SALT LAKE CITY COUNCIL STAFF REPORT

DATE:	March 6, 2006
SUBJECT:	Proposed amendments to Chapter 8, Animal Control Ordinance
AFFECTED COUNCIL DISTRICTS:	City-wide
STAFF REPORT BY:	Jan Aramaki
ADMINISTRATIVE DEPT. AND CONTACT PERSON:	Laurie Donnell
NOTICE REQUIREMENTS:	**7** days

KEY ELEMENTS: (ordinance)

1. Requires Cat licensing: total maximum limit of four (4) adult cats per household is proposed, including a microchip implant requirement. However, it should be noted that when a pet owner has three (3) or more adult cats, a pet owner must also comply with an additional section of City code (Section 8.04.074, Licensing and Keeping Three (3) or More Cats—Additional Requirements) that requires compliance with Salt Lake Valley Health Regulation #9, Section 7.0 General Requirements for Kennels, Catteries, and Groomeries (refer to page 10 of Transmittal for details). In general, these provisions identify steps that a responsible pet owner would commonly follow such as proper: handling of solid and liquid waste; handling of storage of chemicals, medications and supplies; managing upkeep of buildings, cages, and runs; handling of animal and food waste; handling storage of food products; managing noise beyond the property line; and providing of receptacles that contain clean litter.

2. Requires Licensing of Ferrets with a limit of two (2).

3. Limits the Total Number of Pets Allowable in a Household to four (4) comprised of a combination of dogs, cats, and ferrets, as long each animal does not exceed its permitted limit. An adult cat's kittens or an adult dog's puppies are excluded as part of the pet limit until they reach 4 months old, at which time they are considered an adult.

4. Animal license fee proposed changes and other fee changes to Appendix A:
   - Increase from $25 to $35 for an unsterilized pet
   - Maintain a $5 fee for a sterilized pet with the requirement of a registered microchip (involves an additional cost of $15 for implant fee charged by Salt Lake County Animal Services)

- $8 license fee for a sterilized pet without a microchip.
- Senior citizen (60 years and older) annual fee increased from $20 to $25 for an unsterilized pet
- Senior Citizen life-time fee increased from $15 to $20 for sterilized/microchipped (life-time requires microchip)
- Add feral cat colony registration permit of $25
- Adoption fee increase from $25 to $30
- Transfer fee increase from $3 to $5
- Replacement tag fee increase from $3 to $5
- Elimination of multi-year licensing
- Add voluntary relinquish fee of $25
- Add microchip implantation fee of $15 (for microchip implanted by SL County Animal Services)
- Add Sterilization fee for cats of $35 (for sterilization services provided by SL County Animal Services)
- Add Sterilization fee for dogs of $65 (services provided by SL County Animal Services)
- The time period for fees for second, third, and subsequent violations is proposed to change from 12 months to 24 months
- Current impound fees for first offense is $25; second offense is $50; and third offense is $100; however, for subsequent offenses, it is being proposed to change the fee from "criminal" to a $200 civil fee.
- "At large" fee is proposed to change reclassification in Appendix A from "minimum notice of violation penalties" to "animal nuisances" which results in an increase from a current rate of $25 to $50 for first offense; increase from $50 to $100 for second offense; and increase from $100 to $200 for third offense.

5. Feral cat colony registration permit includes the Trap-Neuter-Return (TNP) program as a requirement. Feral cat colonies form when unsterilized pet cats are abandoned or allowed to wander off. Because cats are unsterilized, the colonies grow in number. The "Trap-Neuter-Return" (TNR) method which includes sterilization of cats prevents breeding, provides vaccination and marking, allows for the return of healthy cats to the site, provides adoptive homes for kittens, and reduces euthanasia.

6. Commercial and Pet Rescue permit Requirement provides an opportunity for a pet owner who already has two dogs to rescue a third dog as long as the third dog is rescued from Salt Lake County Animal Shelter or a non-profit humane society shelter. This section of City code has the tendency to be confused when a person is interested in "fostering" for a limited time until a pet is found an adoptive home.

7. Proposed Increase Violation Fee for a pet "at large"

8. Housekeeping Items

MATTERS AT ISSUE/POTENTIAL QUESTIONS FOR ADMINISTRATION:

1. Requires Cat Licensing (Limit 4):

On November 2001, Council Member Carlton Christensen initiated a legislative action (copy attached) to request an ordinance requiring that pet owners provide licensing for pets in Salt Lake City. At that time, there was an increase in the number of calls Council Member Christensen received relating to unattended cats creating a nuisance in Council District One. The intent of the legislative action was to add a nuisance control measure, create a differential in licensing fee for sterilized pet as opposed to unsterilized pets, and increase the chances of safe return to pet owners. Cat over-population creates significant problems in Salt Lake City neighborhoods; therefore a lower licensing fee for sterilized cats would be an incentive for spaying and neutering pets.

According to the Administration's paperwork, local municipalities such as Murray, Sandy, Taylorsville, Cottonwood Heights, Herriman, and Ogden currently require cat licensing fees that are in line with dog licensing fees. (Refer to a comparison chart of licensing fees on page 3 of the Administration's transmittal). The Administration recommends a $5 cat licensing fee for a sterilized and microchip cat (microchip involves an additional $15 implant fee); and $35 for an unsterilized cat. Salt Lake County Animal Services' 2005 numbers reflecting the number of cats licensed in Taylorsville and Herriman are: 296 cat licenses in Taylorsville; and 54 cat licenses in Herriman.

When a cat strays away from its home, it is estimated that a microchip implant will increase the cat's chances of being returned safely to its owner, and eliminate the confusion of a pet cat being mistaken for a feral cat. There is the potential that pet owners may be resistant to cat licensing, but licensing is intended to benefit cats, their owners, and the general public just as dog licensing protects dogs. Salt Lake County Animal Services statistics for 2003-04 reveal 1,999 dogs were received in the shelter in comparison to 2,265 cats received in the shelter. The percentage of stray dogs returned to their owners was 44 percent in comparison to only 4 percent of stray cats.

If cat licensing is enacted, the Council Office can inform the public by having Animal Services post information at the shelter, on the Council's website and Channel 17, and prepare a press release from the Council. However, City Council Members may wish to inquire with the Administration regarding other methods to notify the public of the cat licensing and microchip requirements. Council Members may wish to incorporate a grace period as to when the ordinance would go into effect (perhaps 60 days) to allow ample time for pet owners to be informed and provide ample time for them to license their cats before the ordinance goes into effect. Educational awareness will be an important component to encourage pet owners to comply with cat licensing requirements. As part of the educational awareness, the City Council may wish to have some type of brochure available from the City, similar to Salt Lake County Animal Services' pet adoption brochure, covering information that pertains to the long-term commitment involved in pet ownership, such as, costs associated with annual vaccinations, medical care, grooming care, and pet food and supplies, etc.

The following are constituent comments received in the City Council Office regarding cat licensing for Council's information and consideration:

- There was an incident reported in the Avenues whereby a resident found a dead bat on top of her bed. The bat tested positive for rabies. Cat licensing and vaccination requirements will protect cats from getting rabies from bats.

- A constituent expressed opposition about collars for cats stating cats generally do not adapt well to a collar, and there is the potential for a cat to be strangled if a cat's collar is caught on an object such as a branch. The constituent also expressed: "those in rural areas, especially farmers and ranchers, would be penalized by the concept of a licensing requirement because out of necessity, they own multiple cats that control mice, rats and other small mammals – ecological issue – cats control problems with mice and grasshoppers."

- Animal Services reported a success incident whereby a stray cat with a microchip was picked up, and the cat was returned to its owner in Bountiful who had lost the cat five years ago.

- In the past, the question has been raised whether the late fee of $25 is in line with other City late fees. The $25 late fee is a 400 percent increase from the $5 license fee (sterilized and microchipped). According to the Administration because Animal Services takes a diligent approach on enforcing late fees, the result has been that more pet owners have become more conscious and aware of their renewal deadline – pet owners are more apt to make payments in a timely manner to avoid late fees. Animal Services sends a reminder card to pet owners to inform them of their license renewal date; and in addition, a volunteer makes a reminder call to pet owners prior to the expiration date of the current license. Renewals can be accomplished through the mail.

  A constituent expressed at one time that a microchip implant is costly – current costs vary: a veterinarian charges approximately $50, the Humane Society of Utah charges $25, and the Administration is proposing a fee of $15 for a microchip implant by SL County Animal Services.

Grace Period for Licensing:

A Council Member inquired about a grace period for pet owners who license their pets. The Administration did not propose a grace period for the fact it would have the effect of licenses being extended for 15 months rather than a year. According to Animal Services, it becomes more difficult for them to maintain current addresses beyond one year. The more successful Animal Services is in keeping current records on pet owners, the more successful they are in returning pets to their owners.

2. **Requires Licensing of Ferrets (limit 2): 8.04.135 and 8.04.136**

"Ferrets are domestic animals, cousins of weasels, skunks and otters. Other relatives include minks, ermines, stoats, badgers, black-footed ferrets, polecats, and fishers" (Ferret FAQ).

Current Salt Lake City Code classifies ferrets under wild animals and therefore ferrets are not permitted licensed animals. However, it is becoming increasingly popular to have a ferret for a pet. In 2000, Salt Lake County adopted an ordinance allowing residents to license ferrets as pets. The Administration proposes an ordinance amendment to allow residents to license ferrets as pets (limit 2) with the requirement of the pets being vaccinated and having a microchip implant. Also, a pet owner of a ferret is required to attend a ferret ownership class and to allow an Animal Services Officer to inspect the ferret housing facility once a year. The Council may wish to ask for further information on the policy reason for this higher inspection requirement, about the staffing level necessary to meet this requirement, and whether Animal Services will view these visits as a higher priority than public enforcement of issues such as dogs off leash.

3. **Total Number of Pets Allowable in a Household,** Sections 8.04.070 and 8.04.074 **(**Limit of 4 pets per residence. An adult cat's kittens or an adult dog's puppies are excluded as part of the pet limit until they reach 4 months old. Once a puppy or a cat reaches four months old, it is considered an adult. Also at 4 months of age, a cat or dog receives their first rabies shot for licensing at which time they can be placed in a new home. It should be noted that typically a puppy and a kitten are generally weaned from its mother at approximately 6-8 weeks.)

Current Salt Lake City Code permits a person to have 2 cats and/or 2 dogs. In 2004, Administrative staff attended the Mayor's monthly community council chair meeting at which time the Administration offered to attend any community council meetings to discuss the issue of the number of pets permitted in a household. Five community councils made a request for Administrative staff to attend their meetings (Wasatch Hollow, Fairpark, Rose Park, Liberty Wells and Rio Grande). Administrative staff also received comments from Glendale community council. The Administration reports the majority of the community councils supports keeping the limit of dogs to two (2) for the reason that dogs tend to create more of a nuisance than cats. It should also be noted that the number of cats may not have been discussed at all the meetings due to the focus of discussion being on the number of dogs.

In the past, Council Members have heard from constituents who have expressed concern with a neighbor's dog barking excessively. Enforcement is a challenge for residents who reside near a neighbor with a barking dog, especially if the neighborhood is a high density neighborhood. Before enforcement measures begin, Animal Services requires a complainant to provide documentation as to when a dog barks and how long a dog barks – this requires diligence and time on the part of the complainant.

The Administration reports they also heard from 30 plus residents who provided feedback via email and phone calls regarding the allowable limit of pets. The majority of the calls and emails received support increasing the number of pets permitted. However, based upon input received from the community councils, the Administration proposes a limit total of four (4) licensed pets per residence (total can be comprised of a combination of dogs, cats, and ferrets, not to exceed the limit allowable for each pet).

- Limit 4 adult cats (excludes kittens younger than 4 months):

The number of cats is proposed to increase from two (2) to four (4) in conjunction with the proposed cat licensing requirement. However, as noted above, when a pet owner has three (3) or more adult cats, a pet owner must also comply with an additional section of City code (Section 8.04.074, Licensing and Keeping Three (3) or More Cats—Additional Requirements) that requires compliance with Salt Lake Valley Health Regulation #9, Section 7.0 General Requirements for Kennels, Catteries, and Groomeries (refer to page 10 of Transmittal for details). In general, these provisions identify steps that a responsible pet owner would commonly follow such as proper: handling of solid and liquid waste; handling of storage of chemicals, medications and supplies; managing upkeep of buildings, cages, and runs; handling of animal and food waste; handling storage of food products; managing noise beyond the property line; and providing of receptacles that contain clean litter.

- Maintain dog limit to 2 (excludes puppies younger than 4 months)

- Limit 2 ferrets (excludes ferrets under the age of 5 months)

A constituent stated that the real problem does not pertain to the number of dogs and/or cats living in a household, but suggests it would be more effective to address too many animals through a nuisance ordinance rather than limiting the number of pets allowed in a household. The constituent believes that people who continue to have as many pets as they desire will continue to do so even if there is a number limit.

Council Member Nancy Saxton wishes to propose that rather than allowing a household, which includes single-family and multiple dwellings, to have up to four (4) animals (combination mix not to exceed the permitted limit of two (2) dogs, two (2) ferrets, or four (4) cats) as proposed by the Administration:

For a "single-family dwelling:"

- Limit the number of dogs, cats, or ferrets to three (3) – number of each species limited to three (3).
- Total number of animals per "single-family dwelling" be limited to four (4).
- The limited total number of four (4) for a "single-family dwelling" may contain a combination of species (dogs, cats or ferrets), but not to exceed three (3) of the same species.

For a "multiple dwelling" (2 units or more):

- Limit the number of dogs, cats, or ferrets to one (1).

  Council Member Saxton indicates that she realizes often times landlords of multiple dwellings have restrictions of no pets, but she is concerned of the potential impacts when pets are permitted in multiple dwellings. For example, if the limit of pets is four (4), a tri-plex has the potential to have a total of 12 pets.

4. Proposed Animal License Fee Changes and Other Fee Changes to Appendix A

Salt Lake City license fees have not been increased since 1999. Salt Lake County recently adopted new fees in keeping with the proposed license fee increases (below) that are in line with other Utah jurisdictions.

In the past Council Member(s) have inquired about potential ways to streamline pet licensing to make it as convenient as possible for pet owners to license their pets; for example, when a pet owner is at the veterinarian for a vaccination or when purchasing a pet at a local pet store, can forms be available to license pets on the spot? According to the Administration, jurisdictional boundaries create a challenge to provide a service of this type. For example, a person buys a pet in Salt Lake City, but lives in a different city where license requirements may differ. Council Members may wish to discuss this further with Animal Services.

Proposed Licensing Fees

• Unsterilized pet	Increase from $25 to $35
• Sterilized pet without microchip	Increase from $5 to $8
• Sterilized & microchip	Maintain $5 (incentive to microchip, but also involves a $15 implant fee)
• Senior Citizen annual fee	Increase from $20 to $25 per year/unsterilized pet
• Senior Citizen life-time fee	Increase from $15 to $20 for sterilized/microchipped (life-time requires microchip)
• Multi-Year Licensing fee (Eliminate)	The Administration proposes to eliminate because Animal Services states it helps them to keep current phone numbers and addresses on pet owners when licensing is renewed on an annual basis rather than every three years; however a constituent contacted the Council Office stating multi-year licensing should be an option for pet owners because due date runs in conjunction with the due date of a rabies vaccination (every three years)
• Transfer Fee	Increase from $3 to $5
• Replacement tag fee	Increase from $3 to $5
• Feral cat colony registration permit	New fee of $25

Proposed Service and Violation Fees for Pets

• Add voluntary Relinquish Fee	$25
• Add Microchip Implantation fee	$15
• Add sterilization fee for cats	$35
• Add sterilization fee for dogs	$65
• Adoption fee	Increase from $25 to $30

- The time period for fees for second, third, and subsequent violations is proposed to change from 12 months to 24 months

- Current impound fees for first offense is $25; second offense is $50; and third offense is $100; however, for subsequent offenses, it is being proposed to change the fee from "criminal" to a $200 civil fee.
- "At large" fee is proposed to be reclassified with animal nuisances rather than under "minimum notice of violation penalties" which results in an increase from a current rate of $25 to $50 for first offense; increase from $50 to $100 for second offense; and increase from $100 to $200 for third offense.

5. <u>Feral Cat Colony Registration Permit to Include Trap Neuter Return (TNR) Program: Sections 8.04.135 and 8.04.136</u>

No More Homeless Pets defines a feral cat as: "a cat that has been born into the wild or forsaken by the original owner for an extended period of time." Feral cat colonies form when unsterilized pet cats are abandoned or allowed to wander off and because cats are unsterilized, the colonies grow in number.

Feral cat colonies exist in Salt Lake City. The City Council Office was contacted by a constituent who expressed concern about a problem with stray cats in the area of 632 N. Colorado Street (District One). Attached is a copy of a Salt Lake Tribune article dated May 12, 2002 that mentions feral cat colonies that roam throughout neighborhoods in the Salt Lake Valley.

One method of managing the feral cat colonies is to employ the "Trap-Neuter-Return" (TNR) method which includes sterilization of cats to:

a. Prevent breeding
b. Provide vaccination and marking
c. Allow for the return of healthy cats to the site
d. Provide adoptive homes for kittens
e. Reduce euthanasia.

The Administration reports that TNR has been established in some areas of the country with great success, and states: "*The American Society for the Prevention of Cruelty to Animals endorses TNR as the only proven humane and effective method to manage feral cat colonies.*" As cats are trapped, neutered, and returned to the same area, the colony population can be controlled in number. The Administration reports that community councils support an ordinance revision to permit feral cat colonies with a Trap Neuter Return (TNR) program. One community council expressed opposition. However, Rio Grande community council reported a positive experience some residents had with TNR. Twelve residents submitted their support for TNR.

On January 17, 2006, a meeting was held with representatives from: 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.

Salt Lake Valley Health Department raised the following concerns:

- "When residents set out food for feral cats, it attracts rodents, raccoons and skunks and contributes to the spread of disease (skunks and raccoons are nocturnal);

- Initial rabies vaccination is good for one year only;

- If someone is bitten by a feral cat, it may difficult to determine responsibility."

Other concerns raised at the meeting:

- Water that is left out for long periods of time can create an attraction for mosquitoes – important to change water often.

- From an enforcement standpoint, a mechanism needs to be in place if circumstances warrant a permit to be revoked. Also, should a mechanism be in place to include neighborhood notification and/or approval?

- If permit holder moves or no longer maintains the colony, it should be clear that a future property owner has full legal right to remove the colony.

- If a person loses interest in maintaining a cat colony, who will step in?

- Salt Lake County reported that they have only two feral cat permits on record, what is the success rate in having residents apply for a feral cat permit?

- Chances are slim that a vaccinated feral cat will be identified at a later point in time to accomplish another vaccination – statement was made that one vaccination is better than none.

- What will be the long-term impact in an urban environment?

The Administration states that West Valley City has partnered with No More Homeless Pets in Utah to implement a feral cat TNR program and reports that within a year, there was a 26 percent decrease in the number of stray cats received and 34 percent reduction in the number of cats euthanized. There are reports of TNR programs that have been successful, however, uncertainties about TNR do exist. It has been proven that TNR programs do minimize the feral cat population and accomplish vaccinations for a part of the feral cat population, therefore, the Administration recommends implementing a TNR program and proposes a $25 feral cat colony registration permit including the following requirements under Section 8.04.135 Feral Cat Colony Registration Permit: (obtained through Salt Lake County Animal Services):

- Proof that the cats in the maintained colony have been sterilized, given their vaccinations and ear-tipped, or are being actively trapped so as to perform sterilization, vaccination, and ear-tipping (marking of a neutered feral cat – a procedure that involves removing a quarter-inch in a straight line cut off the tip of the cat's left ear while the cat is anesthetized).

- Present a detailed description of each cat in the colony including vaccination history.

- Present proof of property owner and/or landlord permission at the site that the colony is being maintained.

- Provide contact information in the event that complaints are received by the Office of Animal Services regarding management of the colony.

- Animal Services will recommend that permit holders are affiliated with a local animal rescue organization.

In addition, the Administration proposes Section 8.04.136 Maintaining a Registered Feral Colony requires a feral cat colony permit holder to:

- 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 from feeding.

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

- 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.

To assist the City Council Members in learning more about feral cat colonies and to provide examples of what other cities have implemented, the Administration has provided copies of the following list of articles and information sheets (refer to Administration's paperwork):

- Information sheet on rabies control and about feral cats in the U.S. from the Alley Cat Allies.

- Humane Society of Utah Letter dated October 25, 2004

- The American Humane Association (AHA) 1999 article titled "AHA Announces New Position Statement on Feral Cats"

- The Humane Society of the United States (HSUS) 1998 article titled: "HSUS Statement on Free-Roaming Cats"
  (Also attached is an October 14, 2005, HSUS Announcement on New Resources for Feral Cat Management provided by No More Homeless Pets in Utah who states this reflects the current position of HSUS.)

- No More Homeless Pets in Utah Trap, Neuter, Return (TNR) information

- Proclamation by Mayor of the City of Moab to proclaim October 16, 2004 to be National Feral Cat Day

- Alley Cat Allies (2005) articles: 1) "In Partnership with Animal Control to Save Feral Cats;" 2) "One Caregiver's Story: Making A Difference for Feral Cats"

6. **Commercial and Pet Rescue Permit Requirement, Section 8.04.130**

Proposed changes to this section of Salt Lake City Code, would allow pet owners of dogs, cats, and ferrets to keep one additional dog, cat or ferret beyond the limited number for each species – permitting no more than five total licensed animals (consisting of a combination of dogs, cats and/or ferrets), per residence provided the rescued animal is pending adoption from a local City or County operated animal shelter or a non-profit humane society shelter. Salt Lake County is currently considering an ordinance to allow a person to "own" a third dog on a "permanent" basis rather than on a temporary basis as long as it is rescued from a local City or County operated animal shelter or non-profit humane society shelter.

Section 8.04.130 is not intended to permit a person to "own" a third dog permanently, but is intended to permit a person to "rescue" a third dog with the understanding it is on a temporary basis until the animal is found an adoptive home; however, there is no time limit requirement as to when a pet shall be adopted. This in effect creates a potential loophole allowing a resident to keep one additional pet for an extensive and/or unlimited time as long as the annual pet rescue permit and license fees are paid.

Council Member Nancy Saxton wishes to propose a six month time frame be incorporated, with an option for an extension of an additional six months if more time is needed to find an adoptive home. Her concern is that a person tends to become attached to an animal if within the home for an extended period of time.

Also, because this section of City code requires an annual rescue permit fee of $25 and a license fee of $5 (sterilized/microchip implant involves a $15 implant fee), the City Council may wish to discuss with SL County Animal Services and the Administration the pros and cons of adding some type of exemption provision which would allow a rescue pet owner to transfer a license to the new adoptive owner or even consider a license fee exemption in rescuing situations.

This section of City code is intended to address situations when a pet owner already owns the permitted number of pets for a particular species and is interested in rescuing an additional animal of the same species. Council staff would like to emphasize that if a person who does not own any pets or is under the limit of four pets, that person is permitted to rescue the maximum permitted number of four (4) pets, not to exceed more than one additional pet beyond the limit for each species. According to Section 8.04.070, "any person owning, possessing or harboring any dog, cat or ferret shall obtain a license for such animal within thirty (30) days of the acquisition of the animal." Therefore, when a person applies for a rescue permit, a person may keep the animal(s) without having to license within 30 days. However, if the animal is rescued beyond the 30 days pending an adoptive home, a person would automatically become the owner of the animal which

requires licensing and vaccinating the animal. Again, the City Council may wish to inquire with SL County Animal Services and the Administration about adding some type of exemption provision which would allow a rescue pet owner to transfer a license to the new adoptive owner or look at the option of an license fee exemption under the circumstance when a pet is being fostered on a temporary basis.

No More Homeless Pets in Utah suggests that under Section 8.04.130, a pet owner should be allowed to rescue an additional 4 animals – in addition to the limit of 4 pets an owner may already own. Since there is no time limit requirement as to when a pet shall be adopted, if a pet owner were allowed to rescue an additional four pets, it would contradict what the community councils support in keeping the number of dogs allowed in a household to two (2). For example, if a pet owner owns two dogs and two cats (limit of four pets) and was allowed to rescue four additional pets as proposed by No More Homeless Pets in Utah, there would be 4 cats and 4 dogs total in a single household.

An argument can be made that when a person rescues a pet, the time from when the animal is rescued to the time it is adopted often times involves a short time frame. Also, if more animals are allowed to be rescued more animals would avoid euthanization. However, again, a rescue time frame is lacking in this section of City code.

This section of City code has the potential to be interpreted as an opportunity to "foster" a pet. According to Animal Services, when a pet is referred to as "rescued," the animal becomes the sole responsibility of the person who rescues the animal. However, when a pet is deemed "fostered,"Animal Services' expectation is that the animal should return to the shelter at some given point in time to be cared for by the shelter. According to SL County Animal Services, there is a distinction between "rescue" and "foster." The City Council may wish to discuss at a later point in time whether a "foster" component should be considered as part of Salt Lake City Code. Council Member Nancy Saxton wishes to propose that the City Council discuss options specifically to "foster" a pet.

There is also a provision in this section of City code that requires approval from the appropriate zoning authority, Salt Lake Valley Health Department, and Office of Animal Services. No More Homeless Pets in Utah would like to see that approval from these various authorities be managed by one entity to make the process more feasible for a person who wishes to rescue an animal. SL County Animal Services reports that they are in the process of managing the three approvals, and they report it will help to streamline the process at no additional cost in services.

7. <u>Proposed Increase Violation Fee for a Pet "At Large"</u>

The Administration proposes that the violation for having a pet "at large" be reclassified in Appendix A from "minimum notice of violation penalties" to "animal nuisance" which results in an increase from a current rate of $25 to $50 for first offense; increase from $50 to $100 for second offense; and increase from $100 to $200 for third offense -- doubling for each subsequent offense within a proposed 24 month period rather than a 12 month period. In the past, the City Council has received complaints when pet owners allow their dogs to run "at large" which increases the chances of bites and attacks. The intent of a higher fine is to encourage pet owners to keep their pets on leash when in public places. For example, a

common reported complaint involves dogs running off-leash in Liberty Park.

8. <u>Housekeeping Items/Other Changes (Refer to Administration's paperwork pages 8 thru 14)</u>

The Administration provides an extensive list of housekeeping items on pages 8 through 14 in their transmittal. However, following are items from the housekeeping list that Council staff considers more significant.

a) Rabies: Current code Section 8.04.260 Rabies Control currently shall not apply to any animal owned by a person temporarily remaining within the City for less than 30 days – change requires a current vaccination even if animal residence is temporary.

b) Section 8.04.280H Biting or Potentially Rabid Animals – proposed language to allow the Animal Services Director to deem a bite or attack to be vicious by virtue of the severity of the bite.

c) Section 8.04.350 Impoundment-Redemption Conditions:

Language has been included that states: "If any animal is impounded on two or more occasions without wearing identification or license tags, the owner shall be required to purchase and have implanted in the animal microchip identification; and upon the third impoundment and prior to the release of a fertile animal, said animal shall be sterilized…" Also, "no impound fee will be charged to the reporting owners of suspected rabid animals if the owners comply with Section 8.04.240 through 8.04.290 of this Chapter…)"

d) Section 8.04.370 Animal Nuisances Designated:

Council Members may recall two incidents reported to the Council Office: 1) a constituent contacted the Council Office and reported an incident involving her dog in Liberty Park (District 5). The constituent was walking her dog on leash and another dog on leash attacked it. The other dog was taken away by its owner before any follow-up action could be taken, and 2) an incident occurred in Wasatch Hollow Park (District Six) whereby a person attempted to break up a dog fight and was injured when the dog that had been attacked bit the person who was trying to break up the fight. It was argued that the dog that initiated the attack was not responsible.

The Administration proposes language to clarify actions that are designated as nuisances "and also clarifies that an attack may be designated as a nuisance whether or not the injured person or animal is the one to whom the attack was directed.

The following language is proposed: "The following shall be deemed a nuisance: any animal which… 7) molests, or intimidates neighbors, pedestrians, cyclists, or passersby by lunging at fences, chasing, or acting aggressively toward such person(s) or by acting in such a way to cause unreasonable annoyance, disturbance or discomfort, or which chases passing vehicles. 8) Attacks people or other animals whether or not such attack results in actual physical harm to the person or animal to whom or at which the attack is directed and whether or not the injured person or animal is the one to

whom or at which the attack is directed."

e) Section 8.04.410 Animals Attacking Persons and Animals

Language proposed that indicates a court order may be appropriate to seek forfeiture or euthanasia of an attacking animal.

f) Section 8.04.450 Animals Injured by Motorists

Current code states that an operator of a "motor or other self-propelled vehicle" upon the streets of the city shall, immediately upon injuring, striking, maiming or running down any domestic animal, notify the office of Animal Services. New language also includes a requirement to notify the Salt Lake City Police Department and operator has the duty to comply with the instructions given by the agency contacted.

g) Section 8.04.460 Using Animals for Fighting

Language proposed to state that anyone convicted of using animals for fighting automatically is ineligible to adopt an animal from the Animal Shelter, criminal violation, a Class B misdemeanor, to include a $1,000 fine and up to six months in jail.

h) Section 8.04.470 Cruelty to Animals Prohibited

Proposed language: "An Animal Services officer may require an examination of the animal by a licensed veterinarian upon suspicion of abuse." Language also specifies that "care and maintenance of an animal must meet the needs of the species and breed since different breeds may require different care." Additional language is proposed relating to when animals are in vehicles stating it is unlawful to carry or confine any animal in or upon any vehicle "in extreme hot or cold temperatures that may harm the animal. Persons transporting an animal in the open bed of a vehicle shall physically restrain the animal in such a manner as to prevent the animal from jumping or falling out of the vehicle."

The Council may wish to consider adding additional language that requires that a restraint is made in a manner to avoid any harmful affect to the animal – comments have been received in the past from constituents who have expressed concern regarding tethering a pet while riding in a vehicle. The Council may wish to raise this discussion with Animal Services.

9. Suggested changes made by constituents that are not included in Administration's proposed ordinance.

a) Section 8.04.010 Definitions:

For definition of "owner" change to "guardian" -- The Administration did not include this change because "ownership has been necessary to assign responsibility for violations."

Add definition for "Backyard Breeding" Any animal allowed to breed without a

license. – The Administration did not include this change for the reason that there are cities that require a separate permit to have an unsterilized dog (or a breeder's permit) and this definition would fit under that scenario.

b) Section 8.04.065 Permit and License Fees:

Create a penalty for breeding without a license. The Administration did not propose this change. Would the Council wish to require a separate permit for unsterilized pets and/or breeding?

c) Implement a mandatory requirement to microchip pets and eliminate licensing. *According to SL County Animal Services, if microchip implants were mandatory, it may eliminate the tag requirements but Animal Services' position is that licensing serves as an important tracking mechanism to ensure vaccinations are current and pet owners' records are current should their pets are ever received in the shelter and are needing to be returned.*

d) No More Homeless Pets in Utah's recommendations and position on various aspects of the Administration's proposed changes and a comparison chart on license fees from other cities are attached.

BUDGET RELATED FACTS

The Administration reports that no budget increases are expected in the current year. The contract price for fiscal year 2005-06 between Salt Lake City Corporation and Salt Lake County Animal Services is $867,000. Although the proposed increase in license fees will increase revenue for Salt Lake County and the TNR program is expected to decrease the number of nuisance calls, the workload associated with licensing cats and ferrets will increase. Salt Lake County reports $65,800 of revenue for fiscal year 2004-05 for approximately 8,500 dog licenses. It would appear that cat licensing could potentially double revenue. However, according to the Administration, this is not anticipated. The fee increase for sterilized dogs (comprised of 13 percent of the dogs licensed) would increase revenue by about $11,000 for pets currently licensed. A large majority of the remaining 87 percent of unsterilized pets are microchipped, therefore, there would be no licensing fee increase. Taking into consideration Salt Lake County Animal Services quarterly information on their operation costs, increases in licensing revenue will more than likely offset future cost increases.

Cc: Rocky Fluhart, Sam Guevara, Rick Graham, Steve Fawcett, Laurie Donnell, Ken Miles, Shon Hardy, Holly Sizemore, Karen Bird, Mike Bodenchuk, Drew Allen, Diane Keay, Peggy Raddon, Sylvia Jones, Lehua Weaver, Marge Harvey, Diana Karrenberg, Annette Daley, Gwen Springmeyer, Barry Esham, Val Pope, and Lisa Romney

File location: Chapter 8, Animal Service Revisions

Memorandum

Date: November 20, 2001

To: Council Members

CC: Cindy Gust-Jenson, Rocky Fluhart, Jay Magure, Laurie Dillon, John Moore, Annette Daley, and Marge Harvey

From: Council Member Carlton Christensen

RE: Legislative Action to request an ordinance requiring that pet owners provide licensing for cats that dwell in or on properties in Salt Lake City

---

As the Council Member for District One, I am requesting the Council's support for a Legislative Action item to require Salt Lake City pet owners to license cats they own or allow to dwell on their property. There has been an increase in the number of calls I have received relating to unattended cats creating a nuisance in Council District One. I believe that an ordinance requiring pet owners to license their cats will add a nuisance control measure.

According to information gathered from various cities that have instituted a cat licensing ordinance, reports and information from the Division of Animal Services of Salt Lake County, and a report by the Humane Society of the United States, it is concluded that:

- Cat licensing administered by local governments protects both cats and people just as dog licensing has protected dogs and their owners. According to the Humane Society of the United States: "Cats frequently bite humans and pose their own threat to public health. Cats can transmit 30 known diseases to humans, ranging from ringworm to rabies." A well-written cat licensing ordinance could link licensure with rabies vaccinations thereby protecting the public health by increasing the number of cats that will be vaccinated. A fee similar to dog licensing is anticipated.

- Through differential licensing, whereby license fees are higher for unsterilized animals than for sterilized animals, an incentive for spaying and neutering pets is created. There are very significant problems created by cat over-population.

- The chances for the safe return of pets that stray from home increases.

  Animal Services reports that for October 2001, from a total of 249 cats/kittens

brought into the shelter or picked up by Animal Services, 16 were returned to their owners.

- The number of cats that are euthanized will decrease.

  Animal Services reports that for October 2001, from a total of 249 cats/kittens brought into the shelter or picked up by Animal Services, 180 were euthanized.

  Out of the total number of dogs and cats brought into the shelter for year 2001, euthanization occurred for 36 percent of dogs, and 70-80 percent of cats.

- It is anticipated that enforcement for cat licensing will not cause additional burden to the City's contract with the Division of Animal Services of Salt Lake County. Animal Services projects that the revenue received from cat licensing will offset the expense of running the program. Enforcement relating to cat licensing would be the same as it is for dog licensing, becoming part of the officers' routine duties. Therefore, it is anticipated that cat licensing would not involve enforcement efforts specifically for unlicensed cats, but would occur during redemption of the cat or as a response to a complaint.

I am aware that the Humane Society of the United States, the American Humane Association, the National Animal Control Association, the National Association of State Public Health Veterinarians, and locally, the Wasatch Humane organization supports the concept of cat licensing. Therefore, I would appreciate the support of the Council in asking the Administration to draft an ordinance requiring Salt Lake City pet owners to license their cats.

Feral Felines A Growing Problem in the Salt Lake Valley Sunday, May 12, 2002

BY JOHN KEAHEY THE SALT LAKE TRIBUNE Thousands of feral cats roam neighborhoods throughout the Salt Lake Valley. They yowl. They fight. They leave odoriferous gifts in gardens and flower boxes. And they multiply. Boy, do they multiply. Some harried homeowners would like nothing more than to see these mangy critters wiped out -- the sooner the better. But many animal experts warn that sooner isn't better. Since feral cats live in colonies, if some are trapped and sent to shelters to be euthanized, more inevitably move in to fill the void. It seems to be nature's way. So a better approach, experts argue, is to trap, sterilize and return the animals to their colonies. This keeps the population in balance. However, new litters are significantly reduced or eliminated altogether. Eventually, the colonies die out. Yes, it takes time. Feral cats -- prone to disease and injury -- generally live about five to seven years. But at least spayed females are not producing two to four litters a year with four to eight kittens in each. "It's society's problem to deal with," said Lynn McCarron, a Salt Lake City veterinarian whose University Pet Clinic averages two to three feral-cat sterilizations a week. "[Society] created it. We have a responsibility to deal with it." The problem starts when people abandon nonsterilized domestic cats, explains Temma Martin, spokeswoman for Salt Lake County Animal Services. The cats then go into the wild and breed. Their kittens -- along with successive generations -- are wild and nonadoptable, too. The cycle continues and the problem perpetuates. "I know of 30 colonies in Salt Lake City and surrounding areas," said Holly Sizemore, director of the feral-cat program for No More Homeless Pets and a co-founder of the Community Animal Welfare Society (CAWS). Sizemore has been working with feral cats for 12 years -- during a time when many volunteers trapped the animals, then paid for sterilizations and vaccinations out of their own pockets. Now, organizations often pay for the surgeries. And vets offer discounts to help reduce the number of feral cats. The Utah Veterinary Medical Association is expected to announce a national foundation-funded program this month to reimburse its members for sterilizing feral cats brought in by volunteers. When sterilized cats are returned to their colony, Sizemore said, "you begin to see a reduction in the population and a reduction in nuisance behaviors, too." To help aid that effort, Sizemore's program offers 150 traps at various "trading posts" across the state. Salt Lake County Animal Services also provides traps so residents complaining about wild cats in their neighborhoods can take care of the problem themselves. But some residents wonder why they have to do the dirty work. "They told me I would have to come in, plunk down a $50 deposit for a trap and trap them myself," Shelley Dickerson said. "I have never seen such a lax

attitude. „This state needs to do something about this." Dickerson is weary of the cat colonies that plague her west Salt Lake City neighborhood. "Those cats have got to go," she said. "[The males] spray over everything, and for every wild cat out there, up to four birds disappear every day." Dickerson stresses she does not hate cats. In fact, she has two in her home. She just wants the county to do something about the wild ones. Martin, the Animal Services spokeswoman, insists the county stands ready to help. "We will come to the home, empty the trap when a cat is caught and re-set it if there are several cats there," she said. "And we will do the trapping if an animal has bitten someone. But where there is just a nuisance, we don't have enough officers to deliver traps to everyone who wants them. We need the public's cooperation on this." Verrall May does his part -- and then some. A furniture mover by profession, the Salt Lake City resident works with four feral-cat colonies -- two in north Salt Lake City, one just west of downtown and one in Murray. Last year, May trapped about 30 feral cats. They were sterilized, vaccinated and returned to their groups. "I never had a hobby in my whole life," he said. "My girlfriend got me involved and I guess I went overboard." May can tell which cats have been treated, because vets put a small notch in the tip of a feral cat's ear. And when one has a litter, May collects the kittens as soon as they are weaned so they can be domesticated and adopted. If he waits too long, domestication is nearly impossible. The burgeoning wild-cat population -- some estimates say there are 1 million in Utah -- distresses May. "Some people dump their cats because they think if they take it to the shelter, it will be euthanized. So they figure the cat will survive better in the wilderness," he said. "They don't realize that those animals are out there mass producing. For me, it is hard to see them dying in the winter." May says his goal is to close down a colony when the last of the ferals under his control has died off. But he knows the problem won't go away entirely. "Once you start looking in the nooks and crannies in this town, you will find colonies that no one even knew were there." john.keahey@sltrib.com

NO MORE HOMELESS PETS IN UTAH

A program of Best Friends ANIMAL SOCIETY

1. Recommend additional increase in number of dogs allowed, recommend additional increase in number of total animals allowed IF all the animals in the household are spayed/neutered. Current nuisance ordinances allow enforcement for situations where animals are creating nuisance problems.

2. Relax the requirements for obtaining a rescue permit. People fostering rescue animals at their own expense, who are relieving a tax burden by providing this community service should not be additionally taxed. Recommended requirements rescue permit:

   - be awaiting adoption
   - comply with all rabies requirements
   - not cause a nuisance
   - be affiliated with a municipal animal shelter or 501c3 animal rescue organization (delete word humane society)
   - have identification either via collar and tag or microchip
   - be spayed/neutered if over 4 months

   Wording in current proposal allows only one additional foster animal, even if household is not at current pet limits.

   Permit should exempt the need to license animals while in foster care -licensing animals in foster care is not practical nor advisable.

3. TNR recommendations submitted to Laurie Donnell and should be contained within transmittal information. Note, the document "HSUS Statement on Free-Roaming Cats", also included in the transmittal no longer reflects the position of HSUS. HSUS issued a press release in October 2005 officially endorsing TNR.

   Recommend permit fee be waived, or be a one-time fee.

4. Providing no and low-cost spay/neuter resources for low-income pet owners and feral cat caregivers is THE most effective way to reduce surplus animals in our communities and relieve the tax-burden and public health and safety issues that these surplus animals create. Public/private spay/neuter partnerships have shown tremendous success in reducing surplus animals. No More Homeless Pets in Utah runs successful public/private partnerships with West Valley City and Vernal.

324 South 400 West, Suite C
Salt Lake City, UT 84101
phone
(801) 364-0370
fax
(801) 364-0374
website
www.utahpets.org

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HSUS Announces New Resources for Feral Cat Management

October 14, 2005

WASHINGTON - The Humane Society of the United States (HSUS) today announced that it is developing new programs designed to help communities across the country manage feral cat colonies.

The HSUS will collaborate with Neighborhood Cats, a New York City based organization dedicated to the humane management of feral cats. The announcement comes before the National Feral Cat Summit tomorrow in Philadelphia. By working with Neighborhood Cats (www.neighborhoodcats.org), The HSUS is developing more resources to help feral cat caretakers around the country. The HSUS's new resources will include:

- A new statement supporting Trap, Neuter, and Return (TNR) programs
- An online course through Humane Society University for feral cat caretakers
- An online course through Humane Society University for animal shelters and adoption groups
- A day-long workshop on feral cats at The HSUS's annual Animal Care Expo in Anaheim, Calif. in March 2006
- Increased support materials for handling obstacles to feral cat management

The HSUS launched its Safe Cat campaign in 2003 to provide people with real solutions for keeping their pet cats safe and happy by providing a stimulating indoor environment and supervised outdoor access with the use of a harness or a special cat enclosure. However, feral cats who cannot be socialized may not thrive as indoor pets. They may be one or more generations removed from a home environment – victims of abandonment, lack of supervision, or accidental loss through no fault of their own – and may live in a group, or colony, of similar cats.

The goal of any feral cat management program should be to stabilize and eventually eliminate the existing colony through attrition. "Every community has different resources and each must consider many factors when deciding how to help feral cats," said Nancy Peterson, companion animals issues specialist with The HSUS. "Animal shelters and welfare organizations can play a role in programs to manage feral cats, but it is ultimately the responsibility of the entire community to work together to care for and reduce the numbers of feral cats."

The HSUS's renewed commitment through additional resources on TNR should encourage all members of the community – local citizens, veterinarians, animal shelters, policy makers, public health departments, and businesses – to work together towards a goal of non-lethal approaches to feral cat management. The group will soon be launching a feral cat resource center through its website at www.hsus.org/cats to help communities make TNR with ongoing management a reality.

The Humane Society of the United States is the nation's largest animal protection organization representing more than 9 million members and constituents. The non-profit organization is a mainstream voice for animals, with active programs in

companion animals and equine protection, disaster preparedness and response, wildlife and habitat protection, animals in research and farm animal welfare. The HSUS protects all animals through education, investigation, litigation, legislation, advocacy, and field work. The group is based in Washington and has numerous field representatives across the country. On the web at www.hsus.org.

Karen L. Allanach **301-548-7778**

E-MAIL THIS PAGE

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City / County	Cat Licensing Required?	Cost per License	Number of Pets Allowed per Residence
Murray	yes	$5 (dog or cat)	2 dogs, 2 cats
North Ogden	voluntary	$40 dog cats $5 sterilized, microchipped $10 sterilized, not chipped $30 non-sterilized, not chipped	2 dogs, 2 cats Kennel permit allowed in some areas
Ogden	yes	$10 sterilized dog, $5 sterilized cat $30 non-sterilized $25 lifetime for sterilized cat $75 lifetime for sterilized dog	2 dogs, 8 cats
Provo	voluntary	$8 sterilized $12 non-sterilized	2 dogs, 2 cats, 1 pot-bellied pig Kennel license available
Salt Lake City *current*	voluntary	$5 sterilized $25 non-sterilized	2 dogs, 2 cats, 2 rabbits
Salt Lake County	voluntary ferrets required	$5 sterilized $25 non-sterilized	Permit required for more than 2 dogs, 2 cats or 2 ferrets proposed amendment change on the table to allow 3 dogs, 3 cats. Does offer TNR permit
Sandy	yes	$6 sterilized $24 non-sterilized	2 dogs, no more than 6 pets total Hobby permit for up to 5 dogs ($53)
Taylorsville	yes ferrets required	$5 sterilized $25 non-sterilized	2 adults (dogs, cats, or ferrets), No more than 4 pets total Various permits available ($15)
West Valley City	voluntary ferrets and pot-bellied pigs required	$5 sterilized $25 non-sterilized	2 licensed animals Sportsman's permit allows up to 5 dogs Incorrect. 2 dogs, 2 cats, 4 total pets. Feral cats permitted with TNR.
Boise, ID	no	$15 sterilized dog $40 non-sterilized dog	4 total (dogs and cats) Non-commercial kennel license available
Denver, CO	yes	$7 sterilized (permit required for non-sterilized pet)	not listed
Multnoma County (Portland, OR area)	yes	$9 sterilized cat $18 sterilized dog $30 non-sterilized	2 animals
Seattle, WA	yes	dog - $33 unsterilized, $15 sterilized cat - $20 unsterilized, $10 sterilized potbelly pig - $115, renewal $25	

Information as of January 2004

City / County	Number of Pets Allowed per Residence
West Jordan	3 dogs, reasonable number of cats
Weber County	3 dogs 9 cats
Riverton	3 dogs, 5 with hobby permit, no cat limit
Bountiful	2 dogs, no cat limit
All Five Burroughs of New York City	No limit.

COUNCIL TRANSMITTAL

TO: Rocky J. Fluhart
Chief Administrative Officer

DATE: January 26, 2006

FROM: Laurie Donnell
Sr. Administrative Analyst

SUBJECT: Amendments to Chapter 8, Animal Control Ordinance

STAFF CONTACT:
Laurie Donnell
Department of Management Services
535-7766

DOCUMENT TYPE: Ordinance Revision

RECOMMENDATION: Approve the ordinance amendment.

BUDGET IMPACT:
No budget increases are expected in the current year. The licensing fees for cats and ferrets will cover the additional workload. Increasing the licensing fees will help meet current and future increased expenses. By requiring cats to be licensed, the number of cats returned to their owners should increase. Allowing residents to operate a feral cat colony and to Trap, Neuter and Return the vaccinated and sterilized cats to the colony is expected to decrease the number of nuisance calls. Both of these measures should reduce the number of cats euthanized. These actions may result in limiting the increases in overall costs rather than an actual reduction in cost.

BACKGROUND/DISCUSSION:
Several changes to the Animal Control ordinance have been under consideration for quite some time. The major changes included in this transmittal are:

- Licensing of cats, allowing up to 4 cats per residence with no more than 4 licensed pets total, and requiring a microchip for each cat
- Licensing of ferrets with 2 per residence allowed, and requiring a microchip for each ferret
- Permit for a feral cat colony, provided the Trap-Neuter-Return program is implemented
- Increase in licensing fees from $25 to $35 for an unsterilized pet, but remaining at $5 for a sterilized pet with a registered microchip. The license for a sterilized pet without a microchip would be $8.

Several other changes are included to add definitions, clarify sections of the ordinance, eliminate multi-year licensing, update the names of organizations, and increase the penalty for animals at large.

PUBLIC PROCESS: The changes were discussed in two meetings with the Community Council Chairs, and the possible revisions were presented at six Community Council meetings in 2004. The changes were discussed, but formal votes were not taken. The Community Council Chairs were about evenly split on supporting an increase in the number of pets allowed. Concerns were expressed in those meetings specifically about allowing more than two dogs. One community council supported increasing the number of dogs; while four community councils were opposed to allowing more dogs. Two community councils were in favor of allowing more cats (although one of them indicated that there should be no more than four pets total), and two were opposed to allowing more cats. The other community councils did not discuss the cat issue in detail. Feral cat colony registration was opposed by one community council, and supported by two. One of those supporting feral cat colony registration (Rio Grande) has seen the Trap-Neuter-Return program work in their neighborhood.

In addition to the feedback from the Community Councils, more than 30 citizens provided their input through e-mail and phone calls on increasing the number of pets allowed and allowing feral cat colonies with a Trap-Neuter-Return program. Most of the calls and e-mails were supportive of increasing the number of pets allowed and supportive of TNR.

INFORMATION REGARDING PROPOSED CHANGES

The major changes to the Animal Services ordinance are discussed below in the following order:

- Required licensing of cats
- Increasing the number of cats allowed
- Required licensing of ferrets
- Feral cat colony registration
- Licensing fee increases

Following these sections, each specific ordinance change is discussed in the order in which it appears in the ordinance.

Required Licensing of Cats – 8.04.070 and 8.04.080 D2.

Cat licensing is becoming more common. Locally, Murray, Sandy, Taylorsville and Ogden require cat licensing. The licensing fees are proposed to be the same as the fees for dogs. The following chart shows licensing requirements for many local jurisdictions and larger western cities. The proposed changes also include requiring a microchip for cats. The licensing fees are recommended at $5 for a sterilized, microchipped cat, $35 for an unsterilized cat.

City / County	Cat Licensing Required?	Cost per License	Number of Pets Allowed per Residence
Murray	yes	$5 (dog or cat)	2 dogs, 2 cats
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Salt Lake County	voluntary License for ferrets required	$8 sterilized $35 non-sterilized	Permit required for more than 2 dogs, 2 cats or 2 ferrets
Sandy	yes	$6 sterilized $24 non-sterilized	2 dogs, no more than 6 pets total Hobby permit for up to 5 dogs ($53)
Taylorsville	yes License for ferrets required	$5 sterilized $25 non-sterilized	2 adults (dogs, cats, or ferrets), No more than 4 pets total Various permits available ($15)
West Valley City	voluntary License for ferrets and pot-bellied pigs required	$5 sterilized $25 non-sterilized	2 licensed animals Sportsman's permit allows up to 5 dogs
Boise, ID	no	$15 sterilized dog $40 non-sterilized dog	4 total (dogs and cats) Non-commercial kennel license available
Denver, CO	yes	$7 sterilized (permit required for non-sterilized pet)	not listed
Multnoma County (Portland, OR area)	yes	$9 sterilized cat $18 sterilized dog $30 non-sterilized	2 animals
Seattle, WA	yes	dog - $33 unsterilized, $15 sterilized cat - $20 unsterilized, $10 sterilized potbelly pig - $115, renewal $25	

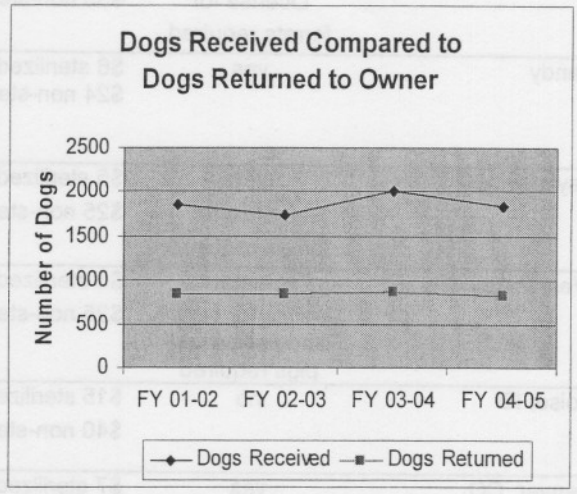
Information as of January 2004

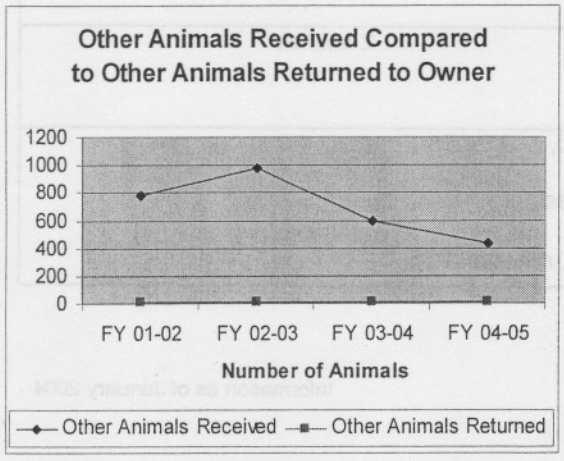
The microchip requirement for cats is to increase the chances that, if lost, they will be returned, and also to eliminate the possibility of mistaking a pet cat for a feral cat. Requiring a microchip in pets has been controversial. In the City of El Paso, microchips were recently proposed to be required. The American Kennel Club opposed that requirement, noting that while they promote responsible pet ownership, they had concerns about the government requiring microchip identification, and believed that how to identify a pet is a decision the owner should make. The Humane Society supports mandatory cat licensing and says communities should consider back-up identification methods such as microchipping of cats.

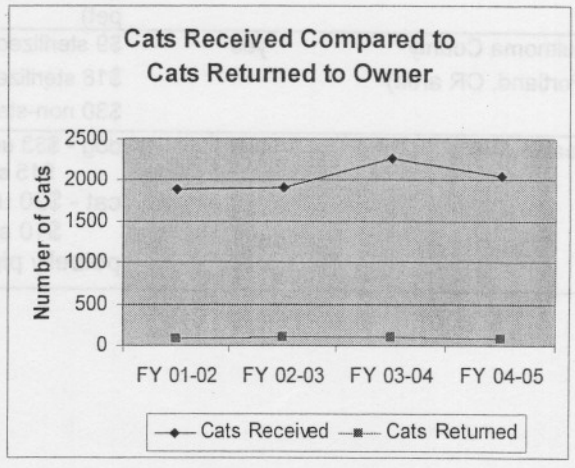
The main benefit of licensing cats is that they can be returned to their owners if they stray. Ten times more dogs are returned to their owners than cats. The statistics in the following tables demonstrate the value of licensing for returning animals to their owners. For the 2003-04 fiscal year, slightly more cats than dogs were received into the Salt Lake County Animal Shelter: 1999 dogs and 2265 cats. Of those, 872 dogs were returned to their owners (44%), but only 90 cats were returned to their owners (4%). The percentage for other animals (not licensed) received vs. returned is even lower than for cats.

Animals Received Compared to Animals Returned to Owner

	FY 01-02	FY 02-03	FY 03-04	FY 04-05
Dogs Received	1844	1740	1999	1831
Dogs Returned	845	839	872	834
% Returned	46%	48%	44%	46%
Cats Received	1882	1907	2265	2055
Cats Returned	76	95	90	74
% Returned	4.0%	5.0%	4.0%	3.6%
Other Received	786	980	594	429
Other Returned	10	15	16	11
% Returned	1.3%	1.5%	2.7%	2.6%







Increasing the Number of Cats Allowed – 8.04.070 and 8.04.074
These changes allow up to four cats per residence, with a limit of no more than four total licensed pets. Dogs and ferrets are limited to no more than two of each. The number of cats allowed is proposed to be increased because of the licensing requirement. Residents with more than two cats may not license any of their cats if only two were allowed.

The community is divided on the issue of limiting the number of pets per residence. The idea of allowing more than two dogs and more than two cats per residence was discussed with the community council chairs and in several community council meetings last year. Increasing the number of dogs was opposed by all but one of the community councils. The reasons given were the small lots in many areas of the City, and the fact that dogs tend to make more noise and have the potential to be more of a nuisance than cats. Increasing the number of cats was not opposed to the same degree, although there was some opposition to that idea from the community councils. Through e-mail and phone calls, 28 residents voiced their support for increasing the number of pets allowed per residence (generally both dogs and cats, although one individual specifically said only the number of cats should be increased). Because the response of the citizens at the community council meetings was generally against increasing the number of dogs, this proposal reflects that sentiment.

Required Licensing of Ferrets – 8.04.070, 8.04.074, 8.04.076, and 8.04.080 D3.
In the past, Salt Lake City code did not allow ferrets as pets because they were included in the definition for wild animals. The proposed changes allow ferrets to be licensed as pets, and require them to be vaccinated and microchipped. No more than two ferrets are allowed per residence. Other requirements are to complete a ferret ownership class and to allow the inspection of the ferret housing facility by an animal services officer once per year.

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).

Licensing Fee Increases and Other Changes to Appendix A

Annual licensing fees are proposed to increase from $5 to $8 for sterilized pets, and from $25 to $35 for unsterilized pets. Animal Services estimated in 2004 that their cost per license was about $6 - $7 in direct costs. These changes will bring the average revenue per license issued to $10 - $11. As an incentive to have a dog microchipped (the proposed changes require cats and ferrets to have a microchip), the license fee will remain unchanged at $5 per year if a pet is sterilized and microchipped. Senior citizen pet licenses are proposed to increase from $20 to $25 per year for unsterilized pets, and from $15 to $20 for a lifetime license for a sterilized and microchipped pet. The lifetime license would now require that the animal be microchipped. This will help ensure that a new animal is not licensed under the prior lifetime license.

Multi-year licensing will no longer be offered. Animal Services has found that contact on a yearly basis is much better than only once every three years to maintain current phone numbers and addresses for people licensing pets.

Licensing fees were last increased in 1999. At that time, Salt Lake City's fees were revised to be consistent with the fees Salt Lake County was charging. The Salt Lake County Council recently approved increasing the County fees, and these changes would keep the fees the same for the City and the County. A history of the fees is listed in the table below. The proposed fees are within the current range of licensing fees in other Utah jurisdictions. Along the Wasatch front, licensing fees range from $5 to $40 for an unsterilized pet, and $5 to $10 for a sterilized pet. Outside of Utah, Boise charges $15 for a sterilized pet and $40 for an unsterilized; Denver charges $7 for a sterilized pet and required a separate permit for an unsterilized pet. Some citizens have suggested raising the license fee for an unsterilized pet to $50 to further encourage people to sterilize their pets. This may be something the Council would want to consider, but the fees in the current proposal increase at a more gradual rate.

Licensing Fees	1988-1999	1999-Current	Proposed
Unsterilized pet	$18	$25	$35
Sterilized pet	$8	$5	$8
Sterilized & microchipped pet	na	na	$5
Sr. Citizen Fees			
Unsterilized pet (annual)	$8	$20	$25
Sterilized & microchipped (for lifetime of pet)	$13 (Microchip was not required)	$15 (Microchip was not required)	$20
Transfer	$1	$3	$5
Replacement	$2	$3	$5

The increase in licensing fees will increase revenue for Salt Lake County, but the workload for licensing cats and ferrets will also increase. In FY 2004-05, Salt Lake County collected $65,800 from licensing fees for about 8500 dogs. If every cat were licensed, the revenue could double, although this is not anticipated. The increase in the fee for unsterilized dogs (about 13% of the dogs licensed) would increase revenue by about $11,000 for those currently licensed. Many of the remaining 87% of unsterilized pets are microchipped so there would be no licensing fee increase for them. Salt Lake County Animal Services provides information quarterly on their cost of operations. Increases in licensing revenue will offset future cost increases, which are allowed annually after this year according to the contract (the cost of that contract is $867,000 for FY 2005-06).

The fee for the violation of having a pet "at large" has been increased from $25 to $50 for the first offense. This fee then doubles for each subsequent offense within a 24 month period (unchanged from the current ordinance). The increase in this particular violation is to discourage pet owners from allowing their animal to run at large, which can then lead to vehicle accidents, bites, and attacks. Four fees have also been added to Appendix A for feral cat colony registration, voluntary relinquishment, microchip implantation, and sterilization.

ADDITIONAL CHANGES PROPOSED

The other proposed changes are briefly discussed below in the order in which they appear in the ordinance. These changes are generally in support of the changes mentioned above. Additional changes are "housekeeping" changes to update names of organizations, such as references to the Salt Lake Valley Health Department instead of the City-County Health Department, and additions to incorporate county or state requirements, such as the sterilization requirements in UCA 17-42-101.

A **change in the title** for Chapter 8.04 is proposed from **Animal "Control" to Animal "Services"**. This change reflects the overall view of providing services rather than just a concentration on enforcement.

8.04.010 Definitions

Added or revised definitions for:

Animal under restraint – an animal within the real property limits of its owner will no longer be considered to be under restraint. An animal must be on a leash or a lead, or in a physical enclosure to be under restraint.

Attack – any bite, attempted bite, or similar fierce behavior by an animal which places a person or another animal in danger of, or in reasonable fear of, immediate physical harm. Actual physical contact is not required to constitute an attack.

Cattery – the words, "for profit" were removed from this definition because residents with more than two cats must comply with the Salt Lake Valley Health Department requirements for catteries, which includes commercial and residential properties.

Feral cat – any homeless stray, wild or untamed cat.

Feral cat colony – a group of homeless, stray, wild or untamed cats living or growing together.

Ferret – any domestic Mustela putorius (except the black footed ferret) more than four (4) months of age or older. The domesticated ferret was listed as an exclusion in the definition for a "wild, exotic or dangerous animal".
Harbor – housing, feeding or caring for a pet without the permission of the owner within a person's house, yard, or premises for more than 24 consecutive hours.
Livestock – animals kept for husbandry, including but not limited to fowl, horses, mules, burros, donkeys, cattle, sheep, goats, llamas, swine, and other farm, hoofed domesticated animals, excluding dogs, cats, and ferrets.
Owner – added than an owner could "have an ownership interest in" one or more animals, and also included "maintaining" and "possessing" one or more animals. Harboring was moved from this definition to its own (DD).
Stable – was changed to include any stable, not just those which offer horses, etc. for hire.
Weasels – exempted ferrets from the definition.

8.04.030 Animal Services Officials
The word "**dog**" was **changed** to "**animal**", to apply to all licensed animals rather than just applying to dogs. Similar changes were made in several other sections, **8.04.090, 8.04.100, 8.04.130, 8.04.240**, and **8.04.352** to include cats and ferrets when discussing requirements for licensing, vaccinations, and various fees.

8.04.040 Director's and Officers' Powers
A.2. **Deleted** the word "**municipal**" from the reference to the animal shelter. This no longer applies.
A.5. **Changed Salt Lake City-County Health Department** to its current name of **Salt Lake Valley Health Department.** This change also appears in other sections (**8.04.130 A2, 8.04 130 B2, 8.04.230, 8.04.270, 8.04.280 C2**, and **8.04.360 B6**).

8.04.065 Permit and License Fees
Deleted the reference to **multi-year licensing**. Animal Services has found that annual contact is needed to maintain current phone numbers and addresses for people licensing animals. The rabies vaccination, however, is not required each year since the license can be renewed if the rabies vaccination is still valid.

8.04.070 Dog, Cat and Ferret License
Most of these changes were discussed above. Section F adds, "No person or persons at any one residence **or property** …"This addition is intended **to include the limitations on numbers of pets to properties without a building or residence, such as a vacant lot.** Section F also clarifies the number of licensed pets allowed: no more than 2 dogs, no more than 2 ferrets, and up to 4 cats provided there are no more than 4 pets in total.

8.04.074 Licensing and Keeping Three (3) or more Cats
Salt Lake Valley Health Department regulations require that certain conditions be met if three or more cats are kept, whether in a commercial or residential setting. Salt Lake City does not have the authority to revise these regulations. Rather than specify all the requirements, the reference is listed. The current requirements are listed below:

7.0 GENERAL REQUIREMENTS FOR KENNELS, CATTERIES, AND GROOMERIES.

7.1 All parts of a facility shall be maintained in good repair.
7.2 Provisions shall be made to effectively collect, treat, and dispose solid waste, including dead animals and liquid waste. Solid waste shall be stored, collected, and disposed to minimize vermin infestation, odor, and any health hazard.
7.3 Chemicals, medications, and other supplies shall be stored away from animal contact and from unauthorized persons.
7.4 All buildings, cages, and runs shall be built to reasonably prevent the escape of any animal. A security fence or wall shall protect animals from trespassers.
7.5 The building(s), storage area(s), and waste handling facility(s) shall be maintained secure from rodents, insects, and other vermin.
7.6 Outside runs of facilities constructed after the effective date of these regulations shall be at least ten feet (3.05 meters) from the property line at least 50 feet (15.25 meters) from all dwellings on adjacent property.
7.7 Outside runs of facilities in existence prior to the effective date of these regulations shall not create a nuisance or health hazard because of their proximity to other premises.
7.8 Animal and food waste, bedding, hair, dead animals, and other waste material shall be disposed in accordance with Section 6.1, and at a frequency and location established in the Department's Health Regulations #1, Solid Waste Management.
7.9 The facility and premises shall be clean and free of litter, trash, and garbage.
7.10 Runs using gravel shall be cleaned and sanitized by removing the soiled gravel. Disinfectants or deodorizers or both shall be used to control odors, if necessary.
7.11 All feed shall be free of contamination and adequately stored to protect it against infestation or contamination by vermin.
7.12 All food products shall be stored on racks or shelves high enough above the floor so cleaning can be done efficiently and rodent harborage is prevented.
7.13 All fencing shall be maintained in good repair and shall be of sufficient strength to protect the animals from injury, prevent escape, and restrict the entrance of other animals.
7.14 Any broken sections or any areas in the fencing that may cause injury to the enclosed animals or allow them to escape shall be repaired immediately.
7.15 Noise beyond the property line of any facility shall not exceed legal limits.
7.16 All dogs shall be enclosed in a building(s) or shelter(s) between the hours of 10:00 p.m. and 7:00 a.m.
7.17 Enclosures housing cats shall be provided with a receptacle(s) containing at least 3 inches (7.62 centimeters) deep of clean litter.

8.04.076 Licensing and Keeping Ferrets
These changes were discussed previously. Requirements for owners are listed in the ordinance.

8.04.080 Dog, Cat and Ferret License – Tag and Microchip Requirements
As mentioned previously, these changes propose that a cat or ferret be required to have a microchip implanted for identification. In section E, it **requires any "person or business that implants or furnishes information for" microchips** to provide that information to the Office of Animal Services, **rather than referring only to the "vendor"** of microchips.

8.04.090, 8.04.100, and 8.04.130 Dog, Cat and Ferret License
The changes to these sections **add cats and ferrets** to the lists of exemptions from licensing, revocation procedures, and pet rescue permits.

8.04.120 Cats and Rabbits – Number Per Residence
This section has been **deleted because the number of cats is now addressed in 8.04.070F**. The number of rabbits is controlled under 8.08.010 Domestic Fowl And Livestock-Permit Required:
A. It is **unlawful for any person to keep within the City** any chickens, turkeys, ducks, geese, pigeons or other similar domestic fowl, or **more than two (2) rabbits**, or other similar animals, without first making application for and obtaining a permit from the Office of Animal Services to do so. The fee for such permit shall be five dollars ($5.00) per animal, but shall not exceed forty dollars ($40.00) per year.

8.04.130 Commercial and Pet Rescue Permits
One clarification was added for the pet rescue permit: that the **"rescued" animal** must be pending adoption. This is not a change to the prior requirement that the animal must be pending adoption, just a clarification.

8.04.135 and 8.04.136 Feral Cat Colony
These changes were discussed previously.

8.04.140 Commercial Permits – Establishments Exempt from Licensing
This change clarifies that the facilities listed are exempt only from the licensing requirements.

8.04.150 Permits – Fee Schedule
This adds the **new feral cat colony permit** to this section.

8.04.170 Permits – Expiration and Renewal
This change **allows the permits to be renewed one year from the date they were issued**, rather than having all the permits expire on December 31 of each year. This change is consistent with the way most permits are renewed in other business areas of the City.

8.04.180 Permit – Suspension or Revocation
This **adds a condition for revocation or suspension**: if there is a **material change** in the conditions upon which the permit was granted.

8.04.200 and 8.04.210 Permits
These changes allow for **residential as well as commercial inspections** when a permit is requested. Adding feral cat colony permits will likely require residential inspections, and pet rescue permits may require an inspection.

8.04.230 Bites
These changes are to **correct the name of the Salt Lake Valley Health Department**.

8.04.240 Rabies Control
These changes **add ferrets to the rabies vaccination** requirements.

8.04.250 Rabies Control
These changes allow **animals implanted with a microchip**, and having the information registered with Animal Services, as **not being subject to impoundment for being unvaccinated**. However, the owner retains the risk of loss or destruction of the animal if the microchip cannot be located or if the owner information cannot be found. The proposed changes also **require veterinarians to provide rabies vaccination information**.

8.04.260 Rabies Control-Transient Animals
This change **requires that all animals** in the jurisdiction, whether they are here temporarily or not, **must have a current rabies vaccination**.

8.04.270 Rabies Control
This change **corrects the name of the Salt Lake Valley Health Department**.

8.04.280 Biting or Potentially Rabid Animals
Section **C2 corrects the name of the Salt Lake Valley Health Department.**
Section **H** clarifies actions that may be taken in **situations involving vicious animals**, including **deeming a bite or attack as being vicious**, allowing either a **civil or a criminal court** to take action, and specifying that **forfeiture or euthanasia** of an animal may take place instead of "destruction".

8.04.290 Animals Without Rabies Vaccination Tag
This change essentially **treats the lack of a microchip or the lack of a rabies tag the same** for the purpose of verifying rabies vaccination information..

8.04.320 Impoundment
This change essentially **treats the lack of a registered microchip or the lack of a tag the same** for the purpose of verifying licensing information..

8.04.340 Impoundment
Paragraph **A changes "calendar" days to "working" days** in order to comply with UCA 77-24-1.5. (2)(a). In paragraph **B, ferrets are added to the requirements** listed. The changes also state "animal" in some cases rather than specifying only dogs or cats. The changes also **reference the "date specified in the adoption agreement"** rather than allowing 180 days. This change is expected to generally make the time period from adoption to sterilization shorter. In paragraph **D**, it is noted that **written policies and procedures must be in place** to guide decisions about euthanasia. This is in compliance with UCA 77-24-1.5. (2)(b).

8.04.350 Impoundment – Redemption Conditions
These changes add requirements for owners whose animals have been impounded more than once. A **microchip will be required** if the animal has been **impounded without wearing identification on two or more occasions.** The requirements set by the State of Utah regarding sterilization of impounded dogs and cats are also referenced. Upon **the third impoundment of**

a fertile animal, it will be required to be sterilized prior to its release. Owners of a suspected rabid animal will not be charged an impound fee if they comply with the ordinance sections indicated.

8.04.351 Removal of Dead Pets or Companion Animals
This portion of the ordinance was made a new section, rather than being part of the impoundment section. The changes clarify the fees to be charged.

8.04.352 Impound Fees for Voluntary Relinquishment By Owner
The words "**dog or cat**" were **changed** to "**animal**", to apply to all animals rather than just applying to dogs and cats. As in prior ordinance changes, the **fees are referenced in Appendix A** rather than listed within the body of the ordinance.

8.04.356 Sterilization Required for Adoption
This change includes the **requirement that ferrets and rabbits** also **be sterilized upon adoption**, rather than dogs and cats only

8.04.360 Dogs – Prohibited Where
This change **corrects the name of the Salt Lake Valley Health Department.**

8.04.370 Animal Nuisances Designated – Penalty
These changes **clarify actions that are designated as nuisances**, and also **clarifies that an attack may be designated whether or not the injured person or animal is the one to whom the attack was directed**. This change was prompted by a situation in which a dog attacked another dog. A person trying to break up the dog fight was injured when the dog that had been attacked bit the person. The dog that initiated the attack was argued to not be responsible for the person getting bitten.

8.04.410 Animals Attacking Persons And Animals
This change indicates that a **court order may be appropriate to seek forfeiture or euthanasia** of an attacking animal.

8.04.450 Animals Injured By Motorists
These changes **add the Salt Lake City Police Department as an agency to contact,** and requires that a **vehicle operator comply with the instructions** given by the agency that was contacted.

8.04.460 Using Animals for Fighting
A statement has been added that will make **anyone convicted of using animals for fighting automatically ineligible to adopt an animal** from the animal shelter.

8.04.470 Cruelty to Animals Prohibited
In paragraph **A**, a statement has been added to **allow Animal Services to have an animal examined by a veterinarian** upon suspicion of abuse. In paragraph **C**, the wording has been changed to make it consistent with the rest of this section. In addition, statements have been added to say that **care and maintenance must meet the needs of the species and breed** of the

animal since different animals may have different requirements. In paragraph **D**, statements have been added to state that an **animal should not be carried or confined in a vehicle in extreme hot or cold temperatures**, and to specifically **require an animal riding in the open bed of a vehicle to be physically restrained**.

8.04.510 Issuance of Citations
Paragraph B has been **updated to adjust for the number of pets** allowed.

Appendix A
The changes to this section were discussed previously. One additional change **requires impound fees to be doubled upon the third offense within a 24 month period, rather than making it a criminal violation**. The impound fees relate to a monetary penalty rather than a situation that would need to be pursued in a criminal court. The penalties for notices of violation are unchanged; they continue to become criminal charges upon the third offense in 24 months.

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

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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.

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Notes

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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
P.O. Box 573659
Murray, Utah 84157
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Fax # (801) 261-9577
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.

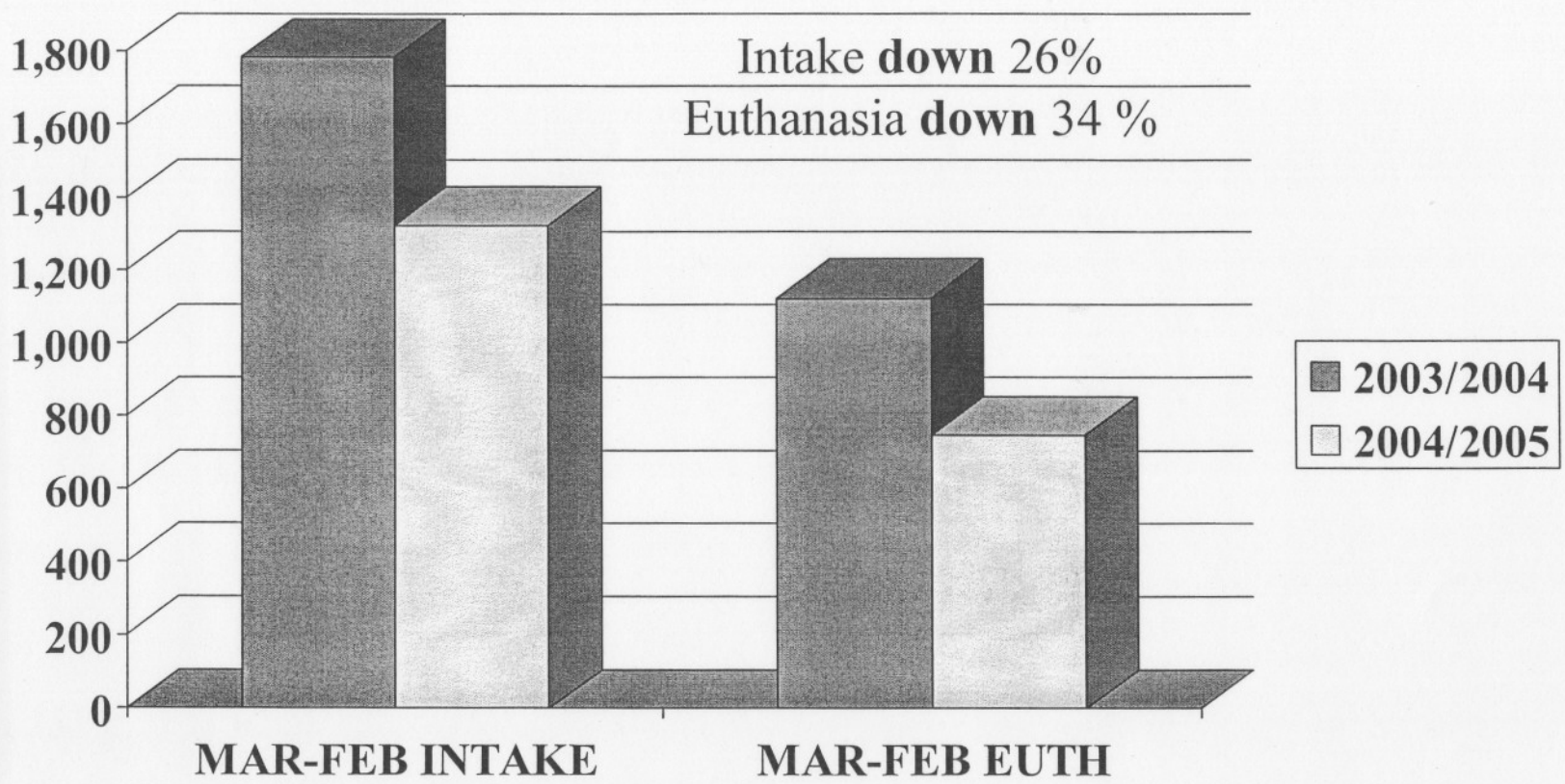
Trap-Remove-Evaluate Programs

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

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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

CITY OF MOAB

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

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Feline Fenzy!
Spay/Neuter Clinic Makes History in Washington, DC

NATIONAL FERAL CAT DAY

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 eding half a dozen feral kittens trying to urvive 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."



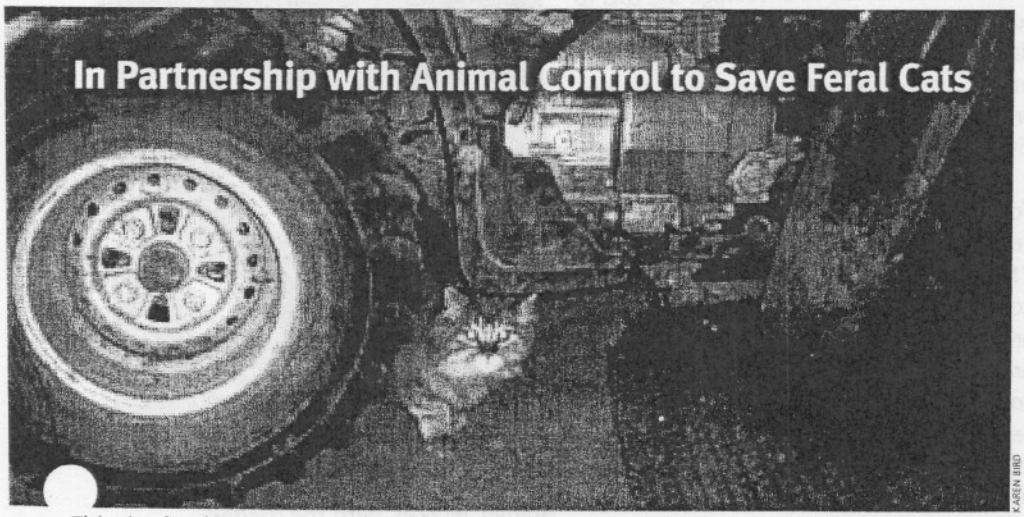
National Feral Cat Day
October 16

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

In Partnership with Animal Control to Save Feral Cats



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

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Alley Cat Allies
...ne National Feral Cat Resource
7920 Norfolk Avenue
Suite 600
Bethesda, MD 20814-2525
Please include your member ID number with all correspondence to Alley Cat Allies.

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Contact our Planned Giving Department at 240-482-1980, or alleycat@alleycat.org

Alley Cat Allies

All information is strictly confidential.

S. WOODEHOUSE

Cats outdoors. It's a fact of life. It doesn't have to be a sad fact.

In Partnership with Animal Control to Save Feral Cats

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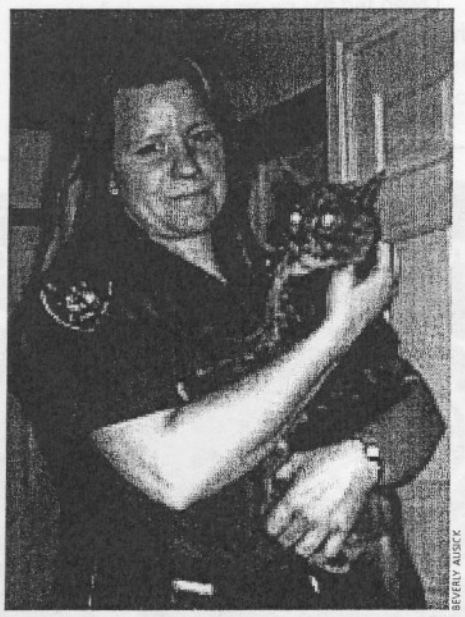
bringing far fewer feral cats into the shelter.

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 wildlife5-7; 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 reported14-16 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.

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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:

$$R_t = e^{r_m(1-\frac{N_1}{K})}$$

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 $M = s \cdot N$ 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.

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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.

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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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SALT LAKE CITY ORDINANCE
No. _____ of 2006
(Animal Control Amendments)

AN ORDINANCE AMENDING CHAPTER 8.04, *SALT LAKE CITY CODE*, RELATING TO ANIMAL CONTROL.

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

SECTION 1. That Chapter 8.04, *Salt Lake City Code*, pertaining to animal control be, and the same hereby is, amended to read as follows:

Chapter 8.04
ANIMAL SERVICES~~CONTROL~~

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 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.

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, or 2) other physical enclosure~~,, or 3) within the real property limits of the owner~~.

J. "Attack" means any bite, attempted bite, or similar fierce behavior by an animal which places a person or another animal in danger of, or in reasonable fear of, immediate physical harm. Actual physical contact is not required to constitute an attack.

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

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

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

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

~~P~~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.

~~Q~~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.

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

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

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

~~U~~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.

~~V~~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.

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

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

~~Y~~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.

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.

BB. "Ferret" means any domestic Mustela putorius (except the black footed ferret) more than four (4) months of age or older.

~~Y~~CC. "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.

DD. "Harbor" means housing, feeding or caring for a pet without the permission of the owner within a person's house, yard, or premises for more than 24 consecutive hours.

~~Z~~EE. "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.

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

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

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

II. "Livestock" means animals kept for husbandry, including but not limited to fowl, horses, mules, burros, donkeys, cattle, sheep, goats, llamas, swine, and other farm, hoofed domesticated animals, excluding dogs, cats, and ferrets.

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

~~FF~~LL. "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.

~~GG~~MM. "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.

~~HH~~NN. "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.

~~H~~OO. "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.

~~JJ~~PP. "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.

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

~~LL~~RR. "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.

~~MM~~SS. "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.

~~NN~~TT. "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.

~~OO~~UU. "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.

~~PP~~VV. "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~~.

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

~~RR~~XX. "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.

~~SS~~YY. "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 ~~sub~~nonhuman 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, except domesticated ferrets, including weasels, martins, wolverines, black footed ferrets, badgers, otters, ermine, mink and mongoose, except that the possession of such animals shall not be prohibited when raised commercially for their pelts.

~~TTZZ~~. "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. (Ord. 69-99 § 6, 1999: Ord. 52-89 § 2, 1989: Ord. 48-88 § 1, 1988: Ord. 88-86 § 1, 1986: Ord. 59-86 § 1, 1986: prior code § 100-1-1)

8.04.030 Animal Services Officials-Powers And Duties:

A. The Animal Services Director, or any person employed by the Office of Animal Services as an animal services officer, or any person authorized through a legal agreement, shall take the oath of office and shall be vested with the power and authority to enforce this Title.

B. The Animal Services Director, his or her deputies, assistants and animal services officers, are hereby authorized and empowered to apprehend and take with them and impound any animal found in violation of this Title, and including licensable ~~dogs~~animals for which no license has been procured in accordance with this Title, or any licensed or unlicensed ~~dogs~~animals for any other violation thereof.

C. In the enforcement of this Title, any peace officer, or the Director of Animal Services, his or her assistants or animal services officers are authorized to enter onto the open premises of any person to take possession of any animal in violation of this Title. (Ord. 69-99 § 6, 1999: prior code § 100-1-3)

8.04.040 Director's And Officers' Powers-Enforcement:

A. The Animal Services Director shall:

1. Enforce this Title and perform other responsibilities pursuant thereto;
2. Supervise the ~~Municipal~~ animal shelter(s) under his or her jurisdiction;
3. Keep adequate records of all animals impounded and all monies collected;
4. See that all animals and animal-holding facilities in his or her jurisdiction are licensed, controlled and permitted in accordance with any applicable ordinance and/or regulations;
5. Establish, in cooperation with the Salt Lake ~~City-County~~Valley Health Department and other interested governmental agencies, adequate measures for rabies immunization and control.

B. Each animal services officer shall:

1. Enforce this Chapter in all respects pertaining to animal services within the City, including the care and impounding of animals and prevention of cruelty to animals;
2. Carry out all duties prescribed or delegated by the Director. (Ord. 69-99 § 6, 1999: prior code § 100-1-4)

8.04.065 Permit And License Fees-Expiration-Renewal:

A permit issued pursuant to this Chapter shall expire one year after it is issued by the Office of Animal Services or other authorized entity, and shall be renewable upon application therefor. Renewal applications shall not be available until thirty (30) days prior to the expiration date of the current permit. A permit may only be issued after the appropriate fee has been paid. Application shall be accompanied by the fee established in the permit and fee schedule, Appendix A of this Chapter. ~~Licenses may be issued for multiple years in accordance with fees set forth in Appendix A of this Chapter.~~

A. The permit and license fee schedule may be modified from time to time as deemed appropriate by the Director of Animal Services or other authorized manager, and upon approval by the Salt Lake City Council.

B. Permits are not transferable from one owner to another, nor from one site to another. (Ord. 69-99 § 2, 1999)

8.04.070 Dog, Cat and Ferret License-Required When-Application And Fees:

A. Required: All dogs, cats and ferrets shall be licensed each year, except as otherwise provided herein, to a person of the age of eighteen (18) years or older.

B. Deadline: Any person owning, possessing or harboring any dog, cat or ferret shall obtain a license for such animal within thirty (30) days after the dog, cat or ferret reaches the age of four (4) months, or, in the case of a dog, cat or ferret over four (4) months, or in the case of a new City resident, within thirty (30) days of the acquisition of the dog, cat or ferret, or the commencement of residency.

C. Application: License applications shall be submitted to the Office of Animal Services, by utilizing a standard form which requests name, address and telephone number of the applicant; breed, sex, color and age of the animal; previous license information; rabies and sterilization information; and the number, location or other identification applicable to a tattoo or implanted microchip of the animal. The application shall be accompanied by the prescribed license fee and by a rabies vaccination certificate current for a minimum of six (6) months beyond the date of application. A license shall not be issued for a period that exceeds the expiration date of the rabies vaccination. Rabies vaccinations shall be given by a licensed veterinarian with a vaccine approved by the current Compendium of Animal Rabies Control.

D. License Fees:

1. License fees shall be as set forth in the permit and fee schedule, Appendix A of this Chapter.

2. No dog, cat or ferret shall be licensed as spayed or neutered without veterinary verification that such surgery was performed.

E. License Vendors: The Animal Services Director may contract with veterinary hospitals, veterinarians, pet shops, animal grooming parlors, and similar institutions or individuals for the issuance of license application forms. License fees and requirements for licensure with such vendors shall be the same as if the application was issued directly by the Office of Animal Services.

F. Number Of Dogs, Cats and Ferrets: No person or persons at any one residence or property within the City shall at any one time own, harbor or license more than two (2) adult dogs, four (4) adult cats or two (2) adult ferrets, and no more than four total dogs, cats and ferrets in any combination except as otherwise provided herein.

G. Senior Citizen Provisions: In lieu of the annual license fees provided above, a person sixty (60) years of age or older on the date of license application may, upon proof of age, obtain a ~~dog~~ license for an unsterilized dog, cat or ferret for a reduced fee as specified in Appendix A of this Chapter. A person sixty (60) years of age or older may obtain a ~~dog~~ license for the life of a spayed or neutered dog, cat or ferret for a one-time nontransferable fee as specified in Appendix A of this Chapter, but such person shall nevertheless obtain a license without fee thereafter for verification of rabies vaccination. This subsection shall not be construed to relieve any person from meeting all licensing requirements not specifically

exempted, including late fees and required vaccinations, nor is any license issued hereunder transferable to any other animal or owner other than that for which the license was issued. (Ord. 69-99 § 6, 1999: Ord. 30-88 § 1, 1988: amended during 1/88 supplement: Ord. 39-84 § 1, 1984: prior code § 100-1-6)

8.04.074 Licensing and Keeping Three (3) or more Cats – Additional Requirements
Residents keeping three (3) or more cats in one household are required to comply with the general requirements for a cattery under the Salt Lake Valley Health Department Health Regulations #9, section 7.0, or its successor.

8.04.076 Licensing and Keeping Ferrets – Additional Requirements
A. First time applicants must present proof of satisfactory completion of a ferret ownership class that included, as a minimum, the dangers ferrets present to people and other animals, and the dangers of owning a ferret in a household with infants and small children.
B. No more than two adult ferrets may be kept in a household at any time, and no more than two litters of kits under the age of five months may be kept in a household at any time.
C. All owners shall make their ferret housing facilities and the health of their ferrets open to inspection by an animal services officer once each year.
D. Ferrets shall be kept primarily as indoor pets, and shall be housed in a cage or kennel of sufficient size and construction to allow proper space and safekeeping of the ferret. When a ferret is outdoors, it shall be kept on a harness with a leash specifically designed for ferrets that is not more than six (6) feet in length.
E. Ferret owners are encouraged to sterilize and de-scent their ferrets.

8.04.080 Dog, Cat and Ferret License-Tag and Microchip Requirements:
A. Upon payment of the license fee, the Office of Animal Services shall issue to the owner a certificate and a tag for each dog, cat or ferret licensed. The tag shall have stamped thereon the license number corresponding with the tag number on the certificate. The owner shall attach the tag to the collar or harness of the animal and see that the collar and tag are constantly worn when the animal is off the premises of the owner. Failure to attach the tag as provided shall be in violation of this Title, except that animals~~dogs~~ which are kept for show purposes are exempt from wearing the collar and tag when participating in a match or show.
B. ~~Dog~~License tags are not transferable from one dog, cat or ferret to another. No refunds shall be made on any ~~dog~~ license fee for any reason whatsoever. Replacements for lost or destroyed tags shall be issued upon payment of the replacement tag fee set in Appendix A of this Chapter to the Office of Animal Services.
C. Any person removing or causing to be removed the collar, harness or tag from any licensed dog, cat or ferret without the consent of the owner or keeper thereof, except a licensed veterinarian or animal services officer who removes such for medical and other reasons, shall be in violation of this Title.
D. Microchip requirements:
1. Dogs – Owners are encouraged to~~may~~ have an identifying microchip implanted in their dogs. If owners take such action, they shall be exempt from the requirement that such dogs wear identifying tags at all times while off the premises, provided that the microchip information has been registered with the Office of Animal Services. ~~Owners shall assume~~

~~the risk of nonidentification of all microchipped, unrestrained dogs who are subsequently impounded by animal services officers.~~

2. Cats – Owners are required to have an identifying microchip implanted in their cats. By taking such action, owners shall be exempt from the requirement that such cats wear identifying tags at all times while off the premises, provided that the microchip information has been registered with the Office of Animal Services.

3. Ferrets – Owners are required to have an identifying microchip implanted in each ferret, and the microchip number must be included with each license application.

4. Owners shall assume the risk of nonidentification of all microchipped, unrestrained animals which are subsequently impounded by animal services officers.

E. It is unlawful for any ~~vendor of~~ person or business that implants or furnishes information for microchips to refuse to provide information to the Office of Animal Services as to the identification of the owner of an animal that has been microchipped. (Ord. 69-99 § 6, 1999: Ord. 30-88 § 2, 1988: prior code § 100-1-7)

8.04.090 Dog, Cat and Ferret License-Exemptions:

A. The provisions of Sections 8.04.070 and 8.04.080 of this Chapter, or their successors, shall not apply to:

1. Dogs, cats and ferrets properly licensed in another jurisdiction whose owners are nonresidents temporarily (up to 30 days) within the City. Licensed dogs, cats and ferrets whose owners remain within the City longer than thirty (30) days may transfer to the local license upon payment of a fee as specified in Appendix A of this Chapter and proof of current rabies vaccination; or

2. Individual dogs, cats and ferrets within a properly licensed ~~dog~~ kennel, cattery, or other such establishment, when such ~~dogs~~animals are held for resale.

B. The fee provisions of Section 8.04.070 of this Chapter shall not apply to:

1. Service ~~dogs~~animals trained and certified to assist persons with a physical or mental disability, or ~~dogs~~animals in an official training program for such assistance; or

2. ~~Dogs~~Animals especially trained to assist officials of government agencies in the performance of their duties and which are owned by such agencies.

C. Nothing in this Section shall be construed so as to exempt any dog, cat or ferret from having a current rabies vaccination. (Ord. 69-99 § 6, 1999: prior code § 100-1-8)

8.04.100 Dog, Cat and Ferret License-Revocation Procedures:

If the owner of any dog, cat or ferret is found to be in violation of this Title on three (3) or more different occasions during any twelve (12) month period, the Director of Animal Services may seek a court order, pursuant to Section 8.04.220 of this Chapter, or its successor, revoking for a period of one year any ~~dog~~animal license(s) such person may possess and providing for the Animal Services Office to pick up and impound any ~~dog~~animal(s) kept by the person under such order. Any ~~dog~~animal impounded pursuant to such an order shall be dealt with in accordance with the provisions of this Title for impounded animals, except that the person under the order of revocation shall not be allowed to redeem the ~~dog~~animal under any circumstances. (Ord. 69-99 § 6, 1999: prior code § 100-1-17)

~~**8.04.120 Cats And Rabbits-Number Per Residence:**~~

~~No person or persons at any one residence within the City shall at any one time own or keep more than two (2) cats and two (2) rabbits at any such residence. (Ord. 69-99 § 6, 1999: prior code § 100-1-6A)~~

8.04.130 Commercial And Pet Rescue Permits-Required When-Application-Issuance Conditions:

A. 1. It is unlawful for any person to operate or maintain a kennel, cattery, pet shop, groomery, riding stable, veterinary clinic or hospital or any similar establishment unless such person first obtains a regulatory permit from the Office of Animal Services, in addition to all other required licenses and permits.

2. All applications for permits to operate such establishments shall be submitted, together with the required permit fee, on a printed form provided by the Animal Services Office to that office. Before the permit is issued, approval shall be granted by the ~~City-County~~Salt Lake Valley Health Department, the appropriate zoning authority, any applicable business licensing authority, and the Animal Services Office.

B. A pet rescue permit for foster animals may be authorized for owners of dogs, ~~and~~ cats and ferrets to keep one additional~~no more than three (3)~~ dog~~s~~ ,~~or~~ cat or ferret~~s~~ in a residential area, but no more than five (5) total licensed animals (dogs, cats, and ferrets) per household, provided:

1. The rescued~~Such~~ animal~~s~~ ~~are~~is pending adoption from a local City or County operated animal shelter or a section 501(c)(3), United States Internal Revenue Code, humane society shelter; and

~~2. Such animals are awaiting adoption; and~~

~~3~~2. Approval is granted by the appropriate zoning authority, ~~City-County~~Salt Lake Valley Health Department, and Office of Animal Services; and

~~4~~3. Adequate confinement areas are provided; and

~~5~~4. Other provisions of this Title are complied with, and no animal or premises is deemed to be a nuisance; and

~~6~~5. The holder of a pet rescue permit assumes all responsibility for the animal regarding licensing, care, liability and oversight.

C. Holders of a pet rescue permit shall be subject to all requirements and regulations of this Chapter pertaining to commercial establishments. (Ord. 69-99 § 6, 1999: prior code § 100-1-28(1))

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, may 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.

8.04.136 Maintaining a Registered Feral Cat Colony – Additional Requirements

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.

8.04.140 Commercial Permits-~~Exempt~~ Establishments Exempt from Licensing:
Research facilities where bona fide medical or related research is being conducted, humane shelters, and other animal establishments operated by State or local government, or which are licensed by Federal law, and licensed veterinarian hospitals and clinics, are excluded from the licensing requirements of this Title. (Ord. 69-99 § 6, 1999: Ord. 88-86 § 3, 1986: prior code § 100-1-28(5))

8.04.150 ~~Commercial And Pet Rescue~~ Permits-Fee Schedule:
Fees for commercial operations (kennels, catteries, groomeries, pet shops, veterinary clinics or hospitals), ~~and~~ pet rescue permits and feral cat colony registration permits shall be as indicated in Appendix A of this Chapter. (Ord. 69-99 § 6, 1999: Ord. 30-88 § 3, 1988: Ord. 88-86 § 3, 1986: prior code § 100-1-28(4))

8.04.170 ~~Commercial And Pet Rescue~~ Permits-Expiration And Renewal:
Any permit issued pursuant to Sections 8.04.130 through 8.04.170 and Section 8.04.200 of this Chapter, or their successors, shall ~~automatically~~ expire one year after it is issued by the Office of Animal Services, and shall be renewable upon acceptance by the Office of Animal Services of a new application. Renewal applications shall not be available until thirty days prior to the expiration date of the current permit. A permit may only be issued after the appropriate fee has been paid. Application must be accompanied by the fee as established in Appendix A of this chapter. ~~on the December 31 immediately following the date of issue. Within two (2) months prior to the expiration of the permit, the permittee shall apply for a renewal of the permit and pay the required fee. Any application made after December 31, except an application for a new establishment opening subsequent to that date, shall be accompanied by a late application fee in addition to the regular permit fee.~~ (Ord. 69-99 § 6, 1999: Ord. 88-86 § 3, 1986: prior code § 100-1-28(3))

8.04.180 Permit-Suspension Or Revocation:
A. Grounds: A permit may be suspended or revoked or a permit application rejected on any one or more of the following grounds:
1. Falsification of facts in a permit application;

2. Material change in the conditions upon which the permit was granted;

~~2~~3. Violation of any of the provisions of this Title, or any other law or regulation governing the establishment including, but not limited to, health, noise, building and zoning ordinances;

~~3~~4. Conviction on a charge of cruelty to animals.

B. Procedure: If an inspection of any establishment required to be permitted under this Title, reveals a violation of this Title, the inspector shall notify the permit holder or operator of such violation by means of an inspection report form or other written notice. The notification shall:

1. Set forth the specific violation(s) found;

2. Establish a specific and reasonable period of time for the correction of the violation(s) found;

3. State that failure to comply with any notice issued in accordance with the provisions of this Title may result in immediate suspension of the permit;

4. State that an opportunity for appeal from any notice or inspection findings will be provided if a written request for a hearing is filed with the Office of Animal Services within five (5) days of the date of the notice. Compliance with the notice will be stayed pending the decision from a request for hearing.

C. Revocation Or Suspension: Any permit granted under this Title may be suspended or revoked by the Mayor or the Mayor's designee for violations listed in subsection A of this Section. A minimum of five (5) days' notice shall be given to the permittee, advising him of the date and time for such hearing, and listing the cause or causes for such suspension or revocation. No new permit shall be issued to any person whose permit has been previously revoked except upon application for a new permit, accompanied by the required application fee, and unless and until all requirements of this Title have been met.

D. Notice Procedure: Notice provided for under this Section shall be deemed to have been properly served when the original of the inspection report form or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by certified mail to the last known address of the permit holder. A copy of such notice shall be filed with the records of the Office of Animal Services. (Ord. 69-99 § 6, 1999: Ord. 88-86 § 4, 1986: prior code § 100-1-30(1)-(3) and (5))

8.04.200 ~~Commercial Establishments~~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 filed with the Animal Services Office. (Ord. 69-99 § 6, 1999: Ord. 88-86 § 4, 1986: prior code § 100-1-28(6))

8.04.210 ~~Commercial Establishments-~~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. (Ord. 69-99 § 6, 1999: Ord. 88-86 § 4, 1986: prior code § 100-1-30(4))

8.04.230 Bites-Report Requirements:

A. Any person having knowledge of any individual or animal having been bitten by an animal of a species subject to rabies shall report the incident immediately to the Office of Animal Services or to the Salt Lake ~~City-County~~Valley Health Department.

B. The owner of an animal that bites a person, and any person bitten by an animal, shall report the bite to the Office of Animal Services or the ~~City-County~~Salt Lake Valley Health Department within twenty four (24) hours of the bite, regardless of whether or not the biting animal is of a species subject to rabies.

C. A physician (or other medical personnel) who renders professional treatment to a person bitten by an animal shall report the fact that such physician (or personnel) has rendered professional treatment to the Office of Animal Services or the ~~City-County~~Salt Lake Valley Health Department within twenty four (24) hours of his or her first professional attendance. He or she shall report the name, sex, phone number and address of the person bitten as well as the type and location of the bite. If known, he or she shall give the name and address of the owner of the animal that inflicted the bite, and any other facts that may assist the Office of Animal Services in ascertaining the immunization status of the animal.

D. Any person treating an animal bitten, injured or mauled by another animal shall report the incident to the Office of Animal Services. The report shall contain the name, phone number and address of the owner of the wounded, injured or bitten animal, the name, phone number and address of the owner and description of the animal which caused the injury, and the location of the incident.

E. Any person not conforming with the requirements of this Section shall be in violation of this Title. (Ord. 69-99 § 6, 1999: prior code § 100-1-18)

8.04.240 Rabies Control-Vaccination For Dogs, ~~And~~ Cats and Ferrets:

A. The owner or person having the charge, care, custody and control of a four (4) months of age or over ferret, cat or dog shall have such animal vaccinated for rabies. Any person permitting any such animal to habitually be on or remain, or be lodged or fed within such person's house, yard or premises shall be responsible for the vaccination. Unvaccinated dogs, ~~or~~ cats or ferrets over four (4) months of age acquired by the owner or moved into the City must be vaccinated within thirty (30) days of purchase or arrival.

B. Every dog, ~~and~~ cat and ferret shall have a current rabies vaccination with a rabies vaccine approved by the current Compendium of Animal Rabies Control as amended, published by the National Association of State Public Health Veterinarians, Inc. This provision shall not apply to veterinarians or kennel operators temporarily maintaining on their premises animals owned by others. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(1))

8.04.250 Rabies Control-Veterinarian Duties-Certification And Tag Requirements:

A. It shall be the duty of each veterinarian, when vaccinating any animal for rabies, to complete a certificate of rabies vaccination (in duplicate) which includes the following information:
1. Owner's name and address;
2. Description of animal (breed, sex, markings, age, name);
3. Date of vaccination;
4. Rabies vaccination tag number;
5. Type of rabies vaccine administered;
6. Manufacturer's serial number of vaccine.
B. A copy of the certificate shall be distributed to the owner and the original retained by the issuing veterinarian. The veterinarian and the owner shall retain their copies of the certificate for the interval between vaccinations specified in Section 8.04.240 of this Chapter, or its successor. Additionally, a metal or durable plastic rabies vaccination tag, serially numbered, shall be securely attached to the collar or harness of the animal. An animal not wearing such a tag shall be deemed to be unvaccinated, and may be impounded and dealt with pursuant to this Title, unless the animal has an implanted microchip and such information has been registered with the Office of Animal Services. Owners shall assume the risk of the loss or destruction of an unrestrained animal whose microchip either cannot be located after a reasonable search therefor, or owner information cannot be found after a reasonable records search.
C. It shall be unlawful for a veterinarian to refuse to provide the certificate information listed above to the Office of Animal Services. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(2))

8.04.260 Rabies Control-Transient Animals:
~~The provisions of Sections 8.04.240 through 8.04.290 of this Chapter or their successor sections, with respect to vaccination, shall not apply to any animal owned by a person temporarily remaining within the City for less than thirty (30) days. Such animals shall be kept under strict supervision of the owner.~~ It is unlawful to bring any animal into the City which does not comply with any applicable animal health laws and import regulations. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(3))

8.04.270 Rabies Control-Reporting Of Rabid Animals:
Any person having knowledge of the whereabouts of an animal known to have been exposed to or suspected of having rabies, or of an animal or person bitten by such a suspect animal, shall notify the Office of Animal Services, the ~~City-County~~ Salt Lake Valley Health Department or the State Division of Health. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(5))

8.04.280 Biting Or Potentially Rabid Animals-Quarantine/Confinement Or Other Disposition:
A. Report Requirements: An animal that has rabies or is suspected of having rabies, or any animal bitten by another animal infected with rabies or by an animal suspected of having rabies, shall be reported by the owner or person having information as set forth in Section 8.04.270 of this Chapter, or its successor, and shall immediately be confined in a

secure place by the owner. The owner shall turn over the animal to the Office of Animal Services upon demand.

B. Surrender Of Animal: The owner of any animal of a species subject to rabies which has bitten shall surrender the animal to any authorized official upon demand. Any person authorized to enforce this Title may enter upon private property to seize the animal; if the owner refuses to surrender the animal, the officer shall immediately obtain a search warrant authorizing seizure and impoundment of the animal.

C. Seizure, Confinement Or Quarantine:

1. Any animal of a species subject to rabies that bites a person or animal, or is suspected of having rabies, may be seized and quarantined for observation as determined by the Animal Services Director or designee. In consultation with a veterinarian when deemed necessary by the Director or designee, the potentially rabid animal shall be quarantined or confined for observation in accordance with the current Compendium of Animal Rabies Control, as amended, and with Office policy and procedure. The owner of the animal shall bear the cost of confinement. The animal shelter shall be the normal place for quarantine, but other arrangements, including confinement by the owner, may be made by the Director of Animal Services and/or the Director of the Health Department if the animal had a current rabies vaccination at the time the bite was inflicted or if there are other special circumstances justifying an exception.

2. A person who has custody of an animal under quarantine shall immediately notify the Office of Animal Services if the animal shows any signs of sickness or abnormal behavior, or if the animal escapes confinement. It is unlawful for any person who has custody of a quarantined animal to fail or refuse to allow a ~~City-County~~Salt Lake Valley Health Department or animal services officer to make an inspection or examination during the period of quarantine. If the animal dies within ten (10) days from the date of bite, the person having custody shall immediately notify the Office of Animal Services or immediately remove and deliver the head to the State Health Laboratory to be examined for rabies. If, at the end of the quarantine period, the Director of Animal Services, or his/her designee, examines the animal and finds no sign of rabies, the animal may be released to the owner or, in the case of a stray, it shall be disposed of as provided in Section 8.04.340 of this Chapter, or its successor.

D. Unvaccinated Bitten Animals:

1. In the case of an unvaccinated animal species subject to rabies which is known to have been bitten by, or otherwise exposed to a known rabid animal, such bitten or exposed animal should be immediately euthanized. Animals with expired rabies vaccinations of six (6) months or more shall be considered unvaccinated for the purpose of this Section.

2. If the owner is unwilling to euthanize the bitten or exposed animal, the animal shall be immediately isolated and quarantined for six (6) months under veterinary supervision, the cost of such confinement to be paid in advance by the owner. The animal shall be vaccinated one month before being released. The animal shall be euthanized if the owner does not comply herewith.

E. Vaccinated Bitten Animals:

1. If the bitten or exposed animal has been vaccinated, the animal shall be revaccinated within twenty four (24) hours, kept under home confinement, and observed for forty five (45) days; or

2. If the animal is not revaccinated within twenty four (24) hours, the animal shall be isolated and monitored according to the current Compendium of Animal Rabies Control, as amended.
3. The animal shall be euthanized if the owner does not comply with subsections E1 and E2 of this Section.
F. Bitten Animals With Expired Vaccinations: Animals with expired rabies vaccinations of six (6) months or less shall be evaluated on a case-by-case basis.
G. Removal Of Quarantined Animals: It is unlawful for any person to remove any such animal from the place of quarantine without written permission of the Office of Animal Services.
H. Vicious Animals: If any animal bites or attacks a person or animal two (2) times or more in a twelve (12) month period, or if the Animal Services Director deems the bite or attack to be vicious by virtue of the severity of the bite, such animal may be immediately impounded by the Office of Animal Services without court order and held at owner expense pending civil or criminal court action. Any such animal shall be deemed a vicious animal, and the Director of Animal Services may seek a court order, as provided in Section 8.04.220 of this Chapter, or its successor, for forfeiture or euthanasia~~destruction~~ of the animal. Parties owning such animals shall, if possible, be notified immediately of the animal's location by the Animal Services Office. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(6))

8.04.290 Animals Without Rabies Vaccination Tag-Impoundment:
A. Any vaccinated animal impounded because of the lack of a rabies vaccination tag or microchip may be reclaimed by its owner by furnishing proof of rabies vaccination and payment of all impoundment fees prior to release.
B. Any unvaccinated animal may be reclaimed prior to disposal by payment of impound fees and by the owner posting a twenty five dollar ($25.00) cash bond (deposit) with the Office of Animal Services, obligation of which is conditioned upon the owner's failure to obtain a rabies vaccination for the animal within seventy two (72) hours of release. Upon proof of the required vaccination, said bond shall be released or returned to the owner.
C. Any animal not reclaimed during the period shall be disposed of pursuant to provisions of Section 8.04.340 of this Chapter, or its successor. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(4))

8.04.320 Impoundment-Authorized When:
The Animal Services Director shall place all animals which he or she takes into custody in a designated animal impound facility. The following animals may be taken into custody by the Animal Services Director or designee and impounded without the filing of a complaint:
A. Any animal being kept or maintained contrary to the provisions of this Title;
B. Any animal running at large contrary to the provisions of this Title;
C. Any animal which is by this Title required to be licensed and is not licensed. An animal not wearing a tag or not having a registered microchip shall be presumed to be unlicensed for purposes of this Section;
D. Sick or injured animals whose owner cannot be located, or whose owner requests impoundment and agrees to pay a reasonable fee for the services rendered;
E. Any abandoned animal;

F. Animals which are not vaccinated for rabies in accordance with the requirements of this Title;

G. Any animal to be held for quarantine;

H. Any vicious animal not properly confined as required by Section 8.04.420 of this Chapter, or its successor. (Ord. 69-99 § 6, 1999: prior code § 100-1-20)

8.04.340 Impoundment-Holding Period-Notice To Owner-Disposition Of Animals:

A. Animals shall be impounded for a minimum of three (3) workingcalendar days before further disposition, except as otherwise provided herein. Any animal which is impounded and is wearing a current license, rabies tag or other identification designating the owner of the animal and where such owner may be contacted, shall be impounded for a minimum of five (5) calendar days before further disposition. Reasonable effort shall be made to notify the owner of any animal wearing a license or other identification during that time. Notice shall be deemed given when sent to the last known address of the listed owner. Any animal voluntarily relinquished to the animal control facility by the owner thereof for destruction or other disposition need not be kept for the minimum holding period before release or other disposition as herein provided.

B. 1. All dogs, and cats and ferrets, except for those quarantined or confined by court order, held longer than the minimum impound period, and all dogs, and cats and ferrets voluntarily relinquished to the impound facility, may be euthanized or sold, as the Animal Services Director shall direct. Any healthy dog or cat may be sold to any person or to any institution engaged in scientific research and desiring to purchase such animal for a price to be determined by the Director, provided it is in accordance with UCA § 26-26-4but not to exceed thirty dollars ($30.00) per animal, plus license and rabies vaccination is required.

2. All persons purchasing any dog, or cat or ferret from the impound facility shall, at the time of purchase, execute an agreement on forms provided by the impound facility. Such agreement shall provide that the purchaser will have the dog, or cat or ferret so purchased spayed or neutered within by the date specified in the purchase or adoption agreementone hundred eighty (180) days of the date of purchase of such dog or cat, and that the purchaser will file with the Animal Services Director written verification from a licensed veterinarian that such dog or catanimal has been spayed or neutered prior to the date of written verification. The agreement shall also provide that sale or transfer of the purchased animaldog or cat by the purchaser shall not release the purchaser from the obligation to have the animal spayed or neutered, nor from the obligation to file the written verification, as provided hereinabove. In lieu of the aforementioned written verification from a licensed veterinarian, the purchaser may file a truthful affidavit with the Animal Services Director within by the date specified by the purchase or adoption agreementone hundred eighty (180) days of the date of purchase certifying that the animaldog or cat so purchased from the impound facility has died prior to the one hundred eighty (180) day deadline, and prior to being spayed or neutered.

3. Failure of the purchaser of an animal dog or cat from the impound facility to file the written verification from a licensed veterinarian, as provided hereinabove, within by the date specified in the purchase or adoption agreementone hundred eighty (180) days of the date of purchase of such dog or cat, or, in the alternative, failure of the purchaser to file a truthful affidavit by the date specified in the purchase or adoption agreementwithin one hundred eighty (180) days from the date of the purchase certifying that the dog or cat so purchased

has died within the ~~one hundred eighty (180) day period~~time established and prior to being spayed or neutered, shall constitute a misdemeanor.

C. Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention may, in the discretion of the Animal Services Director or designee, be released to the care of a veterinarian without the consent of the owner.

D. When, in the judgment of the Animal Services Director, it is determined that an animal should be euthanized for humane reasons or to protect the public from imminent danger to persons or property, such animal may be euthanized without regard to any time limitations otherwise established herein, and without court order provided written policies and procedures are in place to guide this judgment.

E. The Director of Animal Services may euthanize an animal upon the request of an owner without transporting the animal to animal services facilities. A~~n appropriate~~ fee as set forth in Appendix A shall be charged the owner for the euthanasia and any subsequent disposal of the carcass done by the Office of Animal Services. (Ord. 69-99 § 6, 1999: Ord. 59-86 § 2, 1986: prior code § 100-1-22)

8.04.350 Impoundment-Redemption Conditions:

A. Redemption Requirements: The owner of any impounded animal, or such owner's authorized representative, may redeem such animal before disposition, provided he or she pays the fees and charges as listed below, according to the amounts in Appendix A of this Chapter:

1. The impound fee;
2. The daily board charge;
3. Veterinary costs incurred during the impound period, including rabies vaccination;
4. License fee, if required;
5. A transportation fee if transportation of an impounded animal by specialized equipment was required. This fee shall be determined by the Director of Animal Services at a level which approximated the cost of utilizing the specialized equipment in the particular situation;
6. Any other expenses incurred to impound an animal in accordance with State or local laws;
7. Any unpaid or past due Animal Services fees and fines incurred by the owner.
8. If an animal is impounded on two or more occasions without wearing identification or license tags, the owner shall be required to purchase and have implanted in the animal microchip identification.
9. A dog or cat owner reclaiming an impounded pet shall comply with any applicable requirements established by *Utah Code Ann. § 17-42-101 et seq.*, or their successors, or other applicable Utah law and procedures adopted by the Office of Animal Services to conform with said law regarding a sterilization deposit for fertile dogs and cats.
10. Upon the third impoundment and prior to the release of a fertile animal, said animal shall be sterilized. Payment of all fees shall be required and sterilization completed prior to release

B. Rabid Animals: No impound fee will be charged the reporting owners of suspected rabid animals if the owners comply with Sections 8.04.240 through 8.04.290 of this Chapter, or successor sections. (Ord. 69-99 § 6, 1999: Ord. 46-91 § 1, 1991: Ord. 60-86 § 1, 1986: prior code § 100-1-23)

~~B~~8.04.351. **Removal Of Dead Pets or Companion Animals:**

The following service charge shall be levied for removal of dead animals from an owner's property; no transportation fee shall be charged for dead animals brought to the animal shelter provided the owner resides within the City, but a disposal fee in accordance with Appendix A shall be charged:

1. Dogs, ~~licensed: no fee;~~

~~2. Dogs (unlicensed), all~~ cats and ferrets, small domestic animals, small livestock, and all other small privately owned animals: transportation fee and disposal fee in accordance with Appendix A~~twenty five dollars ($25.00)~~;

2~~3~~. Large livestock, and all other large, privately owned animals: the owner shall arrange removal by a private dead-animal hauler.

~~C. Rabid Animals: No impound fee will be charged the reporting owners of suspected rabid animals if the owners comply with Sections 8.04.240 through 8.04.290 of this Chapter, or successor sections~~. (Ord. 69-99 § 6, 1999: Ord. 46-91 § 1, 1991: Ord. 60-86 § 1, 1986: prior code § 100-1-23)

8.04.352 Impound Fees For Voluntary Relinquishment By Owner:

Whenever any ~~dog or cat~~animal is voluntarily relinquished by the owner thereof to the Animal Services facility for ~~destruction~~euthanasia or other disposition as provided by subsection 8.04.340A of this Chapter, or its successor section, a fee as set forth in Appendix A shall be paid by such owner ~~of twenty five dollars ($25.00)~~ for each animal~~dog or cat~~ and/or for each litter under four (4) months of age of animals~~dogs or cats~~ so relinquished. (Ord. 69-99 § 6, 1999: Ord. 45-90 § 1, 1990)

8.04.356 Sterilization Required for Adoption:

Any dog~~, or~~ cat, ferret, or rabbit adopted from the Office of Animal Services shall be sterilized within the time established in the adoption agreement. Any person who fails to comply with the requirement for sterilization of an animal under this Section is guilty of a Class B misdemeanor. (Ord. 69-99 § 3, 1999)

8.04.360 Dogs-Prohibited Where:

A. It is unlawful for any person to take or permit any dog, whether loose or on a leash or in arms, in or about any establishment or place of business where food or food products are sold or displayed, including, but not limited to, restaurants, grocery stores, meat markets, and fruit or vegetable stores.

B. It is unlawful for any person keeping, harboring or having charge or control of any dog to allow such dog to be within the following described watershed areas:

1. All of the Big Cottonwood Canyon watershed area lying east of the Salt Lake City water intake, which intake is located east of Wasatch Boulevard in the mouth of such canyon;

2. All of the Parley's Canyon watershed area lying north and/or east of the Salt Lake City Mountain Dell Reservoir Dam;

3. All of the City Creek Canyon watershed area lying to the north and/or to the east of the City's City Creek Treatment Plant sludge beds;

4. All of the Little Cottonwood Canyon watershed area extending one thousand feet (1,000') on either side of Little Cottonwood Creek east from the Little Cottonwood Creek radial gate

intake structure, which structure is located approximately six hundred feet (600') west of Wasatch Boulevard east to Wasatch Boulevard, and all of the watershed area in said canyon lying east of Wasatch Boulevard, including the town of Alta. Dogs licensed in the town of Alta may be maintained by their owners within the city limits of that community.
5. Any other watershed area so designated by ordinance or otherwise legally appointed, either now existing or to be defined in the future.
6. This Section shall not apply to dogs provided for in subsection 8.04.090B1 or B2 of this Chapter, or its successor, nor shall it apply to dogs owned by persons who are legal residents of the aforementioned watershed areas and which have been issued a permit by the ~~City-County~~Salt Lake Valley Health Department. (Ord. 88-86 § 2, 1986: prior code § 100-1-13)

8.04.370 Animal Nuisances Designated-Penalty:
A. Any owner or person having charge, care, custody or control of an animal or animals causing a nuisance as defined below shall be in violation of this Title and subject to the penalties provided herein.
B. The following shall be deemed a nuisance: Any animal which:
1. Causes damages to the property of anyone other than its owner;
2. Is a "vicious animal", as defined in this Chapter, and kept contrary to Section 8.04.420 of this Chapter, or its successor;
3. Causes unreasonable fouling of the air by odors;
4. Causes unsanitary conditions in enclosures or surroundings;
5. Defecates on any public sidewalk, park or building, or on any private property without the consent of the owner of such private property, unless the person owning, having a proprietary interest in, harboring or having care, charge, control, custody or possession of such animal shall remove any such defecation to a proper trash receptacle, and shall carry the appropriate instrument(s) for the removal and disposal of such waste;
6. Barks, whines or howls, or makes other disturbing noises in an excessive, continuous or untimely fashion;
7. Molests or intimidates neighbors, pedestrians, cyclists, or passersby by lunging at fences, chasing, or acting aggressively toward such person(s) or by acting in such a way to cause unreasonable annoyance, disturbance or discomfort, or which chases passing vehicles;
8. Attacks people or other ~~domestic~~ animals whether or not such attack results in actual physical harm to the person or animal to whom or at which the attack is directed, and whether or not the injured person or animal is the one to whom or at which the attack is directed;
9. Is found at large three (3) or more times within any twelve (12) month period;
10. Is offensive or dangerous to the public health, safety or welfare by virtue of the number and/or type of animal kept or harbored; or
11. Otherwise acts so as to constitute a nuisance or public nuisance under the provisions of title 76, chapter 10, Utah Code Annotated, 1953, or its successor. (Ord. 69-99 § 6, 1999: prior code § 100-1-16)

8.04.410 Animals Attacking Persons And Animals:
A. Attacking Animals: It is unlawful for the owner or person having charge, care, custody or control of any animal to allow such animal to attack, chase or worry any person, any domestic animal ~~having a commercial value~~, or any species of hoofed protected wildlife,

or to attack domestic fowl. "Worry", as used in this section, means to harass by tearing, biting or shaking with the teeth.

B. Owner Liability: The owner in violation of subsection A of this section shall be strictly liable for violation of this section. In addition to being subject to prosecution under subsection A of this section, the owner of such animal shall also be liable in damages to any person injured or to the owner of any animal(s) injured or destroyed thereby. A court order may be sought for forfeiture or euthanasia of such animal.

C. Defenses: The following shall be considered in mitigating the penalties or damages or in dismissing the charge:

1. That the animal was properly confined on the premises;

2. That the animal was deliberately or maliciously provoked.

D. Animals May Be Killed: Any person may kill an animal while it is committing any of the acts specified in subsection A of this section, or while such animal is being pursued thereafter. (Prior code § 100-1-14)

8.04.450 Animals Injured By Motorists-Responses Required:

A. Every operator of a motor or other self-propelled vehicle upon the streets of the city shall, immediately upon injuring, striking, maiming or running down any domestic animal, give such aid as can reasonably be rendered. ~~In the absence of the owner, h~~He or she shall immediately notify the office of animal services or the Salt Lake City Police Department, furnishing requested facts relative to such injury.

B. It shall be the duty of such operator to comply with the instructions given by the agency contacted, and shall, if instructed, remain at or near the scene until such time as the appropriate authorities arrive.~~, and u~~Upon the arrival of such authorities, the operator shall immediately identify himself to such authorities. Alternatively, in the absence of the owner, a person may give aid by taking the animal to the animal services facility or other appropriate facility and notifying the office of animal services. Such animal may be taken in by the animal services facility and dealt with as deemed appropriate under the circumstances.

C. Emergency vehicles are exempted from the requirements of subsection B of this section. (Ord. 69-99 § 6, 1999: prior code § 100-1-25(7))

8.04.460 Using Animals For Fighting-Unlawful Activities:

A. It is unlawful for any person, firm or corporation to raise, keep or use any animal, fowl or bird for the purpose of fighting or baiting; and for any person to be a party to or be present as a spectator at any such fighting or baiting of any animal or fowl; and for any person, firm or corporation to knowingly rent any building, shed, room, yard, ground or premises for any such purposes as aforesaid, or to knowingly suffer or permit the use of such person's buildings, sheds, rooms, yards, grounds or premises for the purposes aforesaid.

B. Law enforcement officers or animal services officials may enter any building or place where there is an exhibition of the fighting or baiting of a live animal, or where preparations are being made for such an exhibition, and the law enforcement officers may arrest persons there present and take possession of all animals engaged in fighting or there found for the purposes of fighting, along with all implements or applications used in such exhibition. This provision shall not be interpreted to authorize a search or arrest without a warrant when such is required by law. (Ord. 69-99 § 6, 1999: prior code § 100-1-25(8))

C. Any person convicted of unlawful activities under this section shall automatically be ineligible to adopt any animal from the animal shelter operated by the Office of Animal Services.

8.04.470 Cruelty To Animals Prohibited:

A. Physical Abuse: It is unlawful for any person to willfully or maliciously kill, maim, disfigure, torture, beat with a stick, chain, club or other object, mutilate, burn or scald, over drive or otherwise cruelly set upon any animal. Each offense shall constitute a separate violation. An animal services officer may require an examination of the animal by a licensed veterinarian upon suspicion of abuse.

B. Hobbling Animals: It is unlawful for any person to hobble livestock or other animals by any means which may cause injury or damage to any animal.

C. Care And Maintenance: It ~~shall be the duty of~~is unlawful for any person having~~to provide any animal in such person's~~ charge, care, ~~or~~ custody or control of any animal, as owner or otherwise, to fail to provide ~~with~~ adequate food, drink, care and shelter required for the specific species or breed of the animal to maintain proper health and comfort of the animal.

D. Animals In Vehicles: It is unlawful for any person to carry or confine any animal in or upon any vehicle in a cruel or inhumane manner, including, but not limited to, carrying or confining such animal without adequate ventilation, ~~or~~ for an unusual length of time, or in extreme hot or cold temperatures that may harm the animal. Persons transporting an animal in the open bed of a vehicle shall physically restrain the animal in such a manner as to prevent the animal from jumping or falling out of the vehicle.

E. Abandonment Of Animals: It is unlawful for any person to abandon any animal within the jurisdiction.

F. Animal Poisoning: Except as provided in sections 8.04.450 through 8.04.490 of this chapter, or their successors, it is unlawful for any person by any means to make accessible to any animal, with intent to cause harm or death, any substance which has in any manner been treated or prepared with any harmful or poisonous substance. This provision shall not be interpreted as to prohibit the use of poisonous substances for the control of vermin in furtherance of the public health when applied in such a manner as to reasonably prohibit access to other animals.

G. Killing Of Birds: It is unlawful for any person to take or kill any bird(s), or to rob or destroy any nest, egg or young of any bird in violation of the laws of the state.

H. Malicious Impounding: It is unlawful for any person maliciously to secrete or impound the animal of another.

I. Abandoned, Diseased Or Painfully Crippled Animals:

1. It is unlawful for any person to abandon or turn out at large any sick, diseased or disabled animal, but such animal shall, when rendered worthless by reason of sickness or other disability, be killed in a humane manner by the owner thereof and disposed of as instructed after contacting the office of animal services.

2. It is further unlawful for the owner or person having the charge, care, custody and control of such animal infected with dangerous or incurable and/or painfully crippling condition to have, keep or harbor such animal without placing the same under veterinary care, or to dispose of the same. The failure to take such care is a violation of this title, and the office of

animal services may take custody of such animals and deal with them as deemed appropriate under the circumstances. (Ord. 69-99 § 6, 1999: prior code § 100-1-25(1)-(6), (9)-(11))

8.04.510 Issuance Of Citations-Notice Of Violations:

A. A peace officer and/or animal services officer is authorized to issue a misdemeanor citation to any person upon a charge of violating any provisions of this title. The form of the misdemeanor citation, and proceedings to be handled upon the basis of the citation, shall conform to the provisions of the Utah code of criminal procedure, including, but not necessarily limited to, sections 77-7-18 through 77-7-22, Utah Code Annotated, 1953, as amended, or their successors.

B. Where violations of the following requirements of this ordinance are committed, and provided they are not charged in conjunction with another criminal offense and do not constitute a fourth or succeeding notice of violation within a twenty four (24) month period, an animal services officer or authorized agent shall issue a civil notice of violation to such violator in lieu of a misdemeanor citation; violations regarding: 1) commercial permits, (section 8.04.130 of this chapter), 2) commercial permit display, (section 8.04.160 of this chapter), 3) licensing, (section 8.04.070 of this chapter), 4) license tag requirements, (section 8.04.080 of this chapter), 5) rabies vaccinations, (section 8.04.240 of this chapter), 6) rabies tag requirements, (subsection 8.04.250B of this chapter), 7) harboring stray animals, (section 8.04.110 of this chapter), 8) animals running at large, (section 8.04.390 of this chapter), 9) animal nuisances, (section 8.04.370 of this chapter except for subsections B2, B8, B9, and B10), 10) more than two (2) dogs at a residence, (subsection 8.04.070F of this chapter), 11) more than two (2) ~~cats~~ferrets at a residence, (section 8.04.~~120~~070F of this chapter), 12) more than four total dogs, cats, and ferrets ~~two (2) rabbits~~ at a residence, (section 8.04.~~120~~070F of this chapter), 13) staking dogs improperly, (section 8.04.400 of this chapter), 14) confining female dogs in heat, (section 8.04.380 of this chapter), 15) giving animals as sales premiums, (subsection 8.04.440B of this chapter), 16) the sale/premium of baby rabbits and fowl, (subsection 8.04.440A of this chapter), or 17) the sale of pet turtles, (subsection 8.04.440C of this chapter). The notice of violation shall state, with reference to the pertinent sections of this title, the violation which must be remedied by the person charged and may set forth a compliance date by which the violator must comply with the remedial requirements. The notice of violation shall include a list of the fees as applicable to this violation as set forth in appendix A of this chapter for minimum citation penalties. This fee amount may be reduced or waived for first offenses, provided the pet owner satisfactorily completes a class on responsible pet ownership which is approved by the office of animal services. Compliance with all remedial requirements referred to in the notice of violation by the compliance date shown thereon shall result in a twenty five dollar ($25.00) reduction in the penalty. Refusal or failure to comply with any remedial requirements referred to in the notice of violation by the deadline set as the compliance date may result in the imposition of the full penalty and any additional administrative fees which may be applicable. (Ord. 61-02 § 2, 2002: Ord. 31-00 § 4, 2000: Ord. 69-99 § 4, 1999)

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	540.00
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

B. Pet License Fees:

~~1 Year 2 Year 3 Year Lifetime~~

Unsterilized $235.00 ~~$45.00 $60.00 n/a~~

Sterilized ~~58.00 9.00 12.00 n/a~~

Sterilized and microchipped 5.00

Fees for Senior ~~e~~Citizen (age 60 and older) Pet Licenses

Unsterilized $205.00 (annual fee) ~~36.00 48.00 n/a~~

Sterilized and microchipped ~~$15~~20.00 (lifetime for pet)

Transfer fee $53.00

Replacement tag ~~3~~5.00

C. Service And Violation Fees For Pets:

Board fees per day for pets	$ 8.00
Adoption fee (includes microchip and adoption packet)	~~25~~30.00
Rabies deposit	25.00
Pet disposal fee	25.00
Pet pick up and transportation fee	25.00
Voluntary relinquishment fee	25.00
Microchip implantation	15.00
Sterilization fee - cats	35.00
Sterilization fee – dogs	65.00

Sterilization deposit:

Dog	50.00
Cat	25.00

Where indicated, fees for second, third, and subsequent violations are for those occurring within a ~~12~~24 month period.

(Salt Lake City October 2002)

	First Offense	Second Offense	Third Offense	Subsequent Offenses
Impound fees	$ 25.00	$ 50.00	$100.00	$200.00~~Criminal~~
Minimum notice of violation penalties:				
Licensing, permits, tags, rabies vaccination, ~~at large,~~ number of animals, staking, female dogs in heat, harboring stray animals, animals as sales premiums, sale of baby rabbits, fowl, and pet turtles	25.00	50.00	100.00	Criminal
Animal nuisance, at large, commercial permit, permit display	50.00	100.00	200.00	Criminal

D. Service Fees For Livestock:

Impound fees:	
Large livestock	$60.00
Small livestock	30.00
Board fees per day:	
Large livestock	10.00
Small livestock	8.00
Transportation fees	25.00
Livestock disposal fee	100.00

Purchase price for unclaimed livestock is based on costs incurred by animal services during impound and recommendations made by the state brand inspector. (Ord. 61-02 § 3, 2002: Ord. 69-99 § 6, 1999)

SECTION 2. 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.

_____
MAYOR

ATTEST:

_____
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2006.
Published: _____.

G:\Ordinance 06\Animal Services\Amending Chapter 8.04 re Animal Services 1-25-06 draft