

ORDINANCE NO.: \_\_\_\_\_

AN ORDINANCE to amend Section 6 of the Code of Ordinance of the City of La Crosse regarding cats.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 6-1 is hereby amended to add the following definitions:

*Community cat* means a cat that is free roaming and may be cared for by one or more persons who are known or unknown. There is a range in the level of sociability of community cats.

*Community cat caretaker, or caretaker* means any other than an owner, who in accordance with a good faith effort to trap, sterilize, vaccinate and return any community cat, provides voluntary care, including, but not limited to food, water and shelter to a community cat or community cat colony.

*Community cat colony or colony* means a group of community cats that congregates, more or less, together as a unit and shares a common food source.

*Ear tipping* means a straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized and has been sterilized and given rabies shot. A cat with tipped ear is considered sterile and vaccinated against rabies.

*Free roaming* means not restrained by leash, cord, chain or enclosure.

*Nuisance* means conduct by a community cat or cats that disturbs the peace by:

- a. Habitually or continually howling or fighting; or
- b. Habitually and significantly destroying, desecrating or soiling property against the wishes of the owner of the property.

*TNVR* signifying trap, neuter, vaccinate and return means to humanely trap a cat and sterilize, vaccinate against rabies, ear tip and return the cat to the location where it was trapped.

*TNVR program* means a program in which community cats are humanely trapped, sterilized, vaccinated against rabies, ear tipped and returned to the location where it was trapped.

SECTION II: Section 6-7(f) are hereby created to read as follows:

(f) An ear tipped community cat is not subject to Section 6-7(a) through (e) Please see Section 6-40.

SECTION III: Section 6-10(d) is hereby created to read as follows:

(d) Community cat caretakers will work with involved parties to remedy nuisances by community cats.

SECTION IV: Section 6-13 is hereby amended to read as follows:

The owner, caretaker or custodian of an animal shall keep such animal confined on the person's own premises or under the person's immediate control. An ear tipped community cat is not subject to confinement regulations except as noted in Section 6-40.

SECTION V: Section 6-36 is hereby amended to read as follows:

The Director of Finance/Treasurer upon issuing a permit or license to keep any dog or cat shall issue to the owner a durable tag, stamped with an identifying number and the year of issuance. Tags should be so designed that they may conveniently be fastened to the animal's collar or harness. These tags should vary in shape or color from year to year for easy identification to animal control personnel. Dogs and cats must wear the license tags at all times, except under any organized show or training situation. The Director of Finance/Treasurer shall maintain a record of the identifying number and shall make the record available to the public. License or permit tag requirements do not apply to ear tipped community cats.

SECTION VI: Section 6-37(e) is hereby created to read as follows:

(e) Ear tipped cats do not count towards a resident's total number of licensed animals. The animal control authority has jurisdiction regarding the capacity of caretaker to provide appropriate care to community cats.

SECTION VII: Section 6-38(c) is hereby created to read as follows:

(c) Ear tipped cats are not required to meet restraint requirements.

SECTION VIII: Section 6-40 is hereby created to read as follows:

6-40. Community Cats.

(1) Community Cat Management. The City of La Crosse recognizes the need for addressing issues presented by free roaming cats with no discernable owner. It is recognized that there are community caretakers of cats and acknowledges that properly managed community cat colonies utilizing TNVR can humanely decrease numbers of free roaming cats in a defined area, along with nuisance behaviors, wildlife predation and public health concerns associated with them. Provisions under Section 6-40 do not apply to owned cats. Owned cat policies as outlined in Section 6 shall remain in effect and enforced.

(a) Except as provided in Section 6-40(g) and (h), community cat colonies may be permitted, and community cat caretakers may maintain and care for community cats by providing food, water, shelter, medical care and other forms of sustenance. Individuals, community cat caretakers, rescue organizations, shelters and the animal control authority shall be permitted to carry out TVNR and TNVR programs. A cat released in accordance with Section 6-40 shall not be considered abandoned. Likewise, an ear tipped community cat is not required to meet cat licensing requirements of the City.

(b) All cats that are part of a community cat program must be sterilized, vaccinated against rabies and ear tipped; if these requirements are met the community cat is exempt from licensing, stray, at-large and other provisions in Section 6 that apply to owned animals.

(c) Community cat caretakers shall take all appropriate and available steps to trap each community cat in the colony in order to have the cat sterilized, vaccinated for rabies, ear tipped. The caretaker will monitor for new community cats that may join the colony. Caretaker may work as individuals or in collaboration with TNVR programs or other animal care organizations.

- (1) If medical care is needed, but unavailable or too expensive, the caretaker must not allow the cat to suffer.
- (2) Food must be provided in the proper quantity for the number of cats being managed and is to be supplied no less than once per day. Food must be maintained in proper feeding containers. Excess food must be removed so as to not attract other animals. Feeding shall be done during daylight hours.
- (3) Water, if supplied, must be clear, potable and free from debris and algae.
- (4) If shelter is provided, it shall be unobtrusive, safe and of the proper size for the cats.

(d) Except as provided in Section 6-40(g) and (h), if a cat with an ear tip is admitted into any animal shelter, the animal shelter staff or volunteers may immediately return the cat to the location where it was trapped if the cat is otherwise healthy.

(e) If a cat that has a microchip or identification tag is admitted to any animal shelter, the cat must be held in accordance with Section 6-7 to allow for possible reunification with owner. After the mandatory hold the cat may proceed through the regular adoption process or animal shelter staff or volunteers may return the cat to the location where it was trapped after it has been sterilized, vaccinated for rabies and ear tipped if it is otherwise healthy.

(f) If a cat that does not have a tipped ear or a microchip or identification tag is impounded into any animal shelter, that cat shall be exempt from a mandatory hold period per Section 6-7 and if otherwise healthy may proceed through the regular adoption process or animal shelter staff or volunteers may return the cat to the location where it was trapped after it has been sterilized, vaccinated for rabies and ear tipped.

(g) The animal control authority shall have the ability to trap in a humane manner any cat that is deemed to be a threat to public health or safety. If a cat has bitten a human being, the cat shall be confined pursuant to applicable law. If a licensed veterinarian decides that the cat is too ill or injured or that it has an illness that presents a danger to the public health or safety or to itself, the cat may be humanely euthanized. After the mandatory quarantine, if the cat is found to be healthy and no other issues of public health or safety exist, the animal shelter or volunteers may return the cat to the location where it was trapped after it has been sterilized and vaccinated.

(h) The animal control authority may declare that a colony is in a location that is hazardous to the health and safety of the public or the colony, or that the colony is a nuisance. Once a colony is declared a hazard or nuisance any cat impounded shall not be released to the location where it was trapped unless the hazard or nuisance is remedied and the cats have been approved for return by animal control. Cats impounded pursuant to this section are subject to the disposition regulations listed in Section 6-7.

SECTION IX: Section 6-162(8) is hereby created to read as follows:

(8) Community cat caretakers will work to ensure adequate shelter to colony cats (either by provided shelter, or natural cover).

SECTION X: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION XI: This ordinance shall take effect and be in force from and after its passage and publication.

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Mitch Reynolds, Mayor

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Nikki M. Elsen, City Clerk

Passed:  
Approved:  
Published: