



The Cat Fanciers' Association, Inc.

"World's Largest Registry of Pedigreed Cats"

Changing Laws Affect Free-roaming/Unowned/Feral Cats

While many people know of laws designed to regulate pet ownership, they may be unaware that many laws also affect stray, unowned and feral cats. Various free-roaming cat populations are present in every community and to help them or reduce their numbers requires different approaches. Stray cats are owned but lost. Unowned cats are usually abandoned but social or kittens born to formerly owned cats. Feral cats have a wild life-style – they are independent of human contact and cannot be touched.

These often forgotten groups of cats are blamed for a variety of ills; and some people suggest that trap-and-kill programs will serve as a final solution to all free-roaming cats perceived as nuisance. Stray cats can find their way home when pet owners provide proper identification. Unowned cats need humane intervention and shelter adoption programs. Feral cats must be trapped to reduce their numbers and stop unchecked reproduction. Over many years groups have advocated trap/neuter/return programs (TNR), with responsible colony management, as the most appropriate means to humanely control the population of feral cats.

According to the National Pet Alliance, free-roaming unowned/feral cats account for the majority of animals euthanized at humane societies and animal shelters each year. Two studies, one in Santa Clara County and one in San Diego County, have shown that unowned and feral cats comprise 36-41% of the entire known cat populationⁱ. In those same studies, it was noted that approximately 9-10% of households feed stray/unowned/feral cats.

Some communities propose harsh laws specifically targeting people who feed or care for free-roaming/unowned/feral cats. Recently, lower Windsor Township, NY, proposed a law that would have made it illegal and punishable by fines of up to \$600, and jail for up to 30 days, to feed any free-roaming cats. After opposition from a local feral cat group, the change was amended, and the offensive language removed.ⁱⁱ In Surfside, Florida, a group of animal lovers were cited and fined for feeding cats on the beach, in violation of the local ordinanceⁱⁱⁱ. This despite evidence, brought to the Surfside Town Council months earlier, that the ban on feeding was unnecessary. The successful TNR program in Surfside had already reduced the number of free-roaming cats on the beach from over 100 to less than 40^{iv}. In Torrington, Wyoming it was suggested that the way to manage the feral cat problem was to trap and shoot all free-roaming cats^v!

While "trap and kill" laws directly affect free-roaming feral cats, other laws can impact any at-large cats. Laws requiring cat licensing, mandatory spay and neuter, leash or confinement laws, limit laws, rabies vaccination laws, nuisance laws, mandatory microchipping and other laws all have the potential to impact people caring for unowned cats. Cat Confinement laws (no cat allowed outdoors) have led to pet cats being impounded by animal control, such as in Akron, Ohio^{vi}. Opponents claim that in the first two years of the Akron program, over 3,000 cats and kittens were killed by the City.

There is an old saying that: "no good deed ever goes unpunished." Some communities provide that anyone feeding or caring for a stray on their property for 30 days becomes its "owner", subject to all of the laws affecting owned cats^{vii}. Thus the caretaker of a feral cat colony may become the cats' "owner" subject to mandatory cat licensing, confinement and a host of other laws not appropriate to this free-roaming cat population. In San Mateo County, California, a "person caring for barn cats or a colony of feral cats" must comply with a host of regulations. He or she must register with the government, trap and spay/neuter the cats at 8 weeks of age; test all the cats for feline leukemia; isolate indoors or kill any cat testing positive; vaccinate all the cats; identify all the cats by means of ear notch, tip or tag; as well as other regulations^{viii}. Of course, this assumes the property is zoned to permit the number of cats within the colony.

The cumulative cost of licenses, microchips, vaccinations or other mandates under the laws devised for cat “owners” may present an unreasonable burden on a kind person caring for unowned cats in their neighborhood. These costs detract from TNR groups’ primary mission to provide sterilization in order to stop unchecked cat reproduction.

Cat licensing in particular is a form of cat ownership taxation, which can have the unintended effect of becoming a deterrent and burden for feral cat caretakers. The San Francisco SPCA notes that the risk of criminal fines and penalties may cause feral cat caretakers to “surrender their animals to the local shelter or abandon them to fend for themselves. ... Of course, for the stray and abandoned cats already in the community, licensing will do nothing^{ix}.” These cats have no owners to pay a license/tax.

Feral cat advocates have long contended that Trap-Neuter-Return, along with appropriate management of the feral cat colonies, can be effective in controlling the population of free-roaming cats. Statistics gathered from their own experiences confirm that this is the best and most humane method of control. Recent published scientific studies support this view as well.

One long-term study, published in the Journal of the American Veterinary Medical Association, followed several populations of feral cats on the University of Central Florida campus over a period of over 10 years. An aggressive program of trap-neuter-return-manage was implemented. Because new arrivals can severely compromise a TNR program’s success, ongoing monitoring and neutering of stray or abandoned newcomers is essential.

This long-term TNR program achieved a dramatic reduction in the feral cat population through sterilization, attrition, and an aggressive adoption program for kittens or abandoned newcomers. Many cats became more amenable to handling following sterilization and years of feeding and other human contact. Resident cats generally enjoyed good health and lifespans comparable to those of pet cats. Although new stray or abandoned cats took up residence in the study area; they were quickly neutered or adopted. By the end of the study period there had been a nearly 50% drop in the number of free-roaming cats. The study’s conclusion was 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^x.”

Groups such as the Maddies Fund have helped to provide financial support for TNR programs and management of feral colonies. One such project was in Maricopa County, Arizona. This community includes Phoenix, Scottsdale, Tempe and Mesa, with a combined human population in excess of 3 million. Called the “Maddie's Pet Rescue Project”, a community based coalition was formed of animal control agencies, rescue groups, private shelters and other interested groups. The program was so successful that the County Board of supervisors issued a resolution stating: “Maricopa County Board of Supervisors does hereby endorse non-lethal trap-neuter-return, when accompanied by ongoing feral cat management, as the most effective, humane method of controlling feral cat populations in Maricopa County and in so doing better provides for the welfare of these animals while better serving our communities’ public health and safety concerns^{xi}.” (Unanimous Resolution of the Maricopa County, AZ, Board of Supervisors, September 2002)

CFA is an organization dedicated to the welfare of all cats, including those who are unowned and are considered to be feral. CFA supports programs involving trapping unowned cats, testing for diseases, euthanasia of unhealthy/suffering cats, vaccination, altering, placement for adoption if possible, ear identification and return to existing locations where ongoing caregiver maintenance and protection will be provided. CFA opposes measures such as caregiver registration and licensing, cat licensing, fines or other punitive measures as these tend to discourage otherwise caring individuals from coming to the aid of unowned/feral cats^{xii}. Many individual cat fanciers are involved in TNR programs in their own communities and a few CFA cat clubs donate all or most of the proceeds of their annual cat shows to support local feral cat programs.

CFA ONLINE RESOURCES REGARDING FERAL CATS

- [Cat Facts: TTVARM Program](#)
- [Cat Facts: Spay & Neuter Programs](#)
- [“Cat Licensing: Analysis of Claims”](#) San Francisco SPCA Position Statement, January 3, 1995
- [CFA Guidance Statement on Feral Cats](#)
- [TTVARM Programs](#)
- [“Cities Unleash Confinement Laws”](#)

LINKS TO SELECTED FERAL CAT RESOURCES ONLINE

- [Alley Cat Allies](#)
- [Feral Cat Coalition](#)
- [Maddies Fund](#)
- [National Pet Alliance](#)

RECOMMENDED BOOKS

- [Community Approaches to Feral Cats – Problems Alternatives, & Recommendations](#),
By Margaret R. Slater, DVM, PhD
- [Maverick Cats – Encounters with Feral Cats](#)
By Ellen Perry Berkeley
- [TNR: Past, Present, and Future: A History of the Trap-Neuter-Return Movement](#),
by Ellen Perry Berkeley

George Eigenhauser, October 2004
CFA Legislative Information Liaison

To correspond with the CFA Legislative Committee, please email Legislation@CFA.org

ⁱ “NPA’s TTVAR Program,” National Pet Alliance

ⁱⁱ “Feral cat policy now less restrictive” Melissa Weiler, The York Dispatch, October 18, 2004

ⁱⁱⁱ “Stray-cat feeders must pay town fines” Casey Woods, The Miami Herald, April 1, 2004

^{iv} “Cat People Decry Surfside Law Banning Feedings on Beach” Erik Bojnansky, The Sun Post, October 16, 2003

^v “Cats take over Torrington” Kim Noteboom, The Torrington Telegram, October 15, 2004

^{vi} See, e.g. Akron, OH Municipal Code §§ 92.01; 92.13 & 92.15

^{vii} See, e.g. Los Angeles, CA Municipal Code § 53.15.2 (a)

^{viii} See, San Mateo, CA County Code § 6.12.020 (d)(1-6)

^{ix} “Cat Licensing: Analysis of Claims” San Francisco SPCA Position Statement, January 3, 1995

^x “Evaluation of the effect of a long-term trap-neuter-return and adoption program on a free-roaming cat population” Julie K. Levy, DVM, PhD, DACVIM; David W. Gale; Leslie A. Gale, BS, JAVMA, Vol 222, No. 1, January 1, 2003.

^{xi} Unanimous Resolution of the Maricopa County, AZ, Board of Supervisors, September 2002

^{xii} CFA Guidance Statement on Feral Cats, unanimously adopted by the CFA Board, February 7-8, 1998