



Guide to Cat Law

A
Guide
for
Legislators
and
Humane
Advocates

THE HUMANE SOCIETY
OF THE UNITED STATES™



Guide to Cat Law

Laws That Address Cats

FOR MORE THAN FOUR DECADES, legislation regarding dogs has existed on both the local and state levels. Laws requiring the registration, restraint, and control of dangerous dogs are part of effective pet legislation that protects both the public and the animals themselves, just as complying with those laws is part of being a good pet caregiver.

Cats, on the other hand, have often been ignored in animal care and control legislation and have few protections legally. Given the increasing popularity of cats throughout the United States—there are now more cats than dogs in U.S. households—and the corresponding steady increase of cats entering animal shelters, it is imperative that communities enact legislation that will protect both animals and people in those communities.

Carefully drafted legislation can help ensure that cats are recognized by the law as domestic animals who are kept as pets, and that cat owners are made legally responsible for their pets' actions and well-being. In addition, by elevating the legal status of domestic felines, cat care and control laws promote the responsible care of these animals.

This booklet is intended to serve as a guide for anyone interested in proposing legislation that affects domestic cats, whether owned, stray, free-roaming, or feral. As with any legislation, individuals interested in helping cats through legislation should work with those agencies involved in animal control and protection. They will be able to provide essential support and information that will lead to successful legislation. The passage of laws regarding cats requires a great deal of public education. To suggest credible solutions, you must first assess the problems and understand the causes.

Before you begin, ascertain what laws already exist within your community or your state. Then decide what the new legislation should accomplish and whether it should be enacted at the city, county, or state level. For guidance on the process of getting a law passed, see pages 13–15.

Why Cats—and People—Need Laws

DURING THE MID-1980s, cats became America's most popular pets. In the past two decades, communities have faced increased problems related to free-roaming cats—owned cats allowed to go outside and stray and feral (semiwild) cats. Today there are more than 60 million

owned cats, fewer than half of whom are kept safely confined. Tens of millions more domestic cats roam our streets, alleys, vacant lots, farms, and countryside, having been abandoned by their original owners or born in the wild.

Keeping Communities Safe

The unintended impact of these free-roaming cats on our communities is substantial. Local governments spend hundreds of millions of dollars every year controlling stray animals, from neighborhood cats defecating in sandboxes to feral cats living in urban areas. Unsterilized cats allowed to roam contribute to the high number of cats who end up in our nation's animal shelters every day. Cats are now a major focus of local animal care and control agencies; in the past, these agencies concentrated most of their efforts on dog control and rescue.

Animal control agencies were established decades ago primarily to control the spread of rabies among dogs in the street. Cats are now the most common domestic vector of rabies, with 249 cases reported in 2000 in the United States. Cats who roam, particularly after dark, are likely to come into contact with nocturnal creatures, including raccoons and skunks, the primary vector species of rabies in the wild. To control this epidemic, 25 states now mandate rabies vaccination of cats and an additional 13 require local jurisdictions to vaccinate cats against rabies.

Free-roaming cats also kill millions of wild animals each year. Studies have shown that most of the animals killed are small mammals, amphibians, reptiles, and birds. Even well-fed housecats will kill wildlife because of their instinct to hunt prey, not because they need the food. Cats are not part of natural ecosystems, and their predation causes unnecessary suffering and death to wild animals. They reduce food sources for natural predators such as foxes, coyotes, and birds of prey. Cats also cause conflicts among neighbors, pitting gardeners and bird lovers against cat owners who allow their cats to roam.

Finally, the number of volunteer feral cat feeders who have sought to more actively manage feral cat colonies has been growing in recent years. This trend has convinced some local governments of the need for legislation to help coordinate these programs as part of a comprehensive cat control program. As a result, some local governments now cooperate with feral cat caretakers in responsibly managing programs that trap, test, vaccinate, alter, release, and monitor (TTVARM) free-roaming cats. The goal of such programs is to stabilize feral cat colonies and eventually eliminate them through attrition.

Keeping Cats Safe

For the cats themselves, unrestricted freedom to roam can lead to abbreviated life spans. The Humane Society of the United States (HSUS) estimates that the average lifespan of a free-roaming cat is less than three years, compared to 12–15 years for the average indoor-only cat. Free-roaming cats are hit by cars and other vehicles; succumb to rabies and other diseases; ingest poisons on chemically treated lawns, in bait left out to kill rats or mice, and in auto antifreeze that leaks from cars; are attacked by other cats, dogs, and wild predators such as coyotes; and sometimes are victimized by cruel humans.

In fact, two out of three veterinarians recommend keeping cats indoors, most often citing dangers from vehicles and disease.*

Tragically, fewer than five percent of “found” cats taken in by animal shelters are reunited with their owners. Many owned cats lack registration (licensing) tags or any other form of identification, and when such cats are lost, it is nearly impossible for animal shelter personnel to reunite them with their caregivers.

How to Best Control and Protect Cats

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. Trap-and-euthanize policies may alienate feral cat caretakers and many cat lovers. Trap, sterilize, and release programs that are not actively managed may alienate residents not willing to tolerate free-roaming cats in their neighborhoods. Moreover, these approaches are labor and cost intensive.

It is important for communities to develop and implement comprehensive laws, policies, and education programs about cats and cat care. Such laws, policies, and programs should be designed to reduce cats’ suffering and respond to cat-related conflicts, yet remain acceptable to people in the community. These laws and policies must be periodically evaluated and updated.

Local governments must also adequately fund animal care and control programs and enforce cat control ordinances, using general revenues as well as monies collected through

registration (licensing) fees 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.

Long-term solutions developed to respond to cat-related conflicts should foster the responsible caretaking of cats. Every community’s ultimate goal should be for every resident cat to have a loving, permanent home and caregivers who keep the cat safely confined and meet the animal’s special needs.

The Elements of an Effective Community Cat Care and Control Program

AT A MINIMUM, The HSUS believes that every community’s cat care and control program should include the following, all of which should be codified by state statute and/or local ordinance:

- Mandatory registration (licensing) of cats (see pages 3–4); if a fee is charged, it should be higher for unsterilized cats than for sterilized cats (a concept called “differential licensing”)
- Mandatory identification of cats; in addition to requiring that cats wear collars and tags, communities should consider implementing a backup permanent identification system such as a microchip program (see pages 4–6)
- Mandatory rabies vaccinations for all cats older than three months of age—the age recommended by vaccine manufacturers (see pages 6–8)
- Mandatory sterilization of all cats adopted from public and private animal shelters and rescue groups (see page 8)
- Mandatory sterilization of all free-roaming cats (see pages 8–9)
- A mandatory minimum shelter holding period for stray cats consistent with that established for stray dogs, preferably five days, including a Saturday; this policy should allow for euthanasia of suffering animals before completion of the holding period (see page 9)
- Laws and policies that are consistent with the responsible management of feral cats (see pages 11–13); for example, if cats are required to wear identification in a jurisdiction, then feral cats in managed colonies should be identified using microchips and/or visible means of identification such as tattoos (some communities also notch the left ears of male feral cats, and the right ears of females, to indicate that the cats have been sterilized)

*HSUS veterinarian study conducted in June 2001 by Jacobs Jenner & Kent.



In addition to those provisions, some local jurisdictions have gone further in addressing the problems caused by free-roaming cats by including the following in their cat control ordinances:

- Cat control and restraint (see pages 9–11)
- Restrictions on the number of cats per household (commonly referred to as “animal limitation ordinances”; see page 11)
- Registration of feral cat caretakers (see pages 11–13)

Finally, in addition to effective laws that address the responsible care and control of cats, every community should have an ongoing public education program that promotes responsible cat care and should offer subsidized sterilization programs to encourage cat owners to sterilize their cats. There also must be adequate and appropriate shelter holding space, staffing, and other resources necessary to humanely hold stray felines for the mandatory minimum holding period.

Mandatory Registration of Cats

A government-mandated cat registration program (historically called “licensing”) serves as the foundation for any cat control program. Such programs for dogs, enacted by an estimated 90 percent of cities and counties, have been a hallmark of successful dog control programs for decades. The logic behind extending those policies to cats is equally compelling.

Mandatory registration of cats has two goals: primarily, to serve as a lost-pet recovery service, and secondarily (when a fee is charged), to raise revenues to recoup some of the costs of providing animal control services.

Because effective mandatory cat registration programs require that cats be outfitted with some form of identification, they encourage more caregivers to do so. Statistics show that mandatory registration programs increase the numbers of impounded cats returned to their owners. After Oahu, Hawaii, began requiring that all cats wear visible identification or be microchipped in 1995, its return-to-owner rate increased from 0.9 percent of impounded cats (138 cats) in fiscal year 1995 to four percent (627 cats) in fiscal year 2002.

While revenues from registration fees will never be enough to fund an effective animal care and control program, they nonetheless can help provide supplemental revenue—and put some of the responsibility of funding cat-protection programs on cat owners. Through a mechanism called differential licensing, in which higher registration fees are charged for unsterilized cats, mandatory registration also provides a financial incentive to have cats spayed or neutered.

Another benefit of cat registration is that it helps prevent the spread of rabies by requiring that cats be vaccinated

against the disease as a prerequisite for getting the cat sterilized. This is especially important because cats are now the number one domestic vector of rabies in the United States.

SAMPLE REGISTRATION ORDINANCES

Fort Wayne, Indiana

Sec. 91.050 Pet Registration Required; exception; tags; microchip implant.

(A) Any person owning, keeping, harboring or having custody of any dog or cat over the age of three months must obtain a pet registration for such animal; provided, however, that no pet registration shall be required of any animal welfare organization, municipal animal control facility or governmental agency, or guide dog. Animals belonging to those agencies or persons will be issued complimentary registration tags.

(B) A durable tag stamped with registration number and year of issuance will be provided to pet registration holders for each registration granted. Dogs and cats must wear their tags at all times on their collars, except when involved in any organized show, obedience demonstration, training situation, or under the care of a licensed veterinarian.

(C) Any person owning any dog or cat may, in addition to the animal’s registration, obtain a microchip implant for the dog or cat. In no case shall the microchip implant replace the requirement for the annual registration of a dog or cat with the Department of Animal Control.

(D) Any person owning any dog or cat which has been implanted with a microchip shall transfer the microchip registration with the Department of Animal Control upon sale, trade, barter, gift, or transfer of an animal.

(’74 Code, § 6-7) (Ord. G-14-81, passed 9-22-81; Am. Ord. G-16-95, passed 6-13-95; Am. Ord. G-29-95, passed 11-21-95) (Penalty, see § 91.999)

King County, Washington

11.04.030 Pet licenses required.

A. License Requirements. All dogs and cats eight weeks and over which are harbored, kept or maintained in King County shall be licensed and registered annually.

B. License Issuance. Pet licenses shall be issued by the animal control section and may be issued by veterinarians, pet shops, catteries, and kennels and other approved locations upon application and the payment of a license fee made payable to the department of finance according to the

schedule provided in K.C.C. 11.04.035 of this chapter:

1. Pet licenses for unaltered dogs and cats will be valid for a term of one year from the date of issuance, expiring on the last day of the twelfth month. Pet licenses for altered dogs and cats will be valid for one year, expiring on the last day of the twelfth month. There is no proration of any license fees. Renewal licenses will retain the original expiration period whether renewed prior to, on, or after their respective renewal month.

2. Juvenile licenses must be obtained for pets from eight weeks to six months of age.

3. King County residents sixty-five years of age or older may purchase a special permanent license for the lifetime of cats or dogs which are neutered or spayed and for which they are the registered owners when said animals are maintained at said owner's registered address. Such residents shall not be required to annually purchase a new license for the lifetime of such licensed animals; provided, that no person shall be issued more than three (3) special permanent animal licenses for any combination of three (3) cats and dogs for which they are the registered owner.

4. Applications for a pet license shall be on forms provided by the animal control section.

5. License tags shall be worn by dogs at all times. As an alternative to a license tag, a dog or cat may be identified as licensed by being tattooed on its right ear or on its inside right thigh or groin with a license number approved or issued by the animal control section.

6. Owners of dogs and/or cats which hold valid licenses from other jurisdictions and who move into King County may transfer the license by paying a transfer fee. Such license shall maintain the original expiration date.

7. It shall be a violation of this chapter for any person to sell or transfer ownership of any pet without a pet license. The King County animal control authority shall be notified of the name, address, and telephone number of the new owner by the person who sold or transferred the pet.

F. Nonapplicability. The provisions of this section shall not apply to dogs or cats in the custody of a veterinarian or animal shelter or whose owners are nonresidents temporarily within the county for a period not exceeding thirty days.

(Ord. 11404 § 2, 1994: Ord. 10809 § 2, 1993: Ord. 10423 § 4, 1992: Ord. 10168 § 1, 1991: Ord. 7986 § 1, 1987: Ord. 7416 § 1, 1985: Ord. 6702 § 1, 1984: Ord. 6370 § 4, 1983: Ord. 5805 § 1, 1981: Ord. 4552 § 1, 1979: Ord. 3980 § 1, 1978: Ord. 3187 § 1, 1977: Ord. 2869, 1976: Ord. 2158 § 1, 1974: Ord. 1691 § 1, 1973: Ord. 1396 Art. II § 1, 1972)

Mandatory Identification of Cats

In lieu of mandatory registration, some jurisdictions have passed laws requiring that cats wear some form of identification. Such laws help convince more cat owners to outfit their felines with identification without requiring them to also pay a fee to the government.

The disadvantages of this approach are that the government derives no revenue from the program, there is no centralized repository of information about the cats in a community, and owners must affix separate tags to their animals to prove that they have been vaccinated against rabies.

In addition to requiring that cats wear collars and tags, communities should consider implementing a backup permanent identification system such as a microchip program. Rhode Island, for example, passed a law in 1999 that requires cat owners to outfit their charges with identification. The statute specifies a variety of acceptable forms of identification, including traditional ID tags, rabies tags, ear tags, microchips, and embroidered collars.

SAMPLE IDENTIFICATION ORDINANCES

O'Fallon, Illinois

§ 90.11 Identification tags.

Every owner or keeper of a dog or cat regardless of age, shall cause the dog or cat to wear a collar or harness and shall affix the address and phone number, if any, of the owner or keeper of the dog or cat.

(’73 Code, § 4.02(b)) (Ord. 770, passed 9-15-75)

Rhode Island

§ 4-22-3 Required Cat Identification. — It shall be unlawful for any person to be an owner of a cat over three months of age unless the person maintains an identification worn by the cat at all times.

The identification provisions in this law are not applicable to the following:

(a) A cat brought into the state exclusively for the purpose of entering them in a cat show or cat exhibition or for breeding purposes and which does not remain in this state for more than fifteen (15) days and which is not allowed to be at large.

(b) A cat owned by any person who is not a resident of the state and is traveling through the state temporarily and for a period not to exceed thirty (30) days.



(c) A cat temporarily kept by a licensed veterinarian, a licensed kennel, or a licensed animal shelter or a licensed municipal pound who maintain on their premises cats owned by others.

(d) A cat temporarily kept by owners of a licensed pet shop for purposes of sale or by a licensed animal shelter or a licensed municipal pound for purposes of adoption.

(e) A cat kept exclusively indoors or confined in outdoor areas and maintained for pedigreed cat breeding and stud purposes.

§ 4-22-2 Definitions. — For the purposes of this chapter:

(d) “Identification” means: a traceable form of identification such as (1) a collar and a flat or hanging tag worn by a cat which includes the current name, address and telephone number of the owner, or (2) a rabies vaccination tag, or (3) an ear tag issued by a licensed veterinarian or by a licensed animal shelter or licensed municipal pound, or (4) a registered microchip which is used in conjunction with a visible collar and tag or in conjunction with a faceted, reflective ear stud, or (5) a tag from a licensed animal shelter or licensed municipal pound, or (6) a tattoo registered with the National Dog Registry or other similar national tattoo service, or (7) a cat license issued by a Rhode Island city or town, or (8) a collar incorporating embroidery as a type of information labeling rather than a hanging or flat tag or (9) in the case of feral cats, a tipped or notched ear in conjunction with a microchip or any of the above other forms of identification. The intent is to allow flexibility in the types of identification available for cats and to incorporate other types of cat identification in the future as they are developed.

§ 4-22-4 Removal of Cat Identification. — It shall be unlawful for any person other than an animal control officer, a licensed veterinarian, an employee of a licensed animal shelter, an employee of a licensed municipal pound, or a person authorized by an animal control officer to remove any identification from any cat not owned by the person.

City and County of Honolulu, Hawaii

Article 6. Cat Identification Program

Sec. 7-6.1 Definitions.

For the purposes of this article:

“At large” means: (1) On the premises of a person other than an owner of the cat, without the consent of an occupant or owner of such premises, or (2) on a public street, on public or private school grounds, or in any other public place, except

when under the control of an owner by leash, cord, chain or other similar means of physical restraint that is not more than eight feet in length.

“Identification” means: (1) a collar or tag worn by a cat which includes the current name, address and telephone number of the owner, or (2) an ear tag issued by the Hawaiian Humane Society, or (3) a microchip registering the owner with the National Computer Recovery Network or the Hawaiian Humane Society.

“Impounded cat” means any cat released to or under the custody of or control of the Hawaiian Humane Society.

“Person” includes corporations, estates, associations, partnerships and trusts, and one or more individual human beings.

(Added by Ord. 95-21)

Sec. 7-6.2 Identification required.

It shall be unlawful for any person to be an owner of a cat over six months of age unless the person maintains an identification worn by the cat. This section shall not apply to cats in quarantine and cats brought into the city exclusively for the purpose of entering them in a cat show or cat exhibition and not allowed to be at large.

(Added by Ord. 95-21)

Sec. 7-6.3 Owner—Exception.

“Owner” means any person owning, harboring or keeping, or providing care or sustenance for a cat, whether registered or not, or having custody of a cat, whether temporarily or permanently. This definition shall not apply to any person who has notified the Hawaiian Humane Society of the cat at large that the person has taken into possession and:

(1) Who is or will be transporting the cat to the Hawaiian Humane Society; or

(2) Who has made arrangements with the Hawaiian Humane Society to have the cat picked up by the Hawaiian Humane Society.

(Added by Ord. 95-21)

Sec. 7-6.4 Removal of cat identification.

It shall be unlawful for any person other than an officer of or a person authorized by the Hawaiian Humane Society to remove any identification from any cat not owned by the person.

(Added by Ord. 95-21)

Sec. 7-6.5 Cats released to the Hawaiian Humane Society.

(a) Any person who takes into the person's possession any cat at large shall immediately notify the Hawaiian Humane Society and shall release the cat to the Hawaiian Humane Society upon request.

(b) In the case of any cat released to the Hawaiian Humane Society wearing an identification, the Hawaiian Humane Society shall make a reasonable attempt to notify the owner by telephone, and shall send written notice to the owner. The cat shall be held by the Hawaiian Humane Society for not less than nine days, after which time the Hawaiian Humane Society may return the cat to the person who had released the cat to the Hawaiian Humane Society, offer the cat for adoption, or euthanize the cat, if not sooner recovered by the owner. An owner wishing to recover the cat shall pay a daily impoundment fee of \$2.50 for each full day, or fraction thereof, that the cat is held by the Hawaiian Humane Society.

(c) In the case of any cat released to the Hawaiian Humane Society not wearing an identification, the Hawaiian Humane Society shall hold the cat for not less than 48 hours, after which time the Hawaiian Humane Society may return the cat to the person who had released the cat to the Hawaiian Humane Society, offer the cat for adoption, or euthanize the cat, if not sooner recovered by a person claiming ownership. If a person claiming ownership seeks to recover the cat, the person shall pay a daily impoundment fee of \$2.50 for each full day, or fraction thereof, that the cat is held at the Hawaiian Humane Society.

(d) Any cat released to the Hawaiian Humane Society with a "notched ear," indicative of a sterilized feral cat, shall be held at the Hawaiian Humane Society for not less than nine days, after which time the Hawaiian Humane Society may return the cat to the person who had released the cat to the Hawaiian Humane Society, offer the cat for adoption, or euthanize the cat, if not sooner recovered by a person claiming ownership. If a person claiming ownership seeks to recover the cat, the person shall pay a daily impoundment fee of \$2.50 for each full day, or fraction thereof, that the cat is held at the Hawaiian Humane Society.

(e) If a cat released to the Hawaiian Humane Society is not recovered by the owner, the person who had released the cat to the Hawaiian Humane Society shall have the right of first refusal for permanent custody and ownership of the cat.

(Added by Ord. 95-21)

Sec. 7-6.6 Sterilization of cats.

It shall be unlawful for a cat owner to allow a cat over the age of six months to be at large unless the cat has been sterilized by a veterinarian.

(Added by Ord. 95-21)

Sec. 7-6.7 Enforcement.

An impounded cat for which an identification is not maintained by an owner may not be released by the Hawaiian Humane Society to a person claiming ownership of the cat until the owner complies with the identification requirements of this article. If an impounded cat, with or without identification, has not been sterilized, the person claiming ownership may be cited by an officer of the Hawaiian Humane Society for a violation of Section 7-6.6. The penalty for violating Section 7-6.6 shall be waived upon proof of sterilization of the cat by a veterinarian furnished to the Hawaiian Humane Society within 30 days after the date the citation was issued.

(Added by Ord. 95-21)

Sec. 7-6.8 Penalty.

Any person found guilty of violating any of the provisions of this article shall be fined not more than \$100.00.

(Added by Ord. 95-21)

(Article 6 of Chapter 7, which can be found at www.co.honolulu.hi.us/refs/roh/7.htm)

Mandatory Rabies Vaccinations

The widespread vaccination of dogs in the United States has reduced the number of cases of rabies in dogs from 6,949 in 1947 to 114 in 2000. Today more cats than dogs succumb to this deadly disease, with 249 cases of feline rabies confirmed in 2000, not including undocumented cases of stray and feral cats who also likely fell victim to the disease. That is why state and local governments should ensure that all cats are vaccinated against rabies. In fact, as of 2001, 25 states mandated rabies vaccination of cats and an additional 13 required local jurisdictions to vaccinate cats against rabies. Ordinances related to rabies should:

- Make it unlawful for any person to own or harbor a cat over the age of three months without a valid rabies vaccination; persons bringing cats into the community should be required to show proof of such vaccination; no exceptions should be made for cats kept indoors
- Establish rabies vaccination clinics operated by the municipal health department that charge preestablished fees
- Require that any vaccinated domestic cat who bites a person be quarantined securely on the premises of the animal's owner (or at the discretion of the director of public health, in a veterinary hospital or an animal shelter) for 10 days



- Require that any unvaccinated domestic cat who comes into contact with a rabid wild animal be quarantined in a veterinary hospital or an animal shelter for at least six months or euthanized and tested

SAMPLE RABIES VACCINATION ORDINANCE

Wakulla County, Florida

Sec. 6.004. Rabies vaccination required

(a) Frequency; exception. Every dog and cat four (4) months of age or older shall be vaccinated against rabies with a U.S. Government-approved vaccine. Each animal shall be required to be vaccinated no more frequently than the effective period of the approved vaccine used. Such vaccination is excused only if a licensed veterinarian certifies in writing that vaccination would be injurious to the dog’s or cat’s health. In such case, the dog or cat shall be confined in an enclosed building or kennel until the dog or cat can be safely vaccinated.

(b) Proof of vaccination; tags. Proof of vaccination shall consist of a rabies vaccination certificate, a rabies vaccination tag and identification tag which shall specify the name, address and telephone number of the owner of the animal. Such certificate and rabies tag shall be approved by the director of animal control. The rabies vaccination tag issued for one dog or cat shall not be valid for any other dog or cat.

(c) Removal of tag. It is unlawful for any person to remove the rabies vaccination tag or identification tag of any currently vaccinated dog or cat unless:

- (1) The dog or cat is participating in any organized exhibition or field trial, or is training for these events, or is engaged in a legal sport under competent supervision;
- (2) A licensed veterinarian directs in writing that the rabies vaccination tag be removed for reasons of the dog’s or cat’s health. In such event, the dog or cat shall be confined until the veterinarian permits the tag again to be placed on the dog or cat; or
- (3) The animal is securely confined.

(d) Display of proof. It is unlawful for the owner of a dog or cat to refuse to show proof of current vaccination of such dog or cat by the end of the next business day if such information is requested by the director of animal control or any animal control officer.

(e) Rabies information to go to county. Any person administering a rabies vaccination to a dog or cat within the county shall furnish the information contained therein to the division of animal control upon request.

(f) Compliance with State Administrative Code. When

any animal bites or wounds a human or when a human or domestic or captive wild animal is bitten by or exposed to rabies by a suspected or known rabid animal, the owner shall comply fully with Florida Administrative Code, chapter 10D-3, “Communicable Disease Control.”
(Ord. No. 91-45, 12-5-91)

Sec. 6.005. Potential rabies carriers

No person shall keep, own, possess or harbor any rabies carriers as a personal pet within Wakulla County, Florida. Owners of potential rabies carriers shall be allowed to keep, own, possess, or harbor such animal, provided that they are properly permitted through state or federal agencies. Adequate living quarters and confinement must be provided for the animal which are consistent with the species’ normal requirements for size, shelter, exercise area, heat, ventilation, light and safety. All areas for the animal must be maintained in a sanitary manner. Carriers as defined in this article shall not apply to properly licensed or permitted museums, wildlife rehabilitators, zoological parks or research facilities. It shall be the responsibility of the owner of any potential rabies carrier animal to provide proof of the acquisition date and the animal’s source if requested to do so by the division of animal control.

(Ord. No. 91-45, 12-5-91)

Sec. 6.006. Rabies control

(a) Duty to report. It shall be the duty of any person having knowledge that an animal has bitten or otherwise exposed a person or domestic or captive wild animal to rabies to report the incident immediately to the division of animal control or to the county health officer for examination or for supervised quarantine of the animal at the expense of the owner.

(b) Quarantine of cats or dogs. Any cat or dog which has bitten or exposed a human to rabies shall be quarantined for a period of not less than ten (10) days.

(c) Procedures for rabies investigations to conform to state provisions. The procedures for the investigation of animal bites inflicted by animals other than dogs and cats shall be followed in accordance with the provisions set forth in the Florida Administrative Code, chapter 10D-3.

(d) Location and conditions of examination. The location and conditions of examination or quarantine of animals which have bitten or otherwise exposed a person to rabies shall be established by the county health officer (Florida Administrative Code, chapter 10D-3.)

(e) Concealment, etc., prohibited. It shall be unlawful for any person to hide, conceal or refuse to surrender any

animal for examination or quarantine upon lawful demand to do so by the county health officer or by the division of animal control.

(f) Duty of person having knowledge of rabies exposure. Any person having knowledge that a domestic animal has been bitten by or otherwise exposed to rabies by a wild animal of a species commonly recognized to be a carrier of rabies such as, but not limited to, raccoons, foxes, skunks, bats and bobcats shall immediately report such bite or exposure to the county health officer or to the division of animal control for the investigation of such bite or exposure. (Ord. No. 91-45, 12-5-91)

Mandatory Spaying and Neutering of Adopted Cats

No animal shelter should ever place cats back into the community who haven't been spayed or neutered. Although the vast majority of animal shelters require the sterilization of all adopted animals as a matter of policy, an ordinance mandating that policy will serve as an effective enforcement mechanism.

Mandatory sterilization laws typically require adopters of shelter animals to have the animals spayed or neutered within 30 days of adoption and adopters of animals younger than six months of age to pay a deposit toward future sterilization.

In recent years, the growing number of veterinarians providing prepubertal spaying and neutering services (spaying and neutering dogs and cats as young as eight weeks of age) has made it possible for shelters to "pre-sterilize" all animals before sending them home with adopters. In this way, shelters do not have to enforce the mandatory sterilization law because all adopted pets have already been sterilized.

SAMPLE MANDATORY SPAY/NEUTER ORDINANCES

Note: In addition to the sample ordinances listed here, The HSUS has a model bill, "Mandatory Spaying and Neutering of Dogs and Cats." For a copy, contact The HSUS Government Affairs at 2100 L Street, NW, Washington, DC 20037; 202-452-1100; legislation@hsus.org.

Bellevue, Washington

8.04.025 Mandatory spaying and neutering.

A. No person shall own or harbor any cat or dog over the age of six months that has not been spayed or neutered unless the person holds an unaltered animal license for the animal pursuant to BCC 8.04.040.

B. Guide dog puppies in training and police service dogs

are exempted from provisions of this section.

C. Any dog or cat over the age of six months adopted from an animal shelter in the city shall be spayed or neutered before transfer to owner.

(Ord. 4577 § 2, 1993)

Richmond, Virginia

Sec. 4-26. Spaying and neutering of animals prior to adoption.

All dogs and cats that come into the care of the City Animal Shelter and subsequently become available for adoption shall be spayed or neutered prior to releasing custody of such animals for adoption. However, such dogs and cats shall not be spayed or neutered until they obtain a sufficient age or size to undergo such sterilization procedure and the City Animal Shelter has received payment of the adoption fee required by section 4-27.

(Ord. 99-394-372, § 1, 12-13-99)

Spaying and Neutering of Outdoor Cats

Many communities have begun to look at ways to address the problems caused by cats who spend most or all of their time outdoors. To help stop these free-roaming cats from breeding indiscriminately, they have passed ordinances requiring that all cats allowed to roam outside be spayed or neutered. Such provisions do little to protect the cats in question but do help lower the number of surplus cats within communities. Registration of cats should be a prerequisite of this kind of provision so that animals and their owners may be identified and the ordinance enforced.

SAMPLE OUTDOOR CAT SPAY/NEUTER ORDINANCES

Riverside, California

6.08.030 Control of unspayed and unaltered cats.

It is unlawful for any person who owns, harbors or keeps any unspayed or unaltered cat four months of age or older within the unincorporated area of Riverside County to allow or permit such unspayed or unaltered cat to be or remain outdoors in such unincorporated areas.

(Ord. 630.7 § 3, 1999)



El Dorado, Arkansas

Ord. 6-31, Section 1. Spay/Neuter.

Owners of cats allowed outdoors must sterilize the cat(s) by the age of six (6) months.

(Ord. 6-31, El Dorado, Ark.)

Petaluma, California

Sec. 9.08.120 Animals at Large

F. No person owning or otherwise having a cat over six (6) months of age in his care, charge, control, custody, or possession shall cause, permit, or allow such cat to be in or upon any public street, road, alley, or other public or private place other than the animal owner's property unless such cat is spayed or neutered. An animal control officer is empowered to seize and impound every cat found in violation of this section and shall require owners of the cat to either spay or neuter the cat or to produce a certificate of sterilization signed and dated by a veterinarian which lists the veterinarian's name, clinic's name, address, telephone, license number, pet name, age, breed, and adequate description of the cat.

(Ord. 2045, Sec. 9.08.120, City of Petaluma, Calif., Municipal Code)

Mandatory Minimum Shelter Stray Holding Period

Minimum stray-animal holding periods are designed to allow the owners of lost animals time to reclaim their lost pets from local sheltering facilities. The holding period for stray cats should be consistent with that established for stray dogs, preferably five days, including a Saturday; this policy should allow for euthanasia of suffering animals before completion of the holding period.

Some jurisdictions mandate longer holding periods (for example, nine days) for impounded animals wearing some form of identification. This gives cats with strong evidence of ownership extra time to be reclaimed.

SAMPLE MINIMUM SHELTER STRAY HOLDING PERIOD ORDINANCE

North Richland Hills, Texas

Section 3.2 Disposition of Impounded Animals:

3.2.A Dogs and Cats with No Identification: All dogs and cats impounded by the Animal Services Division or

brought to the Animal Services Center by a person other than the harborer or owner of that animal shall be held for a minimum of ninety-six (96) hours during which time period the owner may present proof of ownership at the Center and after paying all applicable fees, that owner may reclaim the dog/cat. In the event that the dog/cat is not claimed after ninety-six (96) hours in the Center, that dog/cat shall become the property of the City of North Richland Hills.

3.2.B Dogs and Cats with Identification: All dogs and cats impounded by the Animal Services Division or brought to the Animal Services Center by a person other than the harborer or owner of that animal that are wearing traceable identification or where an owner is known shall be held in the Center for a minimum of seven (7) complete days from the time the animal enters the facility, during which time the Animal Services Division shall notify the owner, when known, of the impoundment. Unless the owner has notified the animal Services Division in writing of his/her intentions to claim the dog/cat after that date, listing a date by which time that owner will reclaim the dog/cat and satisfy all applicable fees and this arrangement has been approved by the Animal Services Supervisor, the animal shall become the property of the City of North Richland Hills on the eighth (8th) day.

3.2.C Animals Surrendered by Owner/Harbinger: All animals surrendered by the owner/harbinger to the Animal Services Division shall become the property of the City of North Richland Hills immediately upon completion of the Owner/Harbinger Surrender form.

(Ord. 1848, Article 3, City of North Richland Hills, Texas)

Cat Control and Restraint

Laws requiring that cats be kept indoors or under supervision when outdoors are the most effective way for communities to gradually eliminate their cat-related problems and ensure that cats receive the protection and care they deserve.

"Control" and "restraint" are defined in various ways, but basically, when a cat is *controlled* (or safely confined), that cat's behavior is restricted either by the supervision of the owner or the fact that the cat is within a house; when a cat is *restrained*, that cat's behavior is restricted by the use of a leash and harness or similar device.

The HSUS recommends that cats be under the direct supervision and control of their caregivers. The organization does not recommend that cats (or dogs) be tied when unsupervised, since a tied animal cannot escape attack from other animals or humans and because tying an animal outside makes that animal much more vulnerable to being stolen.

Cat restraint and control can be a controversial issue.

Many people argue that it isn't "natural" to keep a cat indoors or otherwise safely confined. Unfortunately, this belief is self-perpetuating, especially if a pet caregiver makes no effort to provide the cat with a stimulating indoor environment.

While most cats enjoy being outside where they can hunt prey and explore their surroundings, it's a myth that going outside is a prerequisite for feline happiness. Playing with an indoor cat easily satisfies the animal's stalking instinct and keeps the cat stimulated and healthy through exercise. In fact, the indoor cat who get lots of attention and playtime is generally happier than the indoor-outdoor cat who is largely ignored by his or her human companions.

Cat owners can easily create feline-friendly homes that meet all of their cats' needs. Many innovative and fun toys can help make the indoor life a great and safe adventure.

Finally, cats don't have to be deprived of the great outdoors to stay safe. Cats can be trained to accept a harness and a leash, and cat fences and enclosures can allow them to experience all the pleasures of the great outdoors without all of the risks.

SAMPLE CONTROL AND RESTRAINT ORDINANCES

Overland Park, Kansas

6.08.020 Dog and cat control.

B. Cat Control. All cats must be under the control of their owner, keeper or harbinger at all times. For the purpose of this section, a cat shall be considered not under control and in violation of this section in the following situations:

1. If a neighbor complains orally or in writing to the owner, keeper or harbinger of a cat, that the cat is entering upon the neighbor's property, then the cat's presence on the neighbor's property at any time subsequent to the neighbor's complaint shall constitute a violation of this section;
2. If a cat causes injury to persons or animals;
3. If a cat causes damage to property off its owner's, keeper's or harbinger's property to include, but not limited to, breaking, bruising, tearing up, digging up, crushing or injuring any lawn, garden, flower bed, plant, shrub or tree in any manner or defecating or urinating upon any private property.

(Ord. DAC-1679 § 9, 91; DAC-1385 § 5, 86; DAC-1311 § 4, 85; DAC-1091 § 2, 80; DAC-697)

Muscle Shoals, Alabama

Sec. 14-8. Dogs and cats; restraint.

(a) Dogs. All dogs shall be kept under restraint or prevented from being at large.

(b) Cats. It shall be unlawful for the owner or any person having custody or control of any cat within the corporate limits or the police jurisdiction of the city to allow said cat to run at large if said cat habitually causes destruction or damage to the property of another or creates a nuisance. Provided, however, that no prosecution shall be commenced and no arrest made pursuant to this section except upon affidavit made by the aggrieved party before a judge or magistrate of the municipal court and a warrant issued by said judge or magistrate.

(Ord. No. 1154-95, art. I, § 7, 5-1-95; Ord. No. 1169-96, art. I, § 7, 7-1-96)

Aurora, Colorado

Sec. 14-101. Running at large.

(a) Prohibited. It shall be unlawful for the owner of any cat to fail to keep the cat from running at large within the city.

(1) For the purposes of this chapter, a cat not physically restrained when off the premises of the owner or custodian shall be deemed running at large.

(2) For purposes of this chapter, the term "premises of the owner or custodian" shall be defined as the residence of the owner or custodian, including the attached property surrounding the residence that is leased or owned by the owner or custodian, but not including any common area, park or recreational property jointly owned or leased by the members of a homeowners' or tenants' association.

(3) No cat shall be deemed to be running at large when the animal is upon the premises of the owner.

(4) Any cat enclosed within the automobile or other vehicle of its owner or custodian shall be deemed to be upon the owner's or custodian's premises.

(b) Penalty. Any person found guilty of violating this section shall, upon the first conviction, be subject to the payment of a fine of not less than \$15.00, upon the conviction of a second offense occurring within a one-year period shall be fined a sum not less than \$25.00, and upon the third and subsequent offenses committed within a one-year period shall be fined an amount not less than \$75.00 nor more than \$1,000.00. In addition to the fines stated in this subsection, a person convicted under this section, may be subject to not more than one year in jail. None of the fines shall be suspended by the municipal court. Nothing in this subsection



shall be construed as preventing the animal care officer from instituting a proceeding in the municipal court for violation of this section where there has been no impoundment.

(Code 1979, § 7-30; Ord. No. 97-51, § 8, 10-13-97)

Restrictions on the Number of Cats Per Household (Cat Limitation)

In an effort to solve certain problems associated with individuals attempting to care for too many cats, some communities have passed ordinances limiting the number of cats allowed per household.

These so-called “cat limitation laws,” which are most common in urban and suburban areas, have several benefits. The most significant is that they enable governments to more easily resolve animal hoarder cases. Animal hoarders are individuals who accumulate so many animals (in the dozens or even hundreds) that they are unable to provide even minimal standards of nutrition, sanitation, and veterinary care. Many hoarders accumulate cats, and these individuals frequently do not recognize the suffering they cause the animals. Under a cat limitation ordinance, officials are able to immediately remove suffering cats without having to first prove animal cruelty.

In addition to hoarder control, cat limitation laws also give animal care and control officials an additional tool to resolve certain nuisance complaints. The most common scenario involves a well-meaning individual who feeds large numbers of stray and/or feral cats but fails to get the animals sterilized. A well-crafted limitation ordinance helps empower officials to resolve complaints by neighbors and business owners; in fact, a cat limitation ordinance works best when implemented in conjunction with programs that create incentives for feral cat caretakers to more actively manage the cats they feed.

Cat limitation laws can be controversial. Those able to responsibly care for a large number of cats may feel that an arbitrary limit penalizes them for no reason. As a result, these cat owners may be driven “underground” and avoid registering their cats, and some may actively oppose other cat care and control legislation. For these reasons it is essential that a cat limit include provisions that allow responsible cat caregivers to care for additional cats provided certain criteria are met.

To be both effective and politically feasible, a proposed cat limitation ordinance should include:

- A clause that “grandfathers” in those cat owners who have more than the maximum number of cats allowed
- A mechanism that allows certain cat owners to keep more cats than the limit—for example, cat breeders

and other fanciers as well as cat owners who can responsibly care for more cats; some jurisdictions allow these individuals to purchase “hobby permits” (for a nominal fee) and require annual premise inspections to ensure proper standards of care

- A cat registration requirement that clearly defines what constitutes “ownership” of cats; this enables local officials, for example, to determine when a frequent feeder of feral cats can be considered an “owner” under the ordinance

SAMPLE CAT LIMITATION ORDINANCE

Aurora, Colorado

Sec. 14-102. Excessive number prohibited.

(a) It shall be unlawful to own, keep or harbor more than five cats that are four months of age or older on any premises. Only one litter of offspring may be kept on the premises until the age of four months. Exceptions are as follows:

(1) Licensed kennels, pet shops, city shelters and individuals in possession of a valid fancier’s permit with the conditions established by the city council for the permit. In no event shall the permit authorize the possession of more than ten cats.

(2) Individuals exceeding the allowable number of cats at the time of the enactment of the ordinance from which this section derives may be permitted excess allowable number of cats if the specific existing cats were licensed by the animal care division at the time this section became effective on February 18, 1994.

(b) It shall be affirmative defense to excessive number of cats prohibited if the owner is engaged in a bona fide effort to rescue cats and possesses an animal rescue permit. The owner must make application for the permit to the animal care division within 14 days of taking custody of the additional cats. The permit shall give the owner three months to dispose of the cats or otherwise return to the limit of permitted cats. A maximum of two rescue permits shall be issued to a household at any one time.

(Code 1979, § 7-31; Ord. No. 97-51, § 9, 10-13-97; Ord. No. 2002-02, § 1, 2-25-2002)

Feral Cat Caretaker Registration Programs

Recognizing the challenges associated with feral cats, some communities have passed cat registration ordinances that include registration of feral cat colonies or caretakers. These ordinances and the programs created in support of them are

designed to manage and ultimately eliminate feral cat colonies. The laws often piggyback on the efforts of volunteer feral cat feeders. When crafted properly, they provide incentives to help those who regularly feed feral cats and ensure that colonies are managed effectively and in a way that ensures harmony between feral cat caretakers, property owners, and animal care and control officials.

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.

An effective program that seeks to address the issue of feral cats 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 caretakers who are willing to devote the time and resources necessary to fulfill program goals; in cooperation with caretakers, 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 the benefit of wildlife (such as wildlife sanctuaries)
- Secure the permission of landowners and residents to maintain feral cat populations on their properties
- 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 caretakers, 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 any 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 (also called ear notching) or tattooing; to help identify from a distance which feral cats have been sterilized, some communities notch the left ears of male feral cats who have been sterilized and the right ears of female feral cats
- Immediately trap any new cats who enter a colony and assess them for placement or release

SAMPLE FERAL CAT REGISTRATION ORDINANCE

Cape May, New Jersey

Chapter 5 (Animal Control), Section 11: Feeding of Wild Cats

5-11.1 Definition.

Feral cat shall mean any homeless, stray, wild or untamed cat.

(Ord. No. 1046-95 § 6-20.1)

5-11.2 Unlawful Care

It is unlawful for any person to intentionally provide food, water, or other forms of sustenance to a feral cat or feral cat colony unless the person has furnished a signed statement to the Animal Control Officer agreeing to comply with the following conditions:

- a. Annual registration with the Animal Control Officer as caring for feral cats;
- b. Assure responsibility and arrangements for feeding the cat or cat colony regularly throughout the year, including weekends, holidays and vacations of the person registered;
- c. Regular and frequent trapping of cats over the age of eight (8) weeks to have them spayed or neutered;
- d. Arrange to have all trapped cats tested for feline



leukemia and to have those who test positive humanely euthanized or isolated indoors;

e. Identify all trapped cats by tipping their ears; and

f. Arrange to have all trapped cats vaccinated for rabies in addition to any other vaccination or immunization requirement imposed by the State.

(Ord. No. 1046-95 § 6-20.2)

Enforcement

THE ABILITY TO ENFORCE A LAW is critical when it comes to legislation regarding cats. In many communities, animal care and control programs have been geared toward dogs, not cats. But as the number of cats within communities climbs, these agencies must respond to the problems that result. As municipalities consider legislation to address these problems, they must also consider what will be required to enforce such legislation. This should include the following:

- An adequate staff that is trained to handle cats
- Equipment for humanely holding and handling cats, both in the field and in the shelter
- Facilities and equipment (including cages, handling equipment, food, supplies, and basic medical provisions) suited to holding and providing necessary care for cats
- A sufficient level of allocated funds to support enforcement efforts

The vast majority of cities and counties that have passed progressive cat legislation use a complaint-based enforcement system. This enables animal care and control agencies to respond to complaints with the force of law behind them, while recognizing that available resources—and public sentiment—usually do not support more aggressive enforcement of cat-related laws. A law requiring control and restraint of cats, for example, easily allows animal control personnel to respond to complaints about nuisance cats.

Getting Your Cat Law Enacted: Advice for Advocates

AT WHAT LEVEL of government should you pursue your legislation? Should you go to the city council, county government, or state legislature? While a state law helps the most animals, working for enactment of a local ordinance makes the most sense if you are primarily concerned about a local problem. First, local animal care and control laws are generally easier to get funded—and that is also where

they will be enforced. In addition, once several local jurisdictions have passed ordinances covering the same issue, a similar state law will be more politically feasible. Finally, because it is easier to work for change in your own geographic region and with people you know, you might want to make your first attempt at the city or county level.

Documenting the Problems

Before presenting your case for an ordinance, you must document the cat-related issues and problems in your community. Here are suggested steps:

1. Compile these statistics for your community shelter:

- How many cats enter local shelter(s) each year?
- How many of those cats are stray (cats who, it is reasonable to assume, may have owners but who have either become lost or been turned loose or abandoned) and how many have been surrendered?
- How many stray cats entering the shelter(s) are reclaimed by their owners?
- How many cats are adopted?
- How many cats are euthanized?

This information can support your case for the necessity of legislation. As an example, with few exceptions, the percentage of stray cats returned to their owners is abysmally low, while for dogs it can be quite high. Statistics from your local shelter(s) may show, for example, that cats make up a relatively high percentage (often above 50 percent) of the animals entering the facilities and that the percentage has been increasing steadily in recent years. The data may also show a wide disparity between the reclaim rate for dogs and that for cats. If this is the case, one explanation is that few cats wear any form of identification. A law requiring that cats be registered and wear registration tags can increase the number of lost cats who are returned to their owners.

2. Track the number and kinds of complaints that animal care and control agencies receive regarding cats; these will include, but not be limited to, general nuisance calls and reports of attacks on wildlife, destruction of property, and cats roaming “at large.” Registration laws will make it possible to hold cat owners accountable for problems caused by their cats. (This information may not be easily obtained.)

3. Document all cases of neglect, cruelty, and injuries (including, if possible, incidents involving cats being injured or killed by cars). Do not limit your investigation to police records or the courts; look also to the records of animal care

and control personnel. Besides the obvious tragedy for the animal, there are public safety concerns regarding cats injured or killed by motor vehicles.

4. Document public health problems that relate to cats. Include diseases that are spread from cat to cat as well as those spread between cats and other animals. In the United States, there are more incidences of rabies in cats than in dogs. The number of reported cases of cats biting humans is steadily increasing. Cats who are allowed to roam freely are more likely to come in contact with rabid wildlife and contribute to the spread of this disease. Making rabies vaccination a prerequisite for registration will help halt this spread.

The information you have gathered will be useful and necessary as you explain why an ordinance regarding cats is important in your area. Your efforts to educate people about the need for such legislation can make a critical difference in whether the ordinance passes. Those who resist cat registration may do so out of belief that mandatory registration is another way for government to interfere in the lives (and delve into the pockets) of citizens. They do not see that what registration laws do is provide cats with the same consideration and protection currently received by dogs in the majority of communities. Mandatory registration will hold cat owners accountable for their pets' actions just as dog owners are responsible for their dogs' actions.

Legislative Tips

Once you have documented the issues and problems, follow these tips to improve your odds of success:

- **Know the process.** Learn how the legislative process works in your jurisdiction and how an ordinance gets passed into law. Working toward passage of a city or county ordinance will be different from working toward passage of a state statute. (Note: This publication refers to local legislators as “council members,” but in your jurisdiction they may be referred to as selectmen, aldermen, or some other name.)
- **Work with your local animal care and control agency.** It's vital to work in partnership with your local animal control department or nonprofit humane organization (if the latter has a contract to provide animal control and/or sheltering services in your community). That agency will be responsible for implementing and enforcing the ordinance provisions, and in many communities may wield considerable influence with local council members. Remember that enforcement is a key part of the success of most laws, and that if the enforcing agency isn't an enthusiastic supporter of your idea, you'll have made few gains for cats.
- **Be inclusive.** Before you begin to work on an ordinance, discuss your effort with others who will be most involved. For example, if you want to do something about feral cats, invite established feral cat caretakers to the table. Understand that your full agenda might not be reachable, but that successful public policy usually involves a series of compromises and incremental steps.
- **Neutralize potential opposition.** If the bill would have a negative impact on a specific group, or even if a group indicates that the bill might have a negative impact on it, try to work with the group early in the process. The more opposition you can negate, the better the chances for your bill.
- **Involve veterinarians.** Whenever a bill affects animals, legislators will defer to a veterinarian. For a municipal ordinance, enlist the support of local veterinarians.
- **Get help in drafting your ordinance.** Although it should be clear to you what your objectives are and what kind of structure your program should have, the actual language of the ordinance should be drafted by professionals. You may be able to enlist the expertise of a local humane society board member who is a lawyer or has an association with a law firm or the counsel who works for the city or county council. You can also ask for pro bono help from a local law firm.
- **Define your terms.** A good ordinance includes definitions of terms that might not be clear. For example, the term “animal” has many different meanings depending upon how an ordinance defines it. What exactly is meant by “animal shelter”—all public and private facilities? What is “proper restraint”?
- **Draft your ordinance with costs in mind.** Try to create a program that generates sufficient funding to cover its expenses. It is best if only cat owners are forced to pay; funding generated this way is referred to as a “user's fee.” Programs that cost the municipality money to implement but that aren't funded by new revenue streams often go unimplemented.
- **Consider exceptions to the ordinance's coverage.** Should you exempt certain cats from your proposed legislation? For instance, an ordinance requiring the sterilization of cats could exempt those cats who, in the opinion of a veterinarian, should not have the surgery for health reasons (provided those cats are kept exclusively indoors). Similarly, a law requiring mandatory registration could include special provisions for feral cat caretakers who register with the city or county.



- **Find a good sponsor for your ordinance.** Approach legislators who have sponsored animal protection laws in the past. If the bill must be heard (considered or examined) by a committee, try to get someone on that committee to sponsor your bill.
 - **Develop healthy relationships.** As you lobby for your bill, be sure to develop good relationships with key legislators and legislative staff, including the ordinance sponsor's staff. They have great influence over what happens, and they can provide you with important information and insight.
 - **Don't overwhelm your council members with material.** But do provide whatever information they need. As the ordinance goes through the process, you will probably be called upon to provide additional information, lobby certain members of the council, alert your supporters, and talk with the press. Don't expect the ordinance to move on its own.
 - **Know when to compromise.** Rarely does an ordinance become law without being amended. Sometimes you can include provisions knowing that they will be compromised away at a later date. Don't be surprised if you can't get all the provisions you want, but be prepared to make hard choices. In general, if the amended ordinance will still help animals without lessening protections they already have, then it is better to pass a lesser ordinance than nothing. You can try again later to increase protection.
 - **Know who the opposition is.** Don't let your council members be surprised to find out that a major constituent group strenuously opposes the bill. If you inform them about the opposition's objections early on and explain why they are misguided, you will be more successful.
 - **Form a coalition of backers for your bill.** In addition to the humane community and veterinarians, seek endorsement from groups with an interest in cat welfare, cat breeders, birders and other wildlife advocates, law enforcement officials, chambers of commerce, civic associations, government workers, key members in the community, public health officials, and student groups. Think of anyone who will be better off if your ordinance passes for reasons such as safety, taxpayer savings, and fewer neighborhood problems.
 - **Work the media.** Contact the local newspapers and other members of the media early in the process to explain your issue and why your proposed ordinance is important. Don't assume that they will get good, fair information if you don't supply it to them. And remember that letters to the editor are an effective tool for getting information to your community.
 - **If hearings are held, carefully choose who will testify for your ordinance.** It should be someone who is comfortable with public speaking and who can deftly handle any questions that come up. (It may be possible to give testimony with someone at your side who can provide facts.) Anyone who has a relevant human interest story to tell is good, but testimony should be kept short. It should be given from notes and make no more than four or five clear points. Try to pack the room with your supporters; they can wear badges or carry signs of support. Avoid emotional appeals.
 - **Be polite.** This is especially important when lobbying council members to support your ordinance. Even if they won't support you on this ordinance, they may work with you in the future on another issue.
 - **Be honest.** If you don't know the answer to a question that a legislator or staff member asks, just say so. Tell the person that you will get back to him or her with the correct information, and then follow up.
 - **Always identify yourself to city or county council members.** Make it clear what issue you are discussing and whether you are representing yourself or a group.
 - **Tell legislators why their districts need this ordinance.**
 - **Consider a "sunset" provision.** If you don't think your ordinance will pass, a strategy to make it more acceptable is to add a provision that would limit the ordinance's effect to a two-, three-, or five-year period. At that time, if the program implemented has not been successful, it would be eliminated. If it has been successful, the city or county council may reauthorize it.
- For a good primer on the legislative process (with an emphasis on the federal level), order *Working for Animals: A Handbook for Lobbyists*, available from The HSUS. See pages 16–17 for ordering information. For additional assistance with your legislative initiatives, contact The HSUS Government Affairs at 2100 L Street, NW, Washington, DC 20037; 202-452-1100; legislation@hsus.org.
- Generous support for the Safe Cats™ campaign was provided by The Kenneth A. Scott Charitable Trust, a KeyBank Trust, and the Frances V. R. Seebe Charitable Trust.*

Resources

Animal Sheltering Magazine

Features news and information about cats and other animal care and control issues. Published bimonthly by The HSUS. HS0013
Subscriptions are \$11 for one year, \$16 for two years



Animal Control Management: A Guide for Local Governments

This 108-page book provides a wealth of practical information about funding, structuring, and running an effective animal care and control program that protects both citizens and animals. Written by The HSUS and published by the International City/County Management Association (ICMA). Published in 2001. AC4037
\$11.00



Community Approaches to Feral Cats: Problems, Alternatives, and Recommendations

This 144-page softcover book, written by Margaret R. Slater, DVM, PhD, “serves as a comprehensive resource for those interested in making informed, humane decisions about the management of feral cats in their communities.” —J.M. Scarlett, DVM, PhD, Cornell University College of Veterinary Medicine. Published in 2002 as part of the Public Policy Series of Humane Society Press. PM2282
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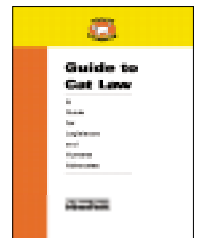
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Some of the material in this booklet is drawn from *The HSUS Statement on Free-Roaming Cats*. For the complete statement, visit www.hsus.org/safecatstatement or request a copy from:
The HSUS
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Washington, DC 20037
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**THE HUMANE SOCIETY
OF THE UNITED STATES**

The goal of The Humane Society of the United States Safe Cats™ campaign is to convince cat caregivers that there is truly no place like home for their cats.

This campaign provides cat caregivers with information on creating feline-friendly homes and offers caregivers and public officials information on the consequences of—and the solutions to—letting owned cats roam unsupervised outdoors.

For more information about the campaign, see the order form on page 16 or visit www.safecats.org. For more information about solving common cat behavior problems, visit www.petsforlife.org.

**Promoting the
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