

1 **BOARD BILL NO. 66 INTRODUCED BY ALDERWOMAN CHRISTINE INGRASSIA**

2 **ALDERWOMAN DIONNE FLOWERS**

3 An ordinance pertaining to the adoption of a policy supporting the practice of the Trap-
4 Neuter-Return (TNR) of feral cats by Sponsor(s) approved by the Department of Health of the
5 City of St. Louis; allowing the same to humanely trap, spay and neuter, and return feral cats to a
6 colony in the area they were found, and to provide guidance to Feral Cat Caregivers, as defined
7 herein; further providing requirements to be met by the Sponsor(s) of Feral Cat Colonies and
8 Caregivers; and actions to take if a Sponsor or Caregiver assumes duties and causes harm or
9 provides negligent care to cats in its Colony, or otherwise violates the standards of care required
10 by the Department of Health for a sponsor or caregiver to undertake TNR activity, further
11 amending and repealing portions of Ordinances 67799, 66384, 62853, and 62941; and containing
12 a Severability Clause and an Emergency Clause.

13 **WHEREFORE, IT IS THE POLICY OF THE** City of St. Louis to provide animal
14 control in an effective and humane fashion, consistent with the Mayor’s Policy Against Animal
15 Cruelty, and;

16 **WHEREFORE,** Trap-Neuter-Return (TNR) is an approach to manage Feral Cat
17 populations that will lower the stray cat population in the City of St. Louis; is employed by
18 municipalities throughout the United States of America and has been proven effective in
19 reduction of Feral Cat populations; and

20 **WHEREFORE,** left unaddressed, Feral Cats can create significant challenges to the
21 animal welfare system and to the community at large, and

1 **WHEREFORE**, lost and abandoned cats in the City of St. Louis provide a constant
2 supply of Feral Cats, and free-roaming and unaltered cats continue to produce Feral Cats at a
3 rapid rate; and

4 **WHEREFORE**, Trap-Neuter-Return is consistent with the City’s efforts to fight animal
5 cruelty and support no-kill policies; and

6 **WHEREFORE**, neutering and spaying a sufficient percentage of the Feral Cat
7 population breaks the reproductive cycle, and the combination of sterilization, adoption, and
8 attrition can lead to a reduced population of feral cats in the short and long term; and

9 **WHEREFORE**, nuisance behaviors of Feral Cats decrease substantially when TNR is
10 implemented, as noise from Feral Cats, including noise from yowling and fighting is largely
11 attributable to mating behavior, and the strong odor associated with Feral Cats comes from the
12 urine of unaltered male cats and neutering eliminates that odor; and

13 **WHEREFORE**, members of the local animal welfare community of the City of
14 St. Louis, including shelters, rescue groups and Colony Caregivers have indicated their desire to
15 collaborate with the Department of Health and wish to provide TNR services in the City of
16 St. Louis; and

17 **WHEREFORE**, the practice of TNR, as set forth in this ordinance, is designed to assist
18 in protection of the public health, reduce shelter euthanasia, preserve scarce shelter resources,
19 and solve the feral and stray cat overpopulation problem in the City of St. Louis, and move the
20 City forward toward in its goal of permanent reduction of the local feral cat problem and can
21 prevent future generations of cats from being homeless; and

1 **WHEREFORE**, this Board of Aldermen hereby finds that passage of this ordinance is in
2 the best interest of the City of St. Louis and that neighborhood residents will experience relief
3 from nuisances caused by free-roaming, unaltered cats, and that TNR is a humane and effective
4 way to reduce Feral Cat overpopulation in the City.

5 BE IT ORDAINED AS FOLLOWS:

6 **SECTION ONE. FERAL CATS DEFINITIONS.**

7 A. “Domesticated Cat” means a cat that is socialized to humans and is appropriate as a
8 companion to humans. The responsibilities of owners of domesticated cats are set forth
9 in Ordinances 67799, 66384, 62941, and 62853 as Codified in Chapter 10 of the Revised
10 Code of the City of St. Louis;

11 B. “Ear tipping” means straight-line cutting of the tip of the left ear while the cat is
12 anesthetized;

13 C. “Feral Cat” means a cat that is (i) born in the wild or is the offspring of an owned or
14 feral cat and that is not socialized, or (ii) is a formerly owned cat that has been abandoned
15 and is no longer socialized;

16 D. “Feral Cat Caregiver” means any person other than an owner who provides food,
17 water or shelter to, or otherwise cares for a feral cat;

18 E. “Feral Cat Colony” means any group of cats that congregates, more or less, together
19 as a unit. Although not every cat in the colony may be Feral, any nonferal cats that
20 congregate with a colony shall be deemed to be part of it;

1 F. "Feral Cat Colony Caregiver" means any Feral Cat Caregiver who is approved by a
2 Sponsor to care for a Feral Cat Colony;

3 G. "Nuisance" for purposes of this ordinance, means conduct by stray or Feral Cats that
4 disturb the peace. Stray or Feral Cats may create a nuisance by (a) habitually or
5 continually howling, crying or screaming, or (b) habitually and significantly destroying,
6 desecrating or soiling property against the wishes of the owner of the property;

7 H. "Sponsor" is any animal welfare provider that agrees to comply with the requirements
8 of this ordinance for Sponsors provides written notice to and is approved by the
9 Department of Health and the majority of any other approved Sponsor(s);

10 I. "Stray cat" means a cat that is regularly off the property of the owner, is not under the
11 physical control and restraint of the owner and/or has no apparent owner;

12 J. "TNR" means Trap, Neuter and Return;

13 K. "TNR Program" means a program in which feral and stray cats are trapped, neutered
14 or spayed, vaccinated against rabies, and returned to the location where they congregate,
15 in accordance with this ordinance.

16 L. "TNR Task Force" is an advisory task force comprised of TNR experts appointed by
17 and at the discretion of the Director of Health to advise the Health Department on current
18 TNR practices and policies.

19 **SECTION TWO. FERAL CAT COLONIES.**

20 A. Feral Cat Colonies shall be permitted and Feral Cat Colony Caregivers shall be
21 entitled to maintain and care for Feral Cats by providing food, water, shelter and other

1 forms of sustenance, provided that the Feral Cat Colonies are registered with a Health
2 Department approved Sponsor, as defined in Section One, and that the Feral Cat Colony
3 Caregiver takes all appropriate and available steps to meet the terms and conditions of
4 this ordinance.

5 B. Sponsorship of Colony TNR Programs. Any animal welfare group shall be eligible to
6 act as a Sponsor, if approved by the City Department of Health and the majority of any
7 other approved Sponsor(s). Any animal welfare group intending to undertake the
8 responsibilities of Sponsor shall so advise the Department in writing and provide its
9 address and telephone number, and electronic mail address.

10 C. Sponsor requirements. It shall be the duty of the Sponsor to:

- 11 1. Review, and in its discretion, approve of Feral Cat Colony Caregivers.
- 12 2. Help to resolve any complaints over the conduct of a Feral Cat Colony
13 Caregiver or of cats within a colony.
- 14 3. Maintain records provided by Feral Cat Colony Caregivers on the
15 approximate size and location of the colonies by zip code, as well as the
16 vaccination and spay and neuter records of cats in the Sponsor's colonies.
- 17 4. Provide, at a minimum, written educational training for all Caregivers
18 addressing uniform standards and procedures for Colony maintenance.
- 19 5. Report annually to the Department of Health:
 - 20 i. The approximate number of cats in colonies;
 - 21 ii. The approximate location of all cats in colonies;

1 iii. The number of cats in colonies vaccinated, spayed and neutered ; and
2 iv. The number of cats and kittens from colonies placed in permanent
3 homes.

4 6. Use due consideration to prevent Feral Cat Colonies from being maintained
5 on lands managed for wildlife or other natural resources, such as but not
6 limited to, nature preserves, where the presence of a Feral Cat Colony is a
7 proven threat, and to avoid the taking of rare, threatened or endangered
8 species under State and Federal law.

9 7. Provide any forms or other documentation necessary to allow Feral Cat
10 Colony Caregivers to receive any public or private subsidies, medical care or
11 other forms of assistance for their Feral Cat Colonies which may be available
12 to them.

13 8. The Department of Health has the right to the address of a colony where Feral
14 Cat Colony Caregivers have regularly failed to comply with this ordinance,
15 where the Sponsor has been unable to resolve a nuisance behavior situation,
16 and/or where the Sponsor or Caregiver has refused to work with the TNR
17 Task Force and Department of Health.

18 **SECTION THREE. DISPOSITION OF FERAL CAT COLONY CATS.**

19 A. The Department of Health, its designee, or a licensed veterinarian, in accordance with
20 the enforcement of this ordinance and the entire Health Code, shall be the only persons
21 permitted to destroy a Feral Cat. No person may knowingly poison or cause to be

1 poisoned, or cause the destruction by other means, of a Feral Cat. The only exception
2 will be by written Order of the Health Commissioner for the purpose of controlling
3 diseases which have been medically proven to be transmissible to humans or other
4 animals and only when all other methods and means have been exhausted. Such an Order
5 shall name a person or persons to conduct this course of action, specify any products to
6 be used, give the boundaries of the area involved and specify the precautionary measures
7 to be employed to insure the safety of humans and other animals. Any drugs used for
8 euthanasia shall be by or under the direction of a licensed veterinarian.

9 B Any ear tipped cats found or turned into any City animal shelter, animal welfare
10 organization or veterinarian may notify the City Department of Health or Sponsor(s), if
11 known, via mail or telephone.

12 B. The Department of Health, or its designee, in order to encourage the stabilization of
13 the Feral Cat population in the City of St. Louis, shall have the following rights:

- 14 1. The right to direct that a Sponsor remove a Feral Cat that is creating a
15 nuisance if the Sponsor has failed to adequately resolve the nuisance within 90
16 days after being given written notice thereof. In the event that the Department
17 directs the sponsor to remove the cat, the Sponsor shall have 30 days to do so.
18 Failure of the sponsor to remove the cat within said time period (or such
19 longer time as the Department may specify) shall constitute grounds for the
20 Department to remove the cat.

- 1 2. Animal Control Officers (ACO), Police Officers or Sponsors shall investigate
2 any nuisance complaint allegedly caused by a Feral Cat.
- 3 3. In the event that an ACO or a Police Officer finds that a Feral Cat or Feral Cat
4 Colony has created a nuisance, the ACO or Police Officer shall advise the
5 Department and Sponsor in writing of the nuisance. If the Sponsor fails to
6 correct the nuisance, the Department shall have the right to remove the cat.
- 7 4. If a Caregiver cannot be found for all or parts of a colony, the Sponsor shall
8 make reasonable efforts to relocate the cat(s) to another location.
- 9 5. If a Sponsor fails to perform its duties as set forth in this Ordinance, the
10 Department may notify the Sponsor that it must comply with the requirements
11 of this Ordinance within 30 days. If the Sponsor fails to do so, the
12 Department shall remove this Sponsor from the list of Department approved
13 Sponsors, and shall reassign the Feral Cat Colonies from this Sponsor to
14 another Sponsor.
- 15 6. If a Feral Cat Colony Caregiver regularly fails to comply with this ordinance,
16 the Sponsor may notify the Feral Cat Colony Caregiver that he or she has 30
17 days to make all reasonable efforts to fulfill the responsibilities defined in this
18 Ordinance. If the Feral Cat Colony Caregiver fails to comply within that time
19 period, the Sponsor may identify and obtain replacement Feral Cat Colony
20 Caregivers for the Feral Cat Colonies of the noncompliant Caregiver. If no
21 other Feral Cat Colony Caregiver can be found within 30 days, the Sponsor

1 may notify the Department, and the Department may reassign colony to
2 another Sponsor, undertake TNR or humanely remove all, or parts of, the
3 Feral Cat Colonies and dispose of them in accordance with this ordinance and
4 the Health Code of the City of St. Louis.

5 **SECTION FOUR. AMENDMENTS AND REPEALS.**

6 A. Paragraph P, of Section 10.04.010 of Ordinance 67799, is hereby repealed, and
7 enacted in lieu thereof is the following:

8 “P. “Owner/Guardian” shall mean any person, firm, corporation, organization, human
9 society, public or private nonprofit corporation, harborer or caregiver who owns, keeps,
10 harbors, possesses or has control or custody of any animal. If the person purporting to
11 own an animal is a minor as defined by the Revised Statutes of the State of Missouri, the
12 minor’s parent(s) or legal guardian shall be deemed the owner of any animal for the
13 purposes of this Chapter. This term does not include a person caring for a Feral Cat as a
14 Feral Cat Caregiver, which is a defined term.”

15 B. Section One, subsection 10.04.050 of Ordinance 67799, is hereby repealed, and
16 enacted in lieu thereof is the following:

17 “No dog or domestic cat, as defined in this Code, shall be permitted within the limits of
18 the City unless such dog or cat is registered and the fee imposed by this Chapter is paid,
19 except that transient dogs, as defined herein are excepted from such certificate for the
20 period stipulated above and Feral Cats are excepted from this requirement.”

1 C. Section One, subsection 10.04.060 of Ordinance 66384, is amended to add a section
2 E., which states as follows:

3 “E. Ear-tipped Feral Cats are exempt from the requirements of this section.”

4 D. Section One of subsection 10.04.079 of Ordinance 66384, Paragraph D. is repealed,
5 and enacted in lieu thereof, the following:

6 “D. At the time of the vaccination of any dog or cat, the person performing the
7 vaccination shall also deliver to the owner/guardian of the said dog or cat, the tag
8 obtained from the Health Department, as evidence of such inoculation. Every
9 owner/guardian of a vaccinated dog or cat shall attach the tag evidencing rabies
10 vaccination and registration onto the collar or harness of the vaccinated dog or cat, and
11 such collar or harness shall be worn by that dog or cat at all times. Any dog or non-ear-
12 tipped cat found without a tag shall be deemed to be not vaccinated, unless proof of
13 vaccination is provided to the satisfaction of the animal registration center. Ear-tipped
14 Feral Cats are presumed to be vaccinated against rabies.”

15 E. Section One, subsection 10.04.160 of Ordinance 66384, is amended to add a
16 subsection (a) which states:

17 “(a) Feral Cats may be released to a Feral Cat Caregiver. “

18 F. Section One, subsection 10.04.225, or Ordinance 66384, is repealed, and enacted in
19 lieu thereof the following:

20 “10.04.225-Stray Cats-Prohibited.

1 No owner/guardian of any Domestic Cat shall permit such Domestic Cat to be found at
2 large on the streets of the City or in any public place or on another person's property."

3 G. Section Nine, subsection 10.20.017, part B.4. is hereby repealed, and enacted in lieu
4 thereof is the following:

5 "B.4. Abandon any animal in any place without making provisions for its adequate care.

6 A Feral Cat Caregiver operating lawfully who releases a Feral Cat in conjunction with
7 Trap-Neuter-Return is not deemed to have abandoned the Feral Cat."

8 H. Section 10.20.110 of Ordinance 62853, is hereby repealed, and enacted in lieu thereof
9 the following:

10 "Section 10.20.110-Turning Animals Loose –

11 It is unlawful for any person to turn any animal loose in any street of public place within
12 the City limits. Any person violating any of the provisions of this section shall be guilty
13 of a misdemeanor. This section shall not apply to a Feral Cat Caregiver or Sponsor who
14 is humanely trapping and returning a Feral Cat for the purpose of this Ordinance and the
15 Health Code."

16 **SECTION FIVE. SEVERABILITY.**

17 If any provision of this Ordinance shall be held or deemed to be held invalid, inoperative
18 or unenforceable as applied in any particular case in any jurisdiction or in all
19 jurisdictions, or in all cases because of conflicts with any provision or provisions hereof
20 or any constitution or statute or rule of public policy, or for any other reason, such
21 circumstances shall not have the effect of rendering the provision in question inoperative

1 or unenforceable in any other case or circumstance, or of rendering any other provision or
2 provisions herein contained invalid, inoperative or unenforceable to any extent
3 whatsoever.

4 **SECTION SIX. EMERGENCY CLAUSE.**

5 Passage of this Ordinance is being deemed necessary for the immediate preservation of
6 the health and welfare of the residents of the City of St. Louis, and it is hereby declared to
7 be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the
8 Charter of the City of St. Louis, and shall become immediately effective upon its passage
9 and approval by the Mayor.

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