat concerns in our community, we found TNR. TNR works."[115]

Dr. Slater concludes, "In communities where basic services are already available, support for feral cat caretakers (including education) and evaluation of options besides 'wait and see' or trap and euthanize should be seriously considered as long-term investments."[116] Likewise, Dr. Levy states, "TNR has emerged as one viable alternative for non-lethal cat control capable of reducing cat populations over the long term."[117] Dr. James Ross, DVM, a Distinguished Professor at Tufts University, concurs: "My experience with feral cat control using the trap, neuter, release (TNR) method in the British Virgin Islands has been very positive. It is a humane way to control the feral cat population. I endorse it in most of the ecosystems I've experienced.... I trust you will find it as useful as I and others have."[118]

Ed Boks, current executive director of Animal Care & Control of New York City and former head of Maricopa County Animal Care & Control, is an enthusiastic supporter of TNR. Mr. Boks has stated that TNR is, "the only viable, non-lethal, humane and cost effective solution to our communities' feral cat problem...."[119] In Dallas, Texas, Kent Robertson, manager of Dallas Animal Services, fully endorses TNR and works with local feral cat groups to implement the method: "TNR is much better than killing cats! I hate doing that, but I didn't know what else to do."[120] In Seattle, Don Jordan, executive director of the Seattle Animal Shelter, has also turned his animal control agency towards TNR. "Based on the studies out there, we have to take a more active role in helping to manage feral cats. Communities must recognize that there is value in getting populations fixed and stable. This problem is not going to go away unless we all become involved."[121]

The ASPCA, a powerful force for animal welfare and one of the nation's oldest and most respected animal organizations, promoted TNR in a cover story for the Fall 2003 edition of its magazine, Animal Watch[122] and runs its own thriving TNR program in New York City.[123]

114 Correspondence, Jonathan Weisbuch, July 16, 2004.
115 "The Humane Solution: Reducing Feral Cat Populations with Trap Neuter Return" [video], Alley Cat Allies, 2001.
116 Slater, p. 76.
117 Levy, p. 387.
118 Correspondence, James Ross, July 16, 2004.
119 *AC&C Newsletter*, April 2004, Vol. 1, Issue 2, p. 5.
120 *Alley Cat Action*, Summer 2004, p. 5.
121 Id. at p. 6.
122 Commings, Karen, "TNR: The Humane Alternative," *ASPCA Animal Watch* (Fall 2003).
133 *See* www.aspca.org/tnr

Salt Lake City-Problems with proposed TNR permit.

Considering limited animal control resources, a permit/inspection process is neither recommended nor necessary for the implementation of a successful TNR program. Targeting enforcement resources toward those cases in which a complaint has been made is recommended. Feral cat caregivers already use their own private resources to help solve a community problem, and should not be further taxed for acting on their conscience.

Feral cat caregivers have traditionally, due to a lack of ordinances effectively addressing the issue, been forced to conduct their activities underground. This results in little trust between traditional animal control and feral cat caregivers. Caregivers will likely be reticent to apply for a permit if they feel their cat's lives are at stake. Educating caregivers and promoting TNR is a much more effective use of animal control resources to achieve the highest rate of success and build trust between the two groups.

Conclusion

A feral and stray cat overpopulation crisis is now underway in our community, resulting in overcrowded shelters, high euthanasia rates, quality of life complaints a nd
financial burdens. The methods of the past – a mixture of trap-and-kill and doing nothing – have had no impact. Even if the resources were available for animal control to attempt a wholesale removal of the cats, which they're not, the effort would fail due to feral population dynamics and public opposition. Trap-Neuter-Return alone holds out the possibility of turning the crisis around, stemming the flood of homeless cats into shelters, lowering costs and resolving complaints.

Therefore, it is respectfully requested that Trap-Neuter-Return be endorsed as official policy for Salt Lake County.

Appendix 1
ASPCA STATEMENT ON TRAP-NEUTER-RETURN

The ASPCA supports Trap-Neuter-Return (TNR) as the most humane and effective strategy for managing the feral cat population. The ASPCA Cares program, launched in 2001, operates mobile spay/neuter vans that serve pet owners, shelters and rescuers in New York City's five boroughs. In 2003, over 1,600 feral cats were spayed/neutered as part of the ASPCA Cares TNR initiatives. In addition to providing free surgeries for feral cats, ASPCA Cares ensures that all cats are vaccinated against rabies at the time of surgery, and ear-tipped to clearly identify their status as sterile, healthy cats. The program also maintains a bank of humane traps, which are loaned to rescuers at no charge. Hundreds of local feral cat caretakers have been trained to practice TNR in feral cat workshops taught by Neighborhood Cats Inc. at the ASPCA headquarters. In addition, ASPCA Cares has augmented this training with on-going workshops in feral kitten socialization to help rescuers socialize and re-home the offspring of feral cats. This facilitates the reduction in size of feral colonies.

TNR is an integral part of the ASPCA's long-term strategy to end the euthanasia of adoptable animals in New York City. It is our goal to increase the number of cats spayed/neutered via our mobile clinics by the end of 2004 and to continue promotion of TNR with hands-on assistance. This will include on-going participation in large-scale collaborative projects such as the successful spay/neuter of 250 cats living at the city's correctional facility on Rikers Island in 2002, among others.

August 12, 2004

PROCLAMATION

National Feral Cat Day

Whereas, October 16 is National Feral Cat Day, a day dedicated to educating communities about Trap-Neuter-Return (TNR), the humane, effective, and cost-effective means of reducing feral cat populations; and

Whereas, TNR stops the cycle of breeding, eliminates the killing of healthy animals, and greatly reduces complaints about and costs associated with feral cats; and

Whereas, scientific evidence and experience in the United States and other countries demonstrates that nonlethal TNR, accompanied by on-going feral cat colony management, is the only effective way to reduce feral cat populations in the long-term; and

Whereas, caring individuals and groups are effectively applying TNR to feral cat colonies all across Moab City;

Now therefore, I, Dave Sakrison, Mayor of the City of Moab, do hereby endorse nonlethal Trap-Neuter-Return (TNR), when accompanied by ongoing feral cat management, as the most effective, humane method of reducing feral cat populations in Moab City;

And, I, Dave Sakrison, Mayor of the City of Moab, do further proclaim October 16, 2004, to be National Feral Cat Day in and for Moab and encourage all citizens to support Trap-Neuter-Return for feral cats throughout the Moab area.

In Witness whereof I have hereunto set my hand and caused this seal to be affixed on the 28th day of September, 2004

David L. Sakrison

David L. Sakrison, Mayor

Rachel Ellison

Rachel Ellison, City Recorder

Alley Cat Action

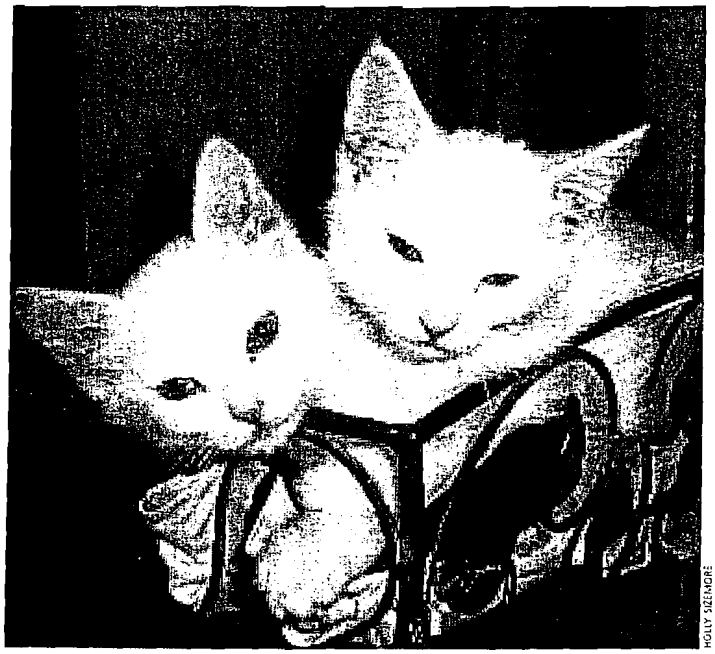
A Publication of Alley Cat Allies / The National Feral Cat Resource / Spring 2005

WEST VALLEY CITY FERAL FIX

In Partnership with Animal Control to Save Feral Cats

WEST VALLEY CITY, Utah, is a community of 32,250 households where a pilot Trap-Neuter-Return (TNR) program is making life better for both cats and people. As a result of a partnership between No More Homeless Pets in Utah (NMHPU) and local animal control officials, the cat intake at the West Valley City Animal Services shelter dropped 26 percent this year, compared with a 3 percent drop statewide.

The Feral Fix pilot, along with an adoption program for kittens and stray (tame) cats, has already reduced euthanasia rates by 34 percent. This groundbreaking program has saved cats' lives, cut back on the demoralizing euthanasia work faced by shelter workers, and saved considerable taxpayer dollars.



HOLLY SIZEMORE

NMHPU is a program of Best Friends Animal Society. Project director Holly Sizemore has 15 years of experience demonstrating that TNR is the practical, effective way to control and reduce feral cat populations. In 1994, Sizemore co-founded the Community Animal Welfare Society (CAWS), one of the first organizations in Utah to support TNR. She joined NMHPU in 2000 as Partner Development Director. When NMHPU began focusing on feral cats, Sizemore undertook implementation of a statewide TNR program, as well as the West Valley City pilot.

"Alley Cat Allies has been a terrific resource and mentor for me throughout the years," Sizemore says. She took to heart one of ACA's most important goals: working with animal control agencies.

"Without animal control on board, nonlethal control can't become a widespread reality," says ACA National Director Becky Robinson. "Involvement by animal control officers is vital to stopping the killing."

Karen Bird, Supervisor of West Valley City Animal Services, was skeptical when Sizemore first presented TNR to her. "I had seen data [about how trap-and-kill does not reduce outdoor cat populations, while TNR does], but I like to see results for myself," says Bird. "I thought, 'What do we have to lose?'" She committed the full cooperation of her staff.

"It was a hard sell [to the staff] at first," says Sizemore, "because shelter workers had the impression that no one would want TNR as an option. Their mindset didn't allow them to see the possibilities." But results soon proved the benefits of sharing information and resources to help the cats.

Before TNR, when citizens called about outdoor cats, the shelter's only course of action was to send an animal control officer to bring the cats in to be euthanized. Shelter workers now offer callers problem mediation, and TNR assistance through the Feral Fix program. Bird says, "Most callers I've spoken with embrace this option. They don't want to eliminate the cats, just the problems cats sometimes cause." The shelter staff and management have felt the benefits.

"We've had springs where all 56 cat cages are filled, many with several cats, and lots of moms with litters," recalls Bird. This year with Feral Fix, she says, "we've maintained four solid months of no euthanasia for healthy, adoptable cats. Feral cats? We don't see many come in, because we refer them to Holly."

Prior to Feral Fix, as many as 20 feral cats were brought in and euthanized every day. In the first two months of 2005, feral cat intakes dropped 95 percent. Bird and Sizemore estimate that before

Continued on page 3

Inside Action:

One Caregiver's Story: Making A Difference For Feral Cats

THREE YEARS AGO, the plight of a cat named Biggy compelled artist Jeanine Owen of northeast Florida to apply her talent to help out. This talented artist creates colored glass beads by hand, many in the shape of beautiful cat heads inspired by the animals she loves. Biggy, with a damaged eye and abandoned by people who decided they had too many cats, had taken up residence in the outside stairwell of a nursing home. Owen decided to raise money for Biggy's neuter surgery with charitable auctions of her beads on Ebay.

Owen held her auctions in October because National Feral Cat Day (NFCD) falls on October 16th. NFCD is one day each year when people who care about feral cats conduct events, trainings, and workshops to raise awareness and educate their communities about Trap-Neuter-Return (TNR).

JEANINE OWENS

Biggy, neutered and cared for, loves his outdoor home.

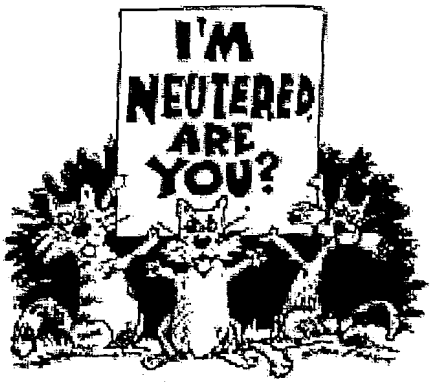
Owen was first drawn to helping feral cats in 2001 when she started feeding half a dozen feral kittens trying to survive on their own in a storm drain on a vacant lot. "I contacted Alley Cat Allies for help on how to do TNR," she says, "and now all of the cats have become my dependents!"

Owen fed the six orphans regularly to gain their trust, and eventually was able to trap them. Then, because she couldn't get them to a veterinarian right away, this fledgling caregiver took the kittens home—and was in for some excitement.

"It was like a wild cat party," she says. "I made the mistake of being soft-hearted, and let them out of the cage in my room." But the kittens had lived outdoors their whole life and had never been handled by humans, and they went a little crazy in the confines of a house. Owen carefully coaxed them back in the cage, with an important lesson learned about the wild nature of feral cats.

With the cats safely contained, Owen drove them, two at a time, to a spay/neuter clinic 50 miles away. "There are no kind-hearted, feral cat-loving vets in my town," she laments. Once the young cats could no longer reproduce, recalls Owen, "I had every intention of releasing them back at the lot, but I just couldn't do it. I released them in my yard." Owen built weather shelters for her little colony—Maggie, Socks, Lilly, Buff, Archie, and Daisy.

The cats love to hang out around her workshop, keeping the rodents at bay. And, after four years of getting used to their guardian, Socks and Lilly sometimes come into her house to visit. "They are loving the luxury of a house!" she says. "Socks has become the most territorial, and watches my bedroom door like a hawk."

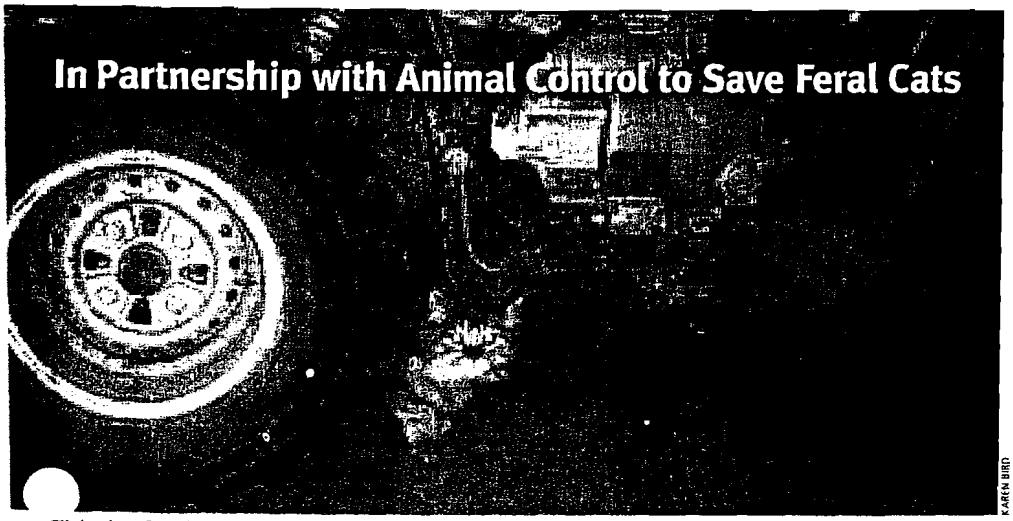


National Feral Cat Day
October 16

Meanwhile, Biggy, neutered and no longer contributing to the feral cat population, lives comfortably in his outdoor home. The nursing home's grateful staff consider him "theirs." Owen thinks he's "treated special" for two reasons: "because he's blind in one eye, and because he likes people."

Jeanine Owen is one of tens of thousands of people who promote the cause of feral cats on National Feral Cat Day—and every day of their lives. Thanks to her, one colony of special cats is living the life they were meant to live: healthy, sterile, outside, and free. ●

To order your 2005 NFCD Action Pack, go to www.nationalferalcatday.org



KAREN BIRD

This shy feral cat lives with three others in Karen Bird's barn—another TNR success.

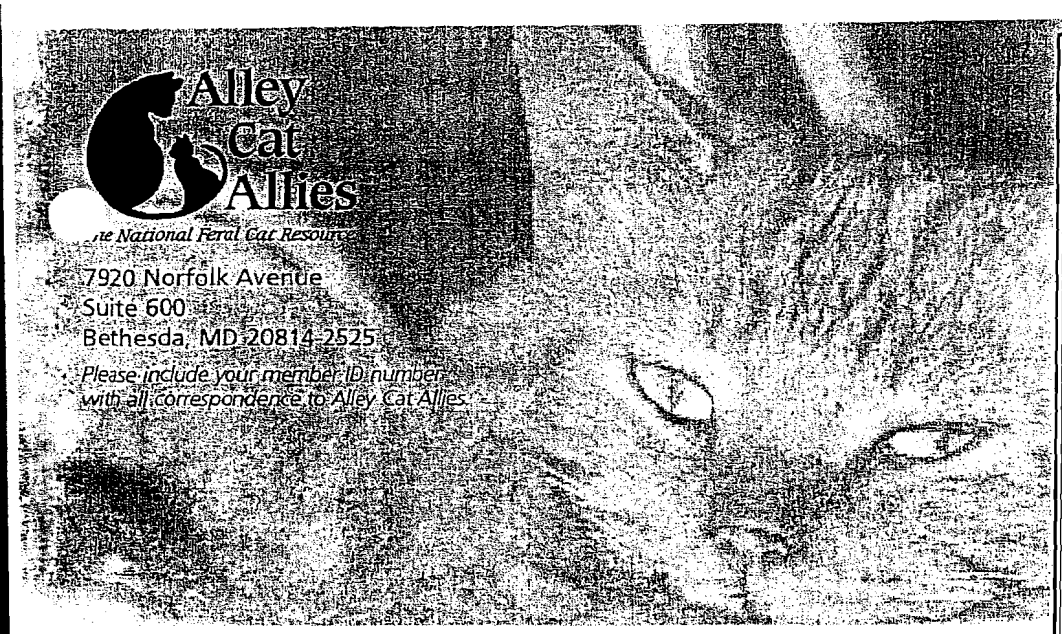
Continued from page 1

the pilot program, the cost to taxpayers for trapping, holding, euthanizing, and disposing of cats was $40,000–$50,000 each year.

"The shelter staff's willingness to educate the community and put TNR information out there, to make changes and advocate for TNR, has been critical," says Sizemore. "Most of our referrals come directly from the shelter."

Field officer Ricardo Rosado has seen the changes firsthand. As an example, he says, "people kept calling about an area where people were feeding a huge colony, and the cats kept procreating. We implemented the TNR program, and there were no more problems, no more calls." He is relieved to be

Continued on page 8



In Partnership with Animal Control to Save Feral Cats

Continued from page 3

bringing far fewer feral cats into the shelter.

To launch Feral Fix, Sizemore reached out to the community with a mailer written in English and Spanish, and hired trapping coordinator Jamie Annis to embody Feral Fix in the community. While most citizens are open to the concept of TNR, many are not ready to take on trapping. Annis traps the cats and takes them to Orchard Animal Clinic, where Dr. Shannon Hines provides low-cost spay and neuter surgery. Spay & Neuter of Salt Lake City also provides low-cost surgery and care for cats in the program.

Feral Fix also fixes common cat-related problems, like repelling cats from certain areas with motion-activated sprinklers and ultrasound devices. When Annis goes door to door with "all the information from Alley Cat Allies showing that trap-and-kill doesn't work and TNR does," she finds that "people ...n't want the cats killed, they just want us to solve issues like cats using flower beds as litter boxes." Face-to-face mediation works.

"I met one person who really hated cats," says Annis. The woman complained that her neighbor fed cats that were defecating in her yard. "I went over to till the caregiver's yard three or four times, to encourage the cats to use the bathroom there," says Annis. "A year later, this person called again. She had a mama and two kittens that she'd been feeding in her yard, and she liked them being there. She wanted us to help with TNR!"

West Valley City's success is a role model for other communities. "I wanted to prove to myself that TNR worked," says Bird. "Now when other animal control agencies come to me, I can say 'yes, it works.' We are giving the public the tools to resolve problems." Meanwhile, the West Valley City government has acknowledged the value of Feral Fix with a $50,000 grant to continue this program and other spay/neuter projects in their community. That's the best vote of confidence we could hope for. ●

BEVERLY AUSICK

Groundbreaking Animal Control Officer Karen Bird, Supervisor of West Valley City Animal Services, with the shelter's resident cat Phoebe.

Analysis of the impact of trap-neuter-return programs on populations of feral cats

Patrick Foley, PhD; Janet E. Foley, DVM, PhD; Julie K. Levy, DVM, PhD, DACVIM; Terry Paik, DVM *

Abstract

Objective—To evaluate 2 county trap-neuter-return (TNR) programs for feral cat population management via mathematical modeling.

Design—Theoretical population model.

Animals—Feral cats assessed from 1992 to 2003 in San Diego County, California (n = 14,452), and from 1998 to 2004 in Alachua County, Florida (11,822).

Procedure—Data were analyzed with a mathematical Ricker model to describe population dynamics of the feral cats and modifications to the dynamics that occurred as a result of the TNR programs.

Results—In both counties, results of analyses did not indicate a consistent reduction in per capita growth, the population multiplier, or the proportion of female cats that were pregnant.

Conclusions and Clinical Relevance—Success of feral cat management programs that use TNR can be monitored with an easily collected set of data and statistical analyses facilitated by population modeling techniques. Results may be used to suggest possible future monitoring and modification of TNR programs, which could result in greater success controlling and reducing feral cat populations. (*J Am Vet Med Assoc* 2005;227:1775–1781)

Populations of feral cats are large, have high intrinsic rates of growth, and are highly adaptable to different and sometimes harsh habitats. Feral cats often are regarded as pests on the basis of their predatory habits and the negative effect they may have on wildlife populations.[1-4] They may function as hosts for diseases and vectors that can infect humans, domestic animals, or wildlife[5-7]; yet, colonies of feral cats often are maintained through feeding and care by people who have strong affection for these cats.[8]

There have been many attempts to eradicate populations of feral cats or to regulate their population sizes at low numbers. Such projects have included intentional release of panleukopenia virus, poisoning, predator introduction, euthanasia, and neutering.[9-13] Often, despite intense effort, attempted control programs fail because growth rates within the population do not decline or because of additional recruitment of cats into the population, although some programs have reported[14-16] successful reduction in feral populations with humane trapping programs. The general public often finds extermination programs for feral cats

unacceptable, yet also often is intolerant of cat predation on wildlife. It has proven difficult to assess program success; theoretical models would be helpful to guide interpretation of data from control programs and to provide motivation for changes that could increase success.

Table of Contents
Top
Materials and Methods
Results
Discussion
References

Feral cats are territorial animals, and their highest potential for population increase occurs when populations are low. The maximum per capita rate of increase is the maximum mean number of female cats produced annually from each female cat, including the cat and its female kittens. A cat population size tends to increase until a carrying capacity is reached. This carrying capacity depends mainly on food and appropriate area for territories. After the carrying capacity has been reached, density dependence forces the per capita growth rate to drop to 0. Matrix methods are used to study the sensitivity of long-term population growth rates to perturbations in survivorship and fecundity and have been used to evaluate feral cat population dynamics.17 By use of a logistic (Ricker) model to lower feral cat populations, 2 general approaches are possible: the carrying capacity can be decreased (eg, by discouraging public feeding of feral cats), or the maximum per capita rate of increase can be lowered (eg, by increasing mortality rate18 or by neutering female cats). For feral cat populations to decline, the maximum per capita rate of increase needs to decrease to < 0. Temporarily lowering the population size below the carrying capacity yields no long-term population reduction if this is not accomplished. The cat population will simply increase back to carrying capacity.

The objective of the study reported here was to use data from 2 **trap-neuter-return (TNR)** programs to evaluate development and implementation of models that could determine program success and calculate the rate of neutering needed to decrease the feral cat population.

Materials and Methods

Modeling—Statistical analyses and modeling were performed with computer software.a,b For all statistical tests, a value of $P < 0.05$ was considered significant. Cat population regulation was modeled on the basis of a Ricker model:

$$R_t = e^{r_m(1-\frac{N_t}{K})}$$

where R_t is an annual population multiplier or net fundamental reproductive rate, r_m is the maximum per capita rate of increase, N_1 is the population size at time 1, and K is the carrying capacity. If $R_t = 1$, the net annual growth of the population r_t is 0 (ie, the population size is multiplied by 1.0).

To apply the model to TNR data, results from trapping were inserted into the model as index values (linear multipliers of the actual values) and interpreted with the assumption that trapped cats represented some fraction of all cats in the county; this fraction was divided into an index value (eg, the index carrying capacity) to yield an estimated county-wide value. The county-wide feral cat population size was approximated; there were 1,040,149 households in San Diego County in 2000, of which 8.9% of those interviewed reported that they fed a mean of 2.6 feral

cats/household.19 Thus, a minimum county-wide estimate of feral cat population size for 2000 was 240,690 feral cats. In Alachua County, 12% of interviewed households reported that they fed a mean of 3.6 feral cats each. There were 84,963 households in 1999 and approximately 36,398 feral cats.20

Estimates of feline population growth rate (R_t) were obtained from the trapped cat data. The R_t was calculated as follows:

$$R_t = N_{t+1}/N_t \text{ and } r_t = \ln R_t$$

where N_t and N_{t+1} are indices of the actual population size, equal to the total number of cats neutered at clinics for that year. It was not necessary to estimate either K or N_t directly because the growth rates describe population trajectories independent of absolute or index values of population size and carrying capacity. The regression of per capita growth rate on population size provided the estimate of maximum per capita rate of increase (y-intercept) and, for convenience, an index of carrying capacity (x-intercept).21 The actual carrying capacity was obtained by multiplying the index carrying capacity by the estimated total feral cat population in that county and dividing by the total cats trapped.

Program success was evaluated with several methods. Evidence for density-dependent population regulation was sought by plotting per capita growth rate as a function of year to determine a significant reduction in per capita growth rate as detected by a significant negative linear regression of per capita growth rate on time. Similarly, evidence of reduced fecundity was sought by use of linear regression for the proportion of female cats pregnant when neutered over time. The Malthusian parameter r_m (maximum per capita rate of increase) calculated for each county was used to obtain a Malthusian multiplier, $R_m = e^{r_m}$.

Management of feral cat R_m means getting a new value, R_m'. Population decline occurs when R_m' is < 1.0; R_m can be written as the sum of survivorship (p) and offspring production (R_m – p). The critical fraction (s) of cats that would need to be neutered in a population to induce a decline can be obtained by solving the following equation:

$$1 = R_m' = p + (R_m - p)(1 - s)$$

to get

$$s = \frac{R_m - 1}{R_m - p}$$

One can also approximate the proportion of cats that must be neutered each year (M) to gradually reach M = s · N neutered cats. Neutered cats accumulate in the population because they survive at rate p from year to year. If the number of cats

individuals are counted right after neutering but before death,

$$M = m\sum_{i=0}^{\infty} p^i = m\frac{1}{1-p}$$

To achieve the neutering level s = M/N, the annual neutering rate s_a must satisfy the following equation:

$$s_a = \frac{m}{N} = s(1-p)$$

When survivorship (p) is close to 1.0, this is a much lower burden for the neutering program. The calculation is only approximate because N is not constant over the lifetime of the neutering program, survivorship may differ between neutered and non-neutered cats, and cats do not live indefinitely. In the absence of field data, the annual survival rate (&pcirc;) can be estimated from the mean cat life span as follows:

$$\hat{p} = 1 - \frac{1}{\text{mean life span}}$$

and if such data were available, the life span and annual survival rate should be estimated at low population sizes.

Table of Contents
Top
Materials and Methods
Results
Discussion
References

Data—Data from the Feral Cat Coalition were acquired during a trapping program involving volunteers from across San Diego County, California, from 1992 to 2003 and from a similar program from 1998 to 2004 run by Operation Catnip Inc in Alachua County, Florida. Cats were live-trapped, transferred approximately once per month to participating veterinary clinics, examined, vaccinated, surgically neutered, and returned to their colonies after a short postoperative recovery period. For each day that clinics were held, data compiled included clinic number and date, location of the clinic, number of males neutered, number of females neutered, number of cats already neutered when trapped, and total females subdivided into the categories pregnant and not pregnant. Data regarding San Diego County demographics were obtained from the California Department of Finance22 and included number of humans in the county and number of households. For Alachua County, demographic data were obtained from the US Census Bureau. Data regarding cat ownership, feeding of feral cats, approximate county-wide cat numbers, and number of feral cats were obtained or calculated from published surveys of San Diego and Alachua County households.19,20

Results

Feral cat demographics—From 1992 to 2003, 14,452 cats were submitted as

feral cats to veterinary clinics in San Diego County for neutering (Figure 1; data for 1992 represent only part of the year, when the program began). Of these cats, 565 (4%) had already been neutered; 14,129 surgeries were performed on 6,494 (46%) male and 7,635 (54%) female cats. The number of cats neutered over the months of the year did not vary significantly ($P = 0.13$), but the presence of pregnant cats was strongly seasonal, with numbers increasing in spring, compared with winter and fall (Figure 2 and Figure 3). Overall, 17.2% of trapped female cats were pregnant.

In Alachua County, 11,822 cats were submitted for neutering from 1998 to 2004 (Figure 1). Of these, 258 (2%) cats had previously been neutered; 11,564 surgeries were performed on 4,928 (43%) male and 6,636 (57%) female cats. Evaluation of pregnant cats revealed a double peak, with increases in March and August (Figure 2 and Figure 3). Sixteen percent of trapped female cats were pregnant.

Model results—Per capita growth rate in San Diego County ranged from −0.58 to 0.30, with a value of 0.25 for 2002 (Figure 4). Values for Alachua County were similar. Regressing per capita growth rate on population size yielded estimates of the index carrying capacity (x-intercept) and maximum per capita rate of increase (y-intercept) of 1,323 and 0.45 ($P = 0.09$), respectively, for San Diego County and 1,855 and 1.41, respectively, for Alachua County ($P = 0.1$; Figure 5). In the last year of data for each county, the total numbers of trapped cats were 1,514 (0.63% of the total estimated feral cats) in San Diego County and 2,213 (9.6%) for Alachua County. Thus, the county-wide carrying capacities were estimated as 210,325 and 19,323 feral cats, respectively. The calculated values for R_m for each county were 1.57 for San Diego County and 4.1 for Alachua County.

Critical neutering rates depend on R_m and survivorship (Table 1 and Table 2). Reported[9,23] mean life spans in feral cats range from 2 to 8 years. By use of a median life span of 5 years for San Diego County, the critical neutering fraction (s) would be approximately 71% (94% for Alachua County). The needed annual neutering fraction (s_a) was 14% for San Diego County and 19% for Alachua County. Hypothetical feral cat populations would decrease between these values.

Table of Contents
Top
Materials and Methods
Results
Discussion
References

To assess the success of the TNR program, data were evaluated for density-dependent population regulation and a significant reduction in the proportion of female cats that were fertile. When per capita growth rate was regressed on year, there were no indications of a significant reduction in per capita growth rate (ie, evidence for density dependence) in either of the counties ($P = 0.24$ and 0.1 for San Diego and Alachua counties, respectively; Figure 4). The proportion of pregnant females cycled annually, but an overall reduction in either of the counties was not detected (Figure 6).

Discussion

Feral and stray cats represent more than 40% of all cats in the United States, are fed by an estimated 10% to 20% or more of households, and are rarely

neutered.20,24,25 It is desirable to reduce feral cat populations because of welfare concerns for the cats, concern about the effects of feral cats on vulnerable wildlife, and public health considerations. The American Association of Feline Practitioners supports appropriately managed feral cat colonies, but that group's position statement indicates that the goal of colony management should be the eventual reduction of the colony.24 Additionally, feral cat colonies should not be located near at-risk wildlife. Although several control methods including TNR have been proposed and implemented, assessment of their efficacy has typically been missing or at most anecdotal. This is unfortunate given the substantial investment of resources required to run an effective program and the skepticism with which TNR is regarded by many people.

Feral cat populations are extraordinarily capable of reaching local carrying capacities as a function of reproductive mechanisms that emphasize breeding efficiency. These include induced ovulation, weaning of kittens as young as 50 days old, an age of first reproduction as early as 8 months, and many (approx 130) days pregnant per year.9,26 Consequently, cats have some of the highest maximum per capita rates of increase among carnivores, estimated in 1 study27 at 23.3%. Population sizes, home range size, and local carrying capacity of feral cats all vary extensively, depending on habitat type and availability of food and safe den sites. Intrinsic control of feral cat populations may occur by density-dependent mechanisms including starvation, predation, control of reproductive success, and disease. Although cats, particularly males, are territorial,28,29 feral cat colonies receiving abundant food supplementation may have a reduction in apparent territoriality as cats co-occupy territories or attempt to maintain small territories (sometimes accompanied by stress and fighting).30

The purpose of TNR program is rarely articulated in the language of population ecology but often is motivated by an attempt to reduce population size (N_t) and per capita growth rate (r_t) by reducing reproduction. Addtional goals of TNR may include provision of veterinary care and vaccines to reduce the threat of feline and Zoonotic diseases, improve the quality of life of homeless cats, avoid euthanasia as a control method, and, in some programs, reduce the population size.14,31 In many TNR programs, including those described here, direct assessment of possible changes in population size is not possible because date collection and population structure do meet assumption of capture-recapture or other similar methods of estimating population size. Although index values were necessarily used for parameters because actual population counts were not available or practical, the trajectories of populations (whether or not population were declining) could be determined from calculation of maximum per capita rate of increase without accurately detecting population size or carrying capacity.

The models reported here also have the flexibility of providing statistics that could be used to evaluate success of control programs, methods for calculating the fraction of cats that must be neutered to force population decline, and the annual neutering rate required to eventually achieve the required neutered fraction. The assessment statistics are R_m (multiplier for the maximum per capita rate of increase), which can be calculated from the time series and, as a multiplier, must be < 1.0 for the population to be in decline; the proportion of cats that are pregnant, which should be declining significantly in a successful program; and the proportion of trapped cats that already are neutered, which should increase. This last statistic was not evaluated in the data given here because the TNR programs specifically avoided

retrapping cats, which was unfortunate because keeping account of previously ear-tipped cats would have made the calculation of the proportion neutered more accurate.

The present study yielded mixed results regarding the success of large TNR programs in San Diego and Alachua counties. Results of the programs had previously been summarized16 regarding the number of cats neutered, but the effect of neutering on the free-roaming cat population had not been analyzed. Our analysis indicated that any population-level effects were minimal, with R_m (the multiplier) ranging from 1.5 to 4, which indicated ongoing population growth (similar to values in previous studies), and critical needed values of neutered cats (ie, the proportion of all cats that needed to be neutered to reduce R_m to < 1.0) of 71% to 94%, which was far greater than what was actually achieved. There are several potential limitations to the data; the net reproductive rate was estimated under the assumption that trapping effort and efficiency were unbiased across sites and trapping periods. Retrapping success for feral cats probably was underestimated because cats were marked after neutering by removal of a small distal portion of the pinna and ear-tipped cats usually were released from cages without counting. The estimate of total numbers of feral cats was somewhat inaccurate because it was calculated from general surveys of how many people feed how many feral cats. However, this statistic was not used in the model itself but rather provided an estimate of the calculated proportion of all available feral cats that were being neutered, to allow for interpretation of model successes. The regression of per capita growth rate on population size was not significant for either San Diego or Alachua counties, possibly reducing confidence in the estimate of population growth rates. However, this was not surprising given that a time series of at least 20 years is typically required before such a regression is found to be significant.32 Nevertheless, the coefficient of regression (y-intercept) still represented the maximum likelihood estimator for maximum per capita rate of increase.

In some ways, results were similar to those obtained in an earlier, stage-structured matrix model of feral cat demographic features.17 The matrix model forced $\lambda < 1$, analogously with the Ricker model forcing $R_m < 1$, for the population to decline. Implementation of the stage-structured model suggested that no plausible combinations of life history variables would likely allow for TNR to succeed in reducing population size, although neutering approximately 75% of the cats could achieve control (which is unrealistic), a value quite similar to results in the present study. An important distinction between the 2 models was the incorporation of density-dependent reduction of fecundity and possible saturation of the population with neutered cats in the present model.

Feral cat control programs are notoriously difficult, and in many cases, short-term control has been followed by a long-term return to precontrol conditions. Attempted control of a feral cat population on Marion Island in the Indian Ocean had poor success for many years.9 The population size on the island was estimated by use of a line transect at approximately 2,200 cats, and in 1979, virulent panleukopenia virus was released on the island. Although in 1 study9 it was concluded that the population density of cats had declined, this conclusion was based on questionable statistical analyses. Within 5 years, intrinsic population growth rates were reported to have increased 4 times, and although population sizes had supposedly declined, predation on seabirds continued. Hunting was instituted, and ongoing population estimates were assessed by use of the highly biased index of cat sightings.10 The

authors acknowledged that control (ie, suppression) would only succeed with ongoing intensive hunting. Feral cats have been eliminated from at least 48 islands, including Marion Island, primarily through hunting (sometimes with dogs), trapping, poisoning, and disease and typically on fairly small islands with low cat density.33

In contrast with hunting, disease, or other methods of feral cat control that increase mortality rates, TNR has the potential advantage of allowing niches to become saturated with neutered individual cats. If, concurrently with the reduction in maximum per capita rate of increase, carrying capacity is reduced (typically by reduction of food oversupplementation) and immigration is controlled, there may be a humane, gradual reduction in overall cat numbers. Future feral cat management programs could potentially achieve better success with a few modifications of the TNR paradigm. Despite the substantial expenditure of resources to operate the 2 TNR programs described here, they probably were performed on too large a scale; many cats were neutered, but this constituted a very small overall proportion of the cats. Moreover, feral cats within a county surely do not constitute a single population, further diluting the enormous overall effort into numerous smaller efforts with less impact. Trap-neuter-return programs should be focused on well-defined, preferably geographically restricted, cat populations, rather than diluting effort across multiple populations. In future TNR studies, it would be helpful if trapping efforts were standardized to allow for the least biased index estimates of population size from trapping efficiency (catch per unit effort34), although with such an intelligent species, cats may modify behavior after experience with the traps. If population growth actually is declining, then per capita growth rate should decline consistently. Also, retrapping statistics, which were not obtained in these programs, are particularly valuable because they allow for comparison of observed retrapped (neutered) proportions with the critical proportions needed to reduce R_m to < 1.0.

Focused TNR programs have had some success. A survey-based assessment8 of TNR for small colonies (mean, 7 cats) revealed moderate success, with reduction of mean colony size by as much as half. A two-thirds reduction in population size was obtained in a feral cat colony on a university campus where every cat was specifically included in the census.16 Although causes of loss from the population included euthanasia of sick cats, adoption, and deaths (often vehicular trauma), increases in population were attributable to immigration but not births because virtually all resident cats were neutered. For these programs, managers were able to evaluate success because every cat could be counted. In larger programs, such enumeration is impossible and index-level assessment, such as that described here, becomes necessary.

Statistical assessment of the impact of TNR programs on population size is critical to help gain credibility for such programs. Because of the increasing will to address humane, conservation, and public health concerns associated with free-roaming cats, tools to evaluate program success will increasingly contribute to achieving management goals.

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a. Excel, Microsoft Corp, Redmond, Wash.
b. "R," The R Core Development Team. Available at: lib.stat.cmu.edu/R/CRAN/. Accessed May 1, 2002.

References

Table of Contents
Top
Materials and Methods
Results
Discussion
References

1. Churcher P, Lawton J. Predation by domestic cats in an English village. *J Zool Lond* 1987;212:439–455.

2. Dickmann C. Impact of exotic generalist predators on the native fauna of Australia. *Wildl Biol* 1996;2:185–195.

3. Brothers N. Breeding, distribution and status of burrownesting petrels at Macquarie Island. *Aust Wildl Res* 1984;11:113–131.

4. Fitzgerald B. Diet of domestic cats and their impact on prey populations. In: Turner DC, Bateson P, eds. *The domestic cat: the biology of its behavior*. Cambridge: Cambridge University Press, 1988;123–147.

5. Stanek J, Stich R, Dubey J, et al. Epidemiology of *Sarcocystis neurona* infections in domestic cats (*Felis domesticus*) and its association with equine protozoal myeloencephalitis (EPM) case farms and feral cats from a mobile spay and neuter clinic. *Vet Parasitol* 2003;117:239–249.

6. Engeman R, Christensen K, Pipas M, et al. Population monitoring in support of a rabies vaccination program for skunks in Arizona. *J Wildl Dis* 2003;39:746–750.

7. Dubey JP. Toxoplasmosis. *J Am Vet Med Assoc* 1994;205:1593–1598.

8. Centonze LA, Levy JK. Characteristics of free-roaming cats and their caretakers. *J Am Vet Med Assoc* 2002;220:1627–1633.

9. Van Aarde R. Population biology and the control of feral cats on Marion Island. *Acta Zool Fenn* 1984;172:107–110.

10. Van Rensburg P, Bester M. Experiments in feral cat population reduction by hunting on Marion Island. *S Afr J Wildl Res* 1988;18:47–50.

11. Neville P, Remfry J. Effect of neutering on two groups of feral cats. *Vet Rec* 1984;114:447–450.

12. Olson PN, Johnston SD. Animal welfare forum: overpopulation of unwanted dogs and cats. New developments in small animal population control. *J Am Vet Med Assoc* 1993;202:904–909.

13. Zaunbrecher KI, Smith RE. Neutering of feral cats as an alternative to eradication programs. *J Am Vet Med Assoc* 1993;203:449–452.

14. Stoskopf MK, Nutter FB. Analyzing approaches to feral cat management—one size does not fit all. *J Am Vet Med Assoc* 2004;225:1361–1364.

15. Levy JK, Crawford PC. Humane strategies for controlling feral cat populations. *J Am Vet Med Assoc* 2004;225:1354–1360.

16. Levy JK, Gale DW, Gale LA. Evaluation of the effect of a long-term trap-neuter-return and adoption program on a free-roaming cat population. *J Am Vet Med Assoc* 2003;222:42–46.

17. Andersen MC, Martin BJ, Roemer GW. Use of matrix population models to estimate the efficacy of euthanasia versus trap-neuter-return for management of free-roaming cats. *J Am Vet Med Assoc* 2004;225:1871–1876.

18. Courchamp F, Sugihara G. Modeling the biological control of an alien predator to protect island species from extinction. *Ecol Appl* 1999;9:112–123.

19. National Pet Alliance survey report. Santa Clara County's pet population 1993. Available at: www.fanciers.com/npa/santaclara.html. Accessed Nov 1, 2002.

20. Levy JK, Woods JE, Turick SL, et al. Number of unowned free-roaming cats in a college community in the southern United States and characteristics of community residents who feed them. *J Am Vet Med Assoc* 2003;223:202–205.

21. Foley P. Problems in extinction model selection and parameter estimation. *Environ Manage* 2000;26(suppl 1):S55–S74.

22. California Department of Finance. Census 2000 products. Available at: www.dof.ca.gov. Accessed Nov 1, 2002.

23. Warner R. Demography and movements of free-ranging domestic cats in rural Illinois. *J Wildl Manage* 1985;49:340–346.

24. Richards J. The 2004 American Association of Feline Practitioners position statement on free-roaming abandoned and feral cats. *J Feline Med Surg* 2004;6:vii–ix.

25. Haspel C. The interdependence of humans and free-ranging cats in Brooklyn, New York. *Anthrozoos* 1990;3:155–161.

26. Van Aarde R. The diet and feeding behaviour of feral cats, *Felis catus*, at Marion Island. *S Afr J Wildl Res* 1980;10:123–128.

27. Van Aarde R. Reproduction and population ecology in the feral house cat *Felis catus* on Marion Island. *Carnivore Genetics Newsletter* 1978;3:288–316.

28. Edwards GP, de Preu N, Shakeshaft BJ, et al. Home range and movements of male feral cats (*Felis catus*) in a semiarid woodland environment in central Australia. *Aust Ecol* 2001;26:93–101.

29. Hall LS, Kasparian MA, Van Vuren D, et al. Spatial organization and habitat use of feral cats (*Felis catus* L.) in Mediterranean California. *Mammalia* 2000;64:19–28.

30. Kerby G, Macdonald D. Cat society and the consequences of colony size. In: Turner DC, Bateson P, eds. *The domestic cat: the biology of its behavior*. Cambridge: Cambridge University Press, 1988;67–81.

31. Scott K, Levy J, Gorman S, et al. Body condition of feral cats, and the effect of neutering. *J Appl Anim Welf Sci* 2002;5:209–219.

32. Turchin P. *Complex population dynamics: a theoretical/empirical synthesis*. Princeton, NJ: Princeton University Press, 2003.

33. Nogales M, Martin A, Tershy B, et al. A review of feral cat eradication on islands. *Conserv Biol* 2004;18:310–319.

34. Caughley G. *Analysis of vertebrate populations*. New York: John Wiley & Sons, 1977.

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MEMORANDUM

TO: Steve Fawcett

FROM: Kay Christensen

DATE: April 18, 2006

SUBJECT: Non-Departmental Budget – Contribution to No More Homeless Pets in Utah: Study to Comply with Utah Code Annotated Section 10-8-2 *

The Administration proposes contributing $10,000 to No More Homeless Pets of Utah to be used to support their "feral fix program" within Salt Lake City. The purpose of this program is to help resolve the problem of stray cat (recently abandoned) and feral cat (un-owned, "wild") overpopulations in the City through the use of a Trap-Neuter-Return (TNR) strategy. The program includes workshops to train members of the public in how to perform TNR, support services such as trap loans and vouchers for free or low cost spay/neuter services.

To insure that this transaction is in compliance with UCA 10-8-2, the following study has been performed. UCA 10-8-2 states the purposes for which a municipal body may appropriate funds and the factors that must be considered in determining the propriety of such an appropriation. This study will consider the following factors:

(1) The specific benefits to be received by the City;
(2) The City's purpose in making the appropriation, including an analysis of how the safety, health, prosperity, moral well-being, peace, order, comfort or convenience of the residents of Salt Lake City will be enhanced; and
(3)Whether the appropriation is "necessary and appropriate" to accomplish the City's goals.

Benefits and Costs to Salt Lake City: Feral and stray cats can be found throughout our community. Their unchecked reproduction has created a significant burden in terms of quality of life. As catalogued by Dr. Margaret Slater, DVM, of Texas A&M, a leading veterinarian in the field, complaints

include such behaviors as, "spraying, fouling yards and gardens with feces, yowling and fighting; sick, injured, or dead cats; and dirty footprints on cars."[6] The cats have commonly been accused of driving people from their gardens and backyards with the noxious odor of unaltered males spraying, and waking residents up night after night from the noise of fighting and mating.

The feral and stray cat population also heavily impacts the cost and effectiveness of Salt Lake City' animal control system. The un-neutered street cat population serves as a constant source of new cats and kittens. Many of these animals find their way into local shelters, taking up badly needed space, making it more difficult to adopt out cats already rescued and contributing to a financial burden of hundreds of thousands of dollars a year from the cost of euthanizing cats.

In sum, the present situation in Salt Lake City is characterized by a city overrun with feral and stray cats, an animal control agency flooded with complaints that cannot be properly addressed, and a shelter system overburdened with the cats and their offspring.

To date, the policy for dealing with such animals has been "trap and kill" or do nothing. Studies have shown that a "trap and kill" strategy has little impact on the overall number of cats and is particularly ineffective when used sporadically and in random locations as has been the practice in Salt Lake City and County. An alternative that has proven effective at controlling the feral and stray cat populations in many communities is Trap-Neuter-Return (TNR).TNR involves three steps: (1) trapping the cats in a colony, (2) veterinary intervention in the form of neutering, eartipping[7] and rabies vaccination, and (3) return of the cats to their home territory where they are then fed, sheltered and monitored on an ongoing basis by a designated caretaker. Whenever possible, kittens and friendly, adoptable adults are removed from the colony and offered for placement in homes.

[6] *Slater, Margaret R., DVM, Community Approaches to Feral Cats*, p. 39 (Humane Society of US Press,
2002) [hereinafter referred to as "Slater"].

[7] "Eartipping" is the universal sign of a neutered feral cat and involves removing the tip of the left ear in a straight line cut.

No effective animal control policy for feral cats can be implemented on a large scale without the cooperation of the people who feed and watch over the cats on a daily basis. Trapping cats is generally accomplished by baiting humane box traps that close behind a cat when he enters to eat the bait. If food is not withheld the day prior to trapping, many cats will not enter the traps. Caretaker cooperation in withholding food is thus essential. Caretakers also possess unique knowledge regarding the cats, including their numbers, habits and whereabouts. As a result, a caretaker can either greatly assist or effectively thwart animal control efforts. A survey of cat caretakers who presented cats for sterilization in a TNR program revealed that they are intensely bonded to the cats they feed and will not participate in animal control programs that threaten their felines' welfare.[8] At the same time, caretakers are easily recruited to perform much of the labor involved in getting the cats controlled through sterilization, representing, as mentioned, a substantial cost savings compared to traditional animal control programs using paid staff.[9] Thus, TNR is an effective tool for enlisting public support to solve a difficult community problem while at the same time mitigating public anger resulting from either the "trap-and-kill" or "do nothing" strategies.

TNR reduces the number of feral cats because cats can't reproduce, a system of monitoring long-term colonies is put in place, and attrition over time leads to lower numbers. This results in a reduction of nuisance complaints because there is much less noise and smell (no mating, fighting spraying), and less roaming.

West Valley City has embraced the TNR program, and in one year their cat intake decreased by 26 percent and their cat euthanasia decreased by 34%. The additional decrease in euthanasia was attributed to West Valley City being able to hold their adoptable cats longer since the feral cats were

[8] Centonze LA, Levy JK, "Characteristics of feral cat colonies and their caretakers," *Journal of the American Veterinary Medical Association* 2002; 220:1627-1633.
[9] See caretaker participation in sterilization clinics described in: Williams LS, Levy JK, Robertson SA, Cistola AM, Centonze LA, "Use of the anesthetic combination of tiletamine, zolazepam, ketamine, and xylazine for neutering feral cats," *Journal of the American Veterinary Medical Association* 2002; 220:1491-1495.

not taking up the cage space (West Valley City holds their animals longer than the minimum impound whenever room permits). This translates into at least $30,000 in savings for West Valley City (based on a low handling fee of $65 per animal).

TNR has worked successfully in various communities where it has been tried. In San Diego County, from 1988 through 1991, stray cat intake rates for municipal shelters were rising at a rate of approximately 10% a year, peaking in fiscal year 1991-1992 at a total of 19,077 cats, of whom 15,525 were euthanized.12 In 1992, the Feral Cat Coalition of San Diego was founded and began implementing TNR on a county-wide basis. Two years and 3100 neutered feral cats later, stray intake rates had dropped by 35% and euthanasia by 40% with no other change in circumstance other than the TNR efforts.[10, 11]

TNR provides substantial cost savings to animal control in two ways. First, there is the volunteer manpower generated to get the cats fixed and stop them from reproducing.

Secondly, substantial cost savings are also realized when TNR is implemented on a large enough scale to realize lower euthanasia rates in municipal shelters. In San Diego, during the period of 1992 through 1994, the average cost of interning and then euthanizing a cat was $121. The 40% drop in euthanasia over those two years from the privately funded county-wide TNR program saved the county approximately $796,000.

Studies have found there is a significant cost savings even when the municipality itself funds TNR efforts and does not rely on private organizations to bear the costs. For example, Orange County, Florida, implemented a TNR program for two and a half years from 1995 through 1998. Previously, when they received a feral cat complaint, they sent out an officer to trap the cat, held the animal for the mandatory waiting period and

10 Chappell, Michelle, DVM, "A Model for Humane Reduction of Feral Cat Populations," *California Veterinarian* (Sept/Oct 1999).
11 Cat Fanciers Association Almanac (1995), www.cfainc.org/articles/trap-alter-release.html

then euthanized the cat. This cost $105 per cat. By contrast, having volunteers trap the cats followed by spay/neuter and vaccination services cost the county $56 per cat, a savings of $109,172 over the length of the study (2228 cats).[12]

Meeting Salt Lake City's Purpose and Enhancing the Quality of Life for Residents: The TNR program will reduce cat shelter intake and euthanasia, therefore saving taxpayer dollars. The program will ultimately reduce the number of feral cats and, as a result, the frequency of nuisance behaviors associated with free-roaming, unfixed cats.

Salt Lake City contracts with Salt Lake County Animal Services SLCAS) to handle all animal control issues in the City for a set contract price. It is estimated that the City's contribution of $10,000 could result in at least 330 cats being spayed or neutered. This result would not change the contract fee, but would free up animal control officers, to that extent, to do community patrolling and enforcement work that is greatly needed in the community.

The modest contribution of $10,000 would provide an opportunity to test the feral fix/TNR strategy and determine if the City would benefit from greater financial support of the program.

Accomplishing Salt Lake City's Goals: The feral fix/TNR program can be considered necessary and appropriate to accomplish Salt Lake City's goals in the area of improvement of quality of life for City residents and the efficient delivery of municipal services. The feral fix/TNR program requires community support from those who care for the feral animals and thus embraces the City's goal to promote community-based problem solving.

12 Appendix 15 ("Orange County, Florida," Alley Cat Allies fact sheet).

*The information in this study was taken largely from a paper deliver by Holly Sizemore of No More Homeless Pets in Utah, entitled "Why Trap/Neuter/Return in Salt Lake City."

VERSION A

REVISIONS INITIALLY PROPOSED BY THE ADMINISTRATION

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SALT LAKE CITY ORDINANCE
No. _____ of 2006
(Feral Cats)

AN ORDINANCE AMENDING SECTION 8.04.010, *SALT LAKE CITY CODE*, PERTAINING TO DEFINITIONS; ENACTING SECTION 8.04.135, *SALT LAKE CITY CODE*, RELATING TO FERAL CAT COLONY REGISTRATION PERMIT REQUIREMENTS; ENACTING SECTION 8.04.136, *SALT LAKE CITY CODE*, RELATING TO MAINTAINING A REGISTERED FERAL CAT COLONY – ADDITIONAL REQUIREMENTS; AMENDING SECTION 8.04.150, *SALT LAKE CITY CODE*, RELATING TO COMMERCIAL AND PET RESCUE PERMITS – FEE SCHEDULE; AMENDING SECTION 8.04.200, *SALT LAKE CITY CODE*, PERTAINING TO COMMERCIAL ESTABLISHMENTS – INSPECTIONS; AMENDING SECTION 8.04.210, *SALT LAKE CITY CODE*, RELATING TO COMMERCIAL ESTABLISHMENTS – EMERGENCY SUSPENSION OF PERMIT; AND AMENDING SUBSECTION A OF APPENDIX A TO TITLE 8, *SALT LAKE CITY CODE*, RELATING TO PERMITS AND FEES.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 8.04.010, *Salt Lake City Code*, pertaining to definitions be, and the same hereby is, amended to read as follows:

8.04.010 Definitions:

As used in this Title:

VERSION A

REVISIONS INITIALLY PROPOSED BY THE ADMINISTRATION

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A. "Abandonment" means: 1) placing an animal in an unsafe or dangerous environment where the animal is separated from basic needs such as food, water, shelter or necessary medical attention, for a period of longer than twenty four (24) hours; or 2) failure to reclaim an animal seventy two (72) hours beyond the time agreed upon with a kennel, grooming service, veterinary hospital, or animal shelter.

B. "Allow", for the purposes of this ordinance, shall include human conduct that is intentional, deliberate, careless, inadvertent or negligent in relation to the actions of an animal.

C. "Animal at large" means any domesticated animal, whether or not licensed, not under restraint as defined below.

D. "Animal boarding establishment" means any establishment that takes in animals for board for profit.

E. "Animal groomer" means any establishment maintained for the purpose of offering cosmetological services for animals for profit.

F. "Animals" means any and all types of livestock, dogs and other nonhuman creatures, both domestic and wild, male and female, singular and plural.

G. "Animal services" means the office referred to in section 8.04.020 of this chapter, or its successor.

H. "Animal shelter" means a facility owned and/or operated by a governmental entity or any animal welfare organization that is incorporated within the state, used for the care and custody of seized, stray, homeless, quarantined, abandoned or unwanted dogs, cats, or other small domestic

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animals; or for the purpose of protective custody under the authority of this ordinance or state law.

I. "Animal under restraint" means any animal under the control of its owner or person over the age of twelve (12) years having charge, care, custody or control of the animal, by means of: 1) a leash or lead not to exceed six feet (6') in length, 2) other physical enclosure, or 3) within the real property limits of the owner.

J. "Bite" means an actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal.

K. "Carriage" or "horse drawn carriage" means any device in, upon, or by which any person is or may be transported or drawn upon a public way and which is designed to be drawn by horses.

L. "Carriage business" means any person offering to transport another person for any valuable consideration and by means of a horse drawn carriage.

M. "Cat" means any age feline of the domesticated types four (4) months of age or older.

N. "Cattery" means an establishment for boarding, breeding, buying, grooming or selling cats for profit.

O. "Commercial animal establishment" means any pet shop, grooming shop, animal training establishment, guard dog auction or exhibition, riding school or stable, zoological park, circus, rodeo, animal exhibition, or boarding or breeding kennel.

VERSION A

REVISIONS INITIALLY PROPOSED BY THE ADMINISTRATION

P. "Confinement" means that the animal is kept in an escape-proof enclosure or walked on a leash of not more than six feet (6') in length by a person eighteen (18) years of age or older. Confinement does not restrict contact with other animals or humans.

Q. "Custodian" means a person having custody.

R. "Custody" means ownership, possession of, harboring, or exercising control over any animal.

S. "Dangerous animal" means any animal that is a hazard to the public health and safety.

T. "Dog" means any Canis familiaris four (4) months of age or older.

U. "Domesticated animals" means animals accustomed to live in or about the habitation of people, including, but not limited to, cats, dogs, fowl, horses, swine and goats.

V. "Driver" means any person operating or in actual physical control of a horse-drawn carriage, or any person sitting in the driver's seat of such carriage with the intention of causing it to be moved by a horse.

W. "Enclosure" means any structure that prevents an animal from escaping its confines.

X. "Estray" or "stray" means any "animal at large", as defined herein.

Y. "Euthanasia" means the humane destruction of an animal accomplished by a method approved by the most recent Report of the American Veterinary Medication Association Panel on Euthanasia.

Z. "Feral cat" means any homeless, wild or untamed cat.

AA. "Feral cat colony" means a group of homeless, wild or untamed cats living or growing together.

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VERSION A

REVISIONS INITIALLY PROPOSED BY THE ADMINISTRATION

BB. "Guard dog" means a working dog which must be kept in a fenced run or other suitable enclosure during business hours, or on a leash or under absolute control while working, so it cannot come into contact with the public.

CC. "Holding facility" means any pet shop, kennel, cattery, groomery, riding school, stable, animal shelter, veterinary hospital, humane establishment, or any other such facility used for holding animals.

DD. "Impoundment" means taken into the custody of an animal services agency, police department, or an agent thereof.

EE. "Kennel" means an establishment having dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee, or selling.

FF. "Leash" or "lead" means any chain, rope or device used to restrain an animal, being no longer than six feet (6') in length.

GG. "Owner" means any person having title to, or an ownership interest in, or custody of, or keeping, maintaining or possessing one or more animals. HH. "Person" means a natural person or any legal entity, including, but not limited to, a corporation, firm, partnership or trust.

II. "Pet" or "companion animal" means any animal of a species that has been developed to live in or about the habitation of humans, is dependent on humans for food and shelter, and is kept for pleasure rather than utility or commercial purposes.

JJ. "Pet shop" means any establishment containing cages or exhibition pens, not part of a kennel or cattery, wherein dogs, cats, birds or other pets are kept, displayed or sold.

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Deleted: An animal shall be deemed to be harbored if it is fed or sheltered during a period of twenty four (24) consecutive hours or more.¶
EE

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VERSION A

REVISIONS INITIALLY PROPOSED BY THE ADMINISTRATION

KK. "Provoked" means any deliberate act by a person towards a dog or any other animal done with the intent to tease, torment, abuse, assault or otherwise cause a reaction by the dog or other animal; provided, however, that any act by a person done with the intent to discourage or prevent a dog or other animal from attacking shall not be considered to be a provocation.

LL. "Quarantine" means the isolation of an animal in a substantial enclosure so that the animal is not subject to contact with other animals or persons not authorized by the Office of Animal Services.

MM. "Riding school or stable" means an establishment which offers boarding and/or riding instruction for any horse, pony, donkey, mule or burro, or which offers such animals for hire.

NN. "Service animal" means any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.

OO. "Set" means:

1. To cock, open or put a trap in such a condition that it would clamp closed when an object or person touches a triggering device; and/or

2. To place a spring-loaded trap which has been opened or fixed so that it would close upon the triggering device being touched upon the ground, or in a position where a person or animal could become caught therein.

PP. "Specialized equipment" is that equipment, other than the usual patrol vehicles of animal services, which is designed for specific purposes such as, but not limited to, livestock trailers and carcass trailers.

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VERSION A

REVISIONS INITIALLY PROPOSED BY THE ADMINISTRATION

QQ. "Species subject to rabies" means any species that has been reported to the Center for Disease Control to have contracted the rabies virus and become a host for that virus.

RR. "Spring-loaded trap" means any clamp-like apparatus which is utilized to catch animals, objects or persons when, after being set and the triggering device being activated, clamp-like jaws are designed to come together with force so as to clamp or close upon an animal, person or object activating the spring or triggering device.

SS. "Stable" means any place or facility where one or more horses, ponies, donkeys, mules or burros are housed or maintained, and are offered for hire.

TT. "Veterinarian" means any person legally licensed to practice veterinary medicine under the laws of the State of Utah.

UU. "Vicious animal" means:

1. Any animal which, in a threatening or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public grounds or places;

2. Any animal with a known propensity, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings or animals; or

3. Any animal which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal on public or private property.

VV. "Wild, exotic or dangerous animal" means any animal which is not commonly domesticated, or which is not native to North America, or which, irrespective of geographic origin, is of a wild or predatory nature, or any other animal which, because of its size, growth propensity, vicious nature or other characteristics, would constitute an unreasonable danger to

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human life, health or property if not kept, maintained or confined in a safe and secure manner, including hybrids, and animals which, as a result of their natural or wild condition, cannot be vaccinated effectively for rabies. Those animals, however domesticated, shall include, but are not limited to:

1. Alligators And Crocodiles: Alligators and crocodiles;

2. Bears (Ursidae): All bears, including grizzly bears, brown bears, and black bears;

3. Cat Family (Felidae): All except the commonly accepted domesticated cats, and including cheetahs, cougars, leopards, lions, lynx, panthers, mountain lions, tigers and wildcats;

4. Dog Family (Canidae): All except domesticated dogs, and including wolf, part wolf, fox, part fox, coyote, part coyote, dingo and part dingo;

5. Porcupines: Porcupine (erethizontidae);

6. Primate (Hominidae): All subhuman primates;

7. Raccoon (Prosynnidae): All raccoons, including eastern raccoons, desert raccoons and ring-tailed cats;

8. Skunks: Skunks;

9. Fish: Venomous fish and piranha;

10. Snakes Or Lizards: Venomous snakes or lizards;

11. Weasels (Mustelidae): All, including weasels, martins, wolverines, ferrets, badgers, otters, ermine, mink and mongoose, except that the possession of such animals shall not be prohibited when raised commercially for their pelts.

VERSION A

REVISIONS INITIALLY PROPOSED BY THE ADMINISTRATION

WW. "Work", with reference to a horse, means that the horse is out of the stable and presented as being available for pulling carriages; in harness; or pulling a carriage.

SECTION 2. That Section 8.04.135, *Salt Lake City Code*, pertaining to feral cat colony registration permit requirements be, and the same hereby is, enacted to read as follows:

8.04.135 Feral Cat Colony Registration Permit – Requirements

It is unlawful for any person to maintain a feral cat colony without a permit. Unless prohibited by zoning or other ordinances or laws, any person over eighteen (18) years of age, shall obtain a feral cat colony permit from Animal Services or its designee upon:

A. Presenting proof that the cats in the maintained colony have been sterilized, given their vaccinations as required and ear-tipped, or are being actively trapped so as to perform sterilization, vaccination and ear-tipping;

B Presenting a detailed description of each cat in the colony including vaccination history;

C. Presenting proof of property owner and/or landlord permission at the site that the colony is being maintained; and

D. Providing contact information, in the event that complaints are received by the Office of Animal Services concerning management of the colony.

SECTION 3. That Section 8.04.136, *Salt Lake City Code*, pertaining to maintaining a registered feral cat colony – additional requirements be, and the same hereby is, enacted to read as follows:

8.04.136 Maintaining a Registered Feral Cat Colony – Additional Requirements

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VERSION A

REVISIONS INITIALLY PROPOSED BY THE ADMINISTRATION

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Feral cat colony permit holders shall:

A. Take responsibility for feeding the cat colony regularly throughout the year, while ensuring that the food storage area(s) are secure from insect, rodent, and other vermin attraction and harborage. Feeding times shall be set, and any remaining food shall be immediately removed after feeding;

B. Sterilize, vaccinate and ear-tip all adult cats that can be captured. Implanting a microchip is recommended; and

C. Remove droppings, spoiled food, and other waste from the premises as often as necessary, and at least every seven (7) days, to prevent odor, insect or rodent attraction or breeding, or any other nuisance.

SECTION 4. That Section 8.04.150, *Salt Lake City Code*, pertaining to commercial and pet rescue permits – fee schedule be, and the same hereby is, amended to read as follows:

Deleted: Commercial And Pet Rescue

8.04.150 Permits-Fee Schedule:

Fees for commercial operations (kennels, catteries, groomeries, pet shops, veterinary clinics or hospitals) pet rescue permits and feral cat colony registration permits shall be as indicated in Appendix A of this Chapter.

Deleted: and

SECTION 5. That Section 8.04.200, *Salt Lake City Code*, pertaining to commercial establishments - inspections be, and the same hereby is, amended to read as follows:

Deleted: Commercial Establishments

8.04.200 Permits-Inspections:

VERSION A

REVISIONS INITIALLY PROPOSED BY THE ADMINISTRATION

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All establishments and residences required to be permitted under this Title shall be subject to periodic inspections, and the inspector shall make a report of such inspection with a copy to be delivered to the establishment or residence and filed with the Animal Services Office.

SECTION 6. That Section 8.04.210, *Salt Lake City Code*, pertaining to commercial establishments – emergency suspension of permit be, and the same hereby is, amended to read as follows:

Deleted: Commercial Establishments

8.04.210 Permits-Emergency Suspension Of Permit: Notwithstanding the other provisions of this Title, when the inspecting officer finds unsanitary or other conditions in the operation of feral cat colonies, pet rescue residences, kennels, catteries, groomeries, veterinary clinics or hospitals, riding stables, pet shops, or any similar establishments, which, in such officer's judgment, constitute a substantial hazard to the animal(s) and/or the public health, such officer may, without warning or hearing, issue a written notice to the permit holder or operator citing such condition and specifying the corrective action to be taken. Such order shall state that the permit is immediately suspended, and all operations are to be immediately discontinued. Any person to whom such an order is issued shall comply immediately therewith. Any animals at such facility may be confiscated by the Animal Services Office and impounded or otherwise provided for according to the provisions of this Title.

SECTION 7. That Subsection A of Appendix A to Title 8, *Salt Lake City Code*, relating to permit fees be, and the same hereby is, amended to read as follows:

APPENDIX A

SALT LAKE CITY ANIMAL SERVICES

VERSION A

REVISIONS INITIALLY PROPOSED BY THE ADMINISTRATION

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PERMITS AND FEES

A. **Permit Fees:**

Commercial operations up to 30 animals	$ 75.00
Commercial operations over 30 animals	150.00
Riding stables	40.00
Business selling only tropical or freshwater fish	50.00
Pet rescue permit	25.00
If issued at shelter's request	0.00
Feral cat colony registration permit	25.00
Late fee (in addition to regular fee)	25.00

SECTION 8. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2006.

_____
CHAIRPERSON

ATTEST:

_____
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

VERSION A

REVISIONS INITIALLY PROPOSED BY THE ADMINISTRATION

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_____
MAYOR

ATTEST:

_____
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2006.
Published: _____.

I:\ Ordinance 06\Animal Services\Amending 8.04.010 et seq re Feral Cats (Version A – Administration) - 12-11-06 draft

VERSION B

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS TO ADMINISTRATION'S PROPOSED REVISIONS

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SALT LAKE CITY ORDINANCE
No. _____ of 2006
(Feral Cats)

AN ORDINANCE AMENDING SECTION 8.04.010, *SALT LAKE CITY CODE*, PERTAINING TO DEFINITIONS; ENACTING SECTION 8.04.135, *SALT LAKE CITY CODE*, RELATING TO FERAL CAT COLONY REGISTRATION REQUIREMENTS; ENACTING SECTION 8.04.136, *SALT LAKE CITY CODE*, RELATING TO MAINTAINING A REGISTERED FERAL CAT COLONY – ADDITIONAL REQUIREMENTS; AMENDING SECTION 8.04.150, *SALT LAKE CITY CODE*, RELATING TO COMMERCIAL AND PET RESCUE PERMITS – FEE SCHEDULE; AND AMENDING SUBSECTION A OF APPENDIX A TO TITLE 8, *SALT LAKE CITY CODE*, RELATING TO PERMITS AND FEES.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 8.04.010, *Salt Lake City Code*, pertaining to definitions be, and the same hereby is, amended to read as follows:

8.04.010 Definitions:

As used in this Title:

A. "Abandonment" means: 1) placing an animal in an unsafe or dangerous environment where the animal is separated from basic needs such as food, water, shelter or necessary medical attention, for a period of longer than twenty four (24) hours; or 2) failure to reclaim an animal

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seventy two (72) hours beyond the time agreed upon with a kennel, grooming service, veterinary hospital, or animal shelter.

B. "Allow", for the purposes of this ordinance, shall include human conduct that is intentional, deliberate, careless, inadvertent or negligent in relation to the actions of an animal.

C. "Animal at large" means any domesticated animal, whether or not licensed, not under restraint as defined below.

D. "Animal boarding establishment" means any establishment that takes in animals for board for profit.

E. "Animal groomer" means any establishment maintained for the purpose of offering cosmetological services for animals for profit.

F. "Animals" means any and all types of livestock, dogs and other nonhuman creatures, both domestic and wild, male and female, singular and plural.

G. "Animal services" means the office referred to in section 8.04.020 of this chapter, or its successor.

H. "Animal shelter" means a facility owned and/or operated by a governmental entity or any animal welfare organization that is incorporated within the state, used for the care and custody of seized, stray, homeless, quarantined, abandoned or unwanted dogs, cats, or other small domestic animals; or for the purpose of protective custody under the authority of this ordinance or state law.

VERSION B

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS TO ADMINISTRATION'S PROPOSED REVISIONS

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I. "Animal under restraint" means any animal under the control of its owner or person over the age of twelve (12) years having charge, care, custody or control of the animal, by means of: 1) a leash or lead not to exceed six feet (6') in length, 2) other physical enclosure, or 3) within the real property limits of the owner.

J. "Bite" means an actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal.

K. "Carriage" or "horse drawn carriage" means any device in, upon, or by which any person is or may be transported or drawn upon a public way and which is designed to be drawn by horses.

L. "Carriage business" means any person offering to transport another person for any valuable consideration and by means of a horse drawn carriage.

M. "Cat" means any age feline of the domesticated types four (4) months of age or older.

N. "Cattery" means an establishment for boarding, breeding, buying, grooming or selling cats for profit.

O. "Commercial animal establishment" means any pet shop, grooming shop, animal training establishment, guard dog auction or exhibition, riding school or stable, zoological park, circus, rodeo, animal exhibition, or boarding or breeding kennel.

P. "Confinement" means that the animal is kept in an escape-proof enclosure or walked on a leash of not more than six feet (6') in length by a person eighteen (18) years of age or older. Confinement does not restrict contact with other animals or humans.

VERSION B

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS TO ADMINISTRATION'S PROPOSED REVISIONS

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Q. "Custody" means ownership, possession of, harboring, or exercising control over any animal.

R.. "Dangerous animal" means any animal that is a hazard to the public health and safety.

S. "Dog" means any Canis familiaris four (4) months of age or older.

T. "Domesticated animals" means animals accustomed to live in or about the habitation of people, including, but not limited to, cats, dogs, fowl, horses, swine and goats.

U. "Driver" means any person operating or in actual physical control of a horse-drawn carriage, or any person sitting in the driver's seat of such carriage with the intention of causing it to be moved by a horse.

V. "Enclosure" means any structure that prevents an animal from escaping its confines.

W. "Estray" or "stray" means any "animal at large", as defined herein.

X. "Euthanasia" means the humane destruction of an animal accomplished by a method approved by the most recent Report of the American Veterinary Medication Association Panel on Euthanasia.

Y. "Feral cat" means any homeless, wild or untamed cat.

ZZ. "Feral cat colony" means a group of homeless, wild or untamed cats living or growing together.

AA. "Guard dog" means a working dog which must be kept in a fenced run or other suitable enclosure during business hours, or on a leash or under absolute control while working, so it cannot come into contact with the public.

VERSION B

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS TO ADMINISTRATION'S PROPOSED REVISIONS

BB. "Holding facility" means any pet shop, kennel, cattery, groomery, riding school, stable, animal shelter, veterinary hospital, humane establishment, or any other such facility used for holding animals.

CC. "Impoundment" means taken into the custody of an animal services agency, police department, or an agent thereof.

DD. "Kennel" means an establishment having dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee, or selling.

EE. "Leash" or "lead" means any chain, rope or device used to restrain an animal, being no longer than six feet (6') in length.

FF. "Owner" means any person having title to, or an ownership interest in, or custody of, or keeping, maintaining or possessing one or more animals. "Owner" does not include a feral cat caretaker participating in a trap, spay/neuter, return or release program.

GG. "Person" means a natural person or any legal entity, including, but not limited to, a corporation, firm, partnership or trust.

HH. "Pet" or "companion animal" means any animal of a species that has been developed to live in or about the habitation of humans, is dependent on humans for food and shelter, and is kept for pleasure rather than utility or commercial purposes.

II. "Pet shop" means any establishment containing cages or exhibition pens, not part of a kennel or cattery, wherein dogs, cats, birds or other pets are kept, displayed or sold.

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Deleted: An animal shall be deemed to be harbored if it is fed or sheltered during a period of twenty four (24) consecutive hours or more.

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JJ. "Provoked" means any deliberate act by a person towards a dog or any other animal done with the intent to tease, torment, abuse, assault or otherwise cause a reaction by the dog or other animal; provided, however, that any act by a person done with the intent to discourage or prevent a dog or other animal from attacking shall not be considered to be a provocation.

KK. "Quarantine" means the isolation of an animal in a substantial enclosure so that the animal is not subject to contact with other animals or persons not authorized by the Office of Animal Services.

LL. "Riding school or stable" means an establishment which offers boarding and/or riding instruction for any horse, pony, donkey, mule or burro, or which offers such animals for hire.

MM. "Service animal" means any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.

NN. "Set" means:

1. To cock, open or put a trap in such a condition that it would clamp closed when an object or person touches a triggering device; and/or

2. To place a spring-loaded trap which has been opened or fixed so that it would close upon the triggering device being touched upon the ground, or in a position where a person or animal could become caught therein.

OO. "Specialized equipment" is that equipment, other than the usual patrol vehicles of animal services, which is designed for specific purposes such as, but not limited to, livestock trailers and carcass trailers.

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PP. "Species subject to rabies" means any species that has been reported to the Center for Disease Control to have contracted the rabies virus and become a host for that virus.

QQ. "Spring-loaded trap" means any clamp-like apparatus which is utilized to catch animals, objects or persons when, after being set and the triggering device being activated, clamp-like jaws are designed to come together with force so as to clamp or close upon an animal, person or object activating the spring or triggering device.

RR. "Stable" means any place or facility where one or more horses, ponies, donkeys, mules or burros are housed or maintained, and are offered for hire.

SS. "Veterinarian" means any person legally licensed to practice veterinary medicine under the laws of the State of Utah.

TT. "Vicious animal" means:

1. Any animal which, in a threatening or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public grounds or places;

2. Any animal with a known propensity, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings or animals; or

3. Any animal which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal on public or private property.

UU. "Wild, exotic or dangerous animal" means any animal which is not commonly domesticated, or which is not native to North America, or which, irrespective of geographic origin, is of a wild or predatory nature, or any other animal which, because of its size, growth

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propensity, vicious nature or other characteristics, would constitute an unreasonable danger to human life, health or property if not kept, maintained or confined in a safe and secure manner, including hybrids, and animals which, as a result of their natural or wild condition, cannot be vaccinated effectively for rabies. Those animals, however domesticated, shall include, but are not limited to:

1. Alligators And Crocodiles: Alligators and crocodiles;

2. Bears (Ursidae): All bears, including grizzly bears, brown bears, and black bears;

3. Cat Family (Felidae): All except the commonly accepted domesticated cats, and including cheetahs, cougars, leopards, lions, lynx, panthers, mountain lions, tigers and wildcats;

4. Dog Family (Canidae): All except domesticated dogs, and including wolf, part wolf, fox, part fox, coyote, part coyote, dingo and part dingo;

5. Porcupines: Porcupine (erethizontidae);

6. Primate (Hominidae): All subhuman primates;

7. Raccoon (Prosynnidae): All raccoons, including eastern raccoons, desert raccoons and ring-tailed cats;

8. Skunks: Skunks;

9. Fish: Venomous fish and piranha;

10. Snakes Or Lizards: Venomous snakes or lizards;

VERSION B

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS TO ADMINISTRATION'S PROPOSED REVISIONS

11. Weasels (Mustelidae): All, including weasels, martins, wolverines, ferrets, badgers, otters, ermine, mink and mongoose, except that the possession of such animals shall not be prohibited when raised commercially for their pelts.

VV. "Work", with reference to a horse, means that the horse is out of the stable and presented as being available for pulling carriages; in harness; or pulling a carriage.

SECTION 2. That Section 8.04.135, *Salt Lake City Code*, pertaining to feral cat colony registration permit requirements be, and the same hereby is, enacted to read as follows:

8.04.135 Feral Cat Colony Registration – Requirements

It is unlawful for any person to maintain a feral cat colony without a registration. Unless prohibited by zoning or other ordinances or laws, any person over eighteen (18) years of age, may register a feral cat colony with Salt Lake City or its designee provided:

A. Cats have been sterilized, given their vaccinations as required and ear-tipped, or are being actively trapped so as to perform sterilization, vaccination and ear-tipping;

B The Registrant retains a detailed description of each cat in the colony including vaccination history;

C. The Registrant obtains proof of property owner and/or landlord permission at the site that the colony is being maintained; and provides property owner/landlord with cat caregiver contact information.

D. The Registrant fee is paid for initial registration and in the event of transfer of responsibility to a new care giver.SECTION 3. That Section 8.04.136, *Salt Lake City*

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VERSION B

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS TO ADMINISTRATION'S PROPOSED REVISIONS

Code, pertaining to maintaining a registered feral cat colony – additional requirements be, and the same hereby is, enacted to read as follows:

8.04.136 Maintaining a Registered Feral Cat Colony – Additional Requirements

Feral cat colony caregivers shall:

A. Take responsibility for feeding the cat colony regularly throughout the year, while ensuring that the feeding area(s) are secure from insect, rodent, and other vermin attraction and harborage;

B. Sterilize, vaccinate and ear-tip all adult cats that can be captured. Implanting a microchip is recommended; and

C. Remove droppings, spoiled food, and other waste from the premises as often as necessary and at least every seven (7) days, to prevent odor, insect or rodent attraction or breeding, or any other nuisance.

SECTION 4. That Section 8.04.150, *Salt Lake City Code*, pertaining to commercial and pet rescue permits – fee schedule be, and the same hereby is, amended to read as follows:

8.04.150 Commercial Permits/Registrations-Fee Schedule:

Fees for commercial operations (kennels, catteries, groomeries, pet shops, veterinary clinics or hospitals), pet rescue permits and feral cat colony registrations shall be as indicated in Appendix A of this Chapter.

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VERSION B

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS TO ADMINISTRATION'S PROPOSED REVISIONS

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SECTION 5. That Subsection A of Appendix A to Title 8, *Salt Lake City Code*, relating to permit fees be, and the same hereby is, amended to read as follows:

APPENDIX A

SALT LAKE CITY ANIMAL SERVICES

PERMITS AND FEES

A. **Permit Fees:**

Commercial operations up to 30 animals	$ 75.00
Commercial operations over 30 animals	150.00
Riding stables	40.00
Business selling only tropical or freshwater fish	50.00
Pet rescue permit	25.00
If issued at shelter's request	0.00
Feral cat colony registration	5.00
Late fee (in addition to regular fee)	25.00

SECTION 6. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2006.

_____
CHAIRPERSON

VERSION B

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS TO ADMINISTRATION'S PROPOSED REVISIONS

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ATTEST:

_____
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

_____
MAYOR

ATTEST:

_____
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2006.
Published: _____.

I:\ Ordinance 06\Animal Services\Amending 8.04.010 et seq re Feral Cats (Version B – Community Input) - 12-11-06 draft

VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

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SALT LAKE CITY ORDINANCE
No. _____ of 2006
(Feral Cats)

AN ORDINANCE AMENDING SECTION 8.04.010, *SALT LAKE CITY CODE*, PERTAINING TO DEFINITIONS; ENACTING SECTION 8.04.135, *SALT LAKE CITY CODE*, RELATING TO FERAL CAT COLONY REGISTRATION REQUIREMENTS; ENACTING SECTION 8.04.136, *SALT LAKE CITY CODE*, RELATING TO MAINTAINING A REGISTERED FERAL CAT COLONY – ADDITIONAL REQUIREMENTS; AMENDING SECTION 8.04.150, *SALT LAKE CITY CODE*, RELATING TO COMMERCIAL AND PET RESCUE PERMITS – FEE SCHEDULE; AMENDING SECTION 8.04.210, *SALT LAKE CITY CODE*, RELATING TO COMMERCIAL ESTABLISHMENTS – EMERGENCY SUSPENSION OF PERMIT; AND AMENDING SUBSECTION A OF APPENDIX A TO TITLE 8, *SALT LAKE CITY CODE*, RELATING TO PERMITS AND FEES.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 8.04.010, *Salt Lake City Code*, pertaining to definitions be, and the same hereby is, amended to read as follows:

8.04.010 Definitions:

As used in this Title:

A. "Abandonment" means: 1) placing an animal in an unsafe or dangerous environment where the animal is separated from basic needs such as food, water, shelter or necessary medical

VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

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attention, for a period of longer than twenty four (24) hours; or 2) failure to reclaim an animal seventy two (72) hours beyond the time agreed upon with a kennel, grooming service, veterinary hospital, or animal shelter.

B. "Allow", for the purposes of this ordinance, shall include human conduct that is intentional, deliberate, careless, inadvertent or negligent in relation to the actions of an animal.

C. "Animal at large" means any domesticated animal, whether or not licensed, not under restraint as defined below.

D. "Animal boarding establishment" means any establishment that takes in animals for board for profit.

E. "Animal groomer" means any establishment maintained for the purpose of offering cosmetological services for animals for profit.

F. "Animals" means any and all types of livestock, dogs and other nonhuman creatures, both domestic and wild, male and female, singular and plural.

G. "Animal services" means the office referred to in section 8.04.020 of this chapter, or its successor.

H. "Animal shelter" means a facility owned and/or operated by a governmental entity or any animal welfare organization that is incorporated within the state, used for the care and custody of seized, stray, homeless, quarantined, abandoned or unwanted dogs, cats, or other small domestic animals; or for the purpose of protective custody under the authority of this ordinance or state law.

VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

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I. "Animal under restraint" means any animal under the control of its owner or person over the age of twelve (12) years having charge, care, custody or control of the animal, by means of: 1) a leash or lead not to exceed six feet (6') in length, 2) other physical enclosure, or 3) within the real property limits of the owner.

J. "Bite" means an actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal.

K. "Carriage" or "horse drawn carriage" means any device in, upon, or by which any person is or may be transported or drawn upon a public way and which is designed to be drawn by horses.

L. "Carriage business" means any person offering to transport another person for any valuable consideration and by means of a horse drawn carriage.

M. "Cat" means any age feline of the domesticated types four (4) months of age or older.

N. "Cattery" means an establishment for boarding, breeding, buying, grooming or selling cats for profit.

O. "Commercial animal establishment" means any pet shop, grooming shop, animal training establishment, guard dog auction or exhibition, riding school or stable, zoological park, circus, rodeo, animal exhibition, or boarding or breeding kennel.

P. "Confinement" means that the animal is kept in an escape-proof enclosure or walked on a leash of not more than six feet (6') in length by a person eighteen (18) years of age or older. Confinement does not restrict contact with other animals or humans.

VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

Q. "Custodian" means a person having custody.

R. "Custody" means ownership, possession of, harboring, or exercising control over any animal.

S. "Dangerous animal" means any animal that is a hazard to the public health and safety.

T. "Dog" means any Canis familiaris four (4) months of age or older.

U. "Domesticated animals" means animals accustomed to live in or about the habitation of people, including, but not limited to, cats, dogs, fowl, horses, swine and goats.

V. "Driver" means any person operating or in actual physical control of a horse-drawn carriage, or any person sitting in the driver's seat of such carriage with the intention of causing it to be moved by a horse.

W. "Enclosure" means any structure that prevents an animal from escaping its confines.

X. "Estray" or "stray" means any "animal at large", as defined herein.

Y. "Euthanasia" means the humane destruction of an animal accomplished by a method approved by the most recent Report of the American Veterinary Medication Association Panel on Euthanasia.

Z. "Feral cat" means any homeless, wild or untamed cat.

AA. "Feral cat colony" means a group of homeless, wild or untamed cats living or growing together.

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VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

BB. "Guard dog" means a working dog which must be kept in a fenced run or other suitable enclosure during business hours, or on a leash or under absolute control while working, so it cannot come into contact with the public.

CC. "Holding facility" means any pet shop, kennel, cattery, groomery, riding school, stable, animal shelter, veterinary hospital, humane establishment, or any other such facility used for holding animals.

DD. "Impoundment" means taken into the custody of an animal services agency, police department, or an agent thereof.

EE. "Kennel" means an establishment having dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee, or selling.

FF. "Leash" or "lead" means any chain, rope or device used to restrain an animal, being no longer than six feet (6') in length.

GG. "Owner" means any person having title to, or an ownership interest in, or custody of, or keeping, maintaining or possessing one or more animals. "Owner" does not include a feral cat custodian participating in a trap, spay/neuter, return or release program.

HH. "Person" means a natural person or any legal entity, including, but not limited to, a corporation, firm, partnership or trust.

II. "Pet" or "companion animal" means any animal of a species that has been developed to live in or about the habitation of humans, is dependent on humans for food and shelter, and is kept for pleasure rather than utility or commercial purposes.

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Deleted: An animal shall be deemed to be harbored if it is fed or sheltered during a period of twenty four (24) consecutive hours or more.

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VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

JJ. "Pet shop" means any establishment containing cages or exhibition pens, not part of a kennel or cattery, wherein dogs, cats, birds or other pets are kept, displayed or sold.

KK. "Provoked" means any deliberate act by a person towards a dog or any other animal done with the intent to tease, torment, abuse, assault or otherwise cause a reaction by the dog or other animal; provided, however, that any act by a person done with the intent to discourage or prevent a dog or other animal from attacking shall not be considered to be a provocation.

LL. "Quarantine" means the isolation of an animal in a substantial enclosure so that the animal is not subject to contact with other animals or persons not authorized by the Office of Animal Services.

MM. "Riding school or stable" means an establishment which offers boarding and/or riding instruction for any horse, pony, donkey, mule or burro, or which offers such animals for hire.

NN. "Service animal" means any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.

OO. "Set" means:

1. To cock, open or put a trap in such a condition that it would clamp closed when an object or person touches a triggering device; and/or

2. To place a spring-loaded trap which has been opened or fixed so that it would close upon the triggering device being touched upon the ground, or in a position where a person or animal could become caught therein.

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VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

PP. "Specialized equipment" is that equipment, other than the usual patrol vehicles of animal services, which is designed for specific purposes such as, but not limited to, livestock trailers and carcass trailers.

QQ. "Species subject to rabies" means any species that has been reported to the Center for Disease Control to have contracted the rabies virus and become a host for that virus.

RR. "Spring-loaded trap" means any clamp-like apparatus which is utilized to catch animals, objects or persons when, after being set and the triggering device being activated, clamp-like jaws are designed to come together with force so as to clamp or close upon an animal, person or object activating the spring or triggering device.

SS. "Stable" means any place or facility where one or more horses, ponies, donkeys, mules or burros are housed or maintained, and are offered for hire.

TT. "Veterinarian" means any person legally licensed to practice veterinary medicine under the laws of the State of Utah.

UU. "Vicious animal" means:

1. Any animal which, in a threatening or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public grounds or places;

2. Any animal with a known propensity, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings or animals; or

3. Any animal which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal on public or private property.

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VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

VV. "Wild, exotic or dangerous animal" means any animal which is not commonly domesticated, or which is not native to North America, or which, irrespective of geographic origin, is of a wild or predatory nature, or any other animal which, because of its size, growth propensity, vicious nature or other characteristics, would constitute an unreasonable danger to human life, health or property if not kept, maintained or confined in a safe and secure manner, including hybrids, and animals which, as a result of their natural or wild condition, cannot be vaccinated effectively for rabies. Those animals, however domesticated, shall include, but are not limited to:

1. Alligators And Crocodiles: Alligators and crocodiles;

2. Bears (Ursidae): All bears, including grizzly bears, brown bears, and black bears;

3. Cat Family (Felidae): All except the commonly accepted domesticated cats, and including cheetahs, cougars, leopards, lions, lynx, panthers, mountain lions, tigers and wildcats;

4. Dog Family (Canidae): All except domesticated dogs, and including wolf, part wolf, fox, part fox, coyote, part coyote, dingo and part dingo;

5. Porcupines: Porcupine (erethizontidae);

6. Primate (Hominidae): All subhuman primates;

7. Raccoon (Prosynnidae): All raccoons, including eastern raccoons, desert raccoons and ring-tailed cats;

8. Skunks: Skunks;

9. Fish: Venomous fish and piranha;

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VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

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10. Snakes Or Lizards: Venomous snakes or lizards;

11. Weasels (Mustelidae): All, including weasels, martins, wolverines, ferrets, badgers, otters, ermine, mink and mongoose, except that the possession of such animals shall not be prohibited when raised commercially for their pelts.

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WW. "Work", with reference to a horse, means that the horse is out of the stable and presented as being available for pulling carriages; in harness; or pulling a carriage.

SECTION 2. That Section 8.04.135, *Salt Lake City Code*, pertaining to feral cat colony registration permit requirements be, and the same hereby is, enacted to read as follows:

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8.04.135 Feral Cat Colony Registration – Requirements

It is unlawful for any person to maintain a feral cat colony without a registration. Unless prohibited by zoning or other ordinances or laws, any person over eighteen (18) years of age, shall register a feral cat colony with Salt Lake City or its designee provided:

A. Cats have been sterilized, given their vaccinations as required and ear-tipped, or are being actively trapped so as to perform sterilization, vaccination and ear-tipping;

B The Registrant retains a detailed description of each cat in the colony including vaccination history;

C. The Registrant obtains proof of property owner and/or landlord permission at the site that the colony is being maintained; and provides property owner/landlord with cat custodian contact information.

VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

D. The Registrant fee is paid annually and in the event of transfer of responsibility to a new custodian. SECTION 3. That Section 8.04.136, *Salt Lake City Code*, pertaining to maintaining a registered feral cat colony – additional requirements be, and the same hereby is, enacted to read as follows:

8.04.136 Maintaining a Registered Feral Cat Colony – Additional Requirements

Feral cat colony custodians shall:

A. Take responsibility for feeding the cat colony regularly throughout the year, while ensuring that the feeding area(s) are secure from insect, rodent, and other vermin attraction and harborage;

B. Sterilize, vaccinate and ear-tip all adult cats that can be captured. Implanting a microchip is recommended; and

C. Remove droppings, spoiled food, and other waste from the premises as often as necessary and at least every seven (7) days, to prevent odor, insect or rodent attraction or breeding, or any other nuisance.

SECTION 4. That Section 8.04.150, *Salt Lake City Code*, pertaining to commercial and pet rescue permits – fee schedule be, and the same hereby is, amended to read as follows:

8.04.150 Permits/Registrations-Fee Schedule:

Fees for commercial operations (kennels, catteries, groomeries, pet shops, veterinary clinics or hospitals), pet rescue permits and feral cat colony registrations shall be as indicated in Appendix A of this Chapter.

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VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN addition TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

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SECTION 5. That Section 8.04.210, *Salt Lake City Code*, pertaining to commercial establishments – emergency suspension of permit be, and the same hereby is, amended to read as follows:

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8.04.210 Emergency Suspension Of Permit/Registration:

Notwithstanding the other provisions of this Title, when the inspecting officer finds unsanitary or other conditions in the operation of feral cat colonies, pet rescue residence, kennels, catteries, groomeries, veterinary clinics or hospitals, riding stables, pet shops, or any similar establishments, which, in such officer's judgment, constitute a substantial hazard to the animal(s) and/or the public health, such officer may, without warning or hearing, issue a written notice to the permit or registration holder or operator citing such condition and specifying the corrective action to be taken. Such order shall state that the permit or registration is immediately suspended, and all operations are to be immediately discontinued. Any person to whom such an order is issued shall comply immediately therewith. Any animals at such facility may be confiscated by the Animal Services Office and impounded or otherwise provided for according to the provisions of this Title.

SECTION 6. That Subsection A of Appendix A to Title 8, *Salt Lake City Code*, relating to permit fees be, and the same hereby is, amended to read as follows:

APPENDIX A

SALT LAKE CITY ANIMAL SERVICES

ANNUAL PERMITS AND FEES

VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

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A. **Permit Fees:**

Commercial operations up to 30 animals	$ 75.00
Commercial operations over 30 animals	150.00
Riding stables	40.00
Business selling only tropical or freshwater fish	50.00
Pet rescue permit	25.00
If issued at shelter's request	0.00
Feral cat colony registration	5.00
Late fee (in addition to regular fee)	25.00

SECTION 7. This ordinance shall expire one calendar year from the date hereof unless extended by ordinance enacted by the city council.

SECTION 8. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2006.

_____
CHAIRPERSON

ATTEST:

_____
CHIEF DEPUTY CITY RECORDER

VERSION C

COMMUNITY WORKING GROUP'S PROPOSED REVISIONS IN ADDITION TO COUNCIL STAFF RECOMMENDATIONS INCLUDING SUNSET CLAUSE

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Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

_____
MAYOR

ATTEST:

_____
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2006.
Published: _____.

I:\ Ordinance 06\Animal Services\Amending 8.04.010 et seq re Feral Cats (Version C – Community Input with Sunset Clause) - 12-11-06 draft #2