



Legal Information



CATS AND THE LAW: FINDING AND UNDERSTANDING YOUR LAWS

If you care about cats and want to create change that saves their lives, it's vital that you know and understand the laws that impact them. Whether you care for community cats, conduct Trap-Neuter-Return (TNR), or simply believe all cats deserve to be protected, educating yourself on the law is the number one way to become a powerful, effective advocate.



Most laws regarding community cats and companion animals are passed at the local (city or county) level, but state laws can also affect cats. Anti-cruelty and animal shelter laws exist in all 50 states and the District of Columbia and vary between states. There may also be local laws that directly, or indirectly, impact the protection and humane treatment of cats. You must learn your area's specific laws to successfully interact with the public, deal with threats to cats, and push for humane policies and programs.

STATE LAWS

State laws provide a broad framework that local governments must keep in mind when crafting more specific ordinances tailored to their community's unique needs. State laws can cover issues like anti-cruelty, animal abandonment, access to spay and neuter funding, and animal shelter oversight. You can learn more about state laws and how they impact cats at alleycat.org/CatsAndTheLaw.

How to Find Your State's Laws:

- The easiest way to access state laws is online. In your search engine, type in your state's name and the words "state government." This will bring up the official website of your state.
 - On your state's website, look for the legislative branch's web page. That is where laws and bills are housed. Once you are there, locate your state's code of statutes and search through the articles that typically contain animal laws, such as criminal law, agriculture, public health, and environment.

Please note: Legislation posted online may not be completely up-to-date. To confirm if the laws have recently changed, call or email the constituent services office at your state capital.

- Always look at the definitions section in the law—it is usually at the beginning of the chapter. The words in a law often have specific definitions that help you understand the law’s purpose and view. Common sense definitions are not always accurate.
- Visit your public library, which usually has copies of your state’s laws. Ask the reference librarian.
- One final resource is the Animal Legal & Historical Web Center run by Michigan State University College of Law at animallaw.info. The website contains a range of materials geared toward non-lawyers, from the text of state anti-cruelty laws to articles that provide an overview of various animal laws. The website covers all species of animals, not just companion animals.

LOCAL LAWS

Local laws (also called ordinances) are established by local governments to address unique issues within their community. Understanding your local laws is vital to being an effective cat advocate. Just like in state laws, watch out for definitions—particularly of the word “owner.” Many local laws incorrectly apply the definition of “owner” to people who provide care for community cats. This interpretation is wrong because community cat caregivers are not owners of stray and community cats. Caregivers neither create nor maintain the outdoor cat population. Community cat caregivers are good Samaritans—volunteers who provide a public service that deserve appreciation from local officials, animal control agencies, animal shelters, and the public. It’s unfair to impose on them fines, fees, and other costs of ownership that the law imposes on owners.



How to Find Your Local Laws:

- Many local governments post their ordinances on their website. To find links to your area’s website, try: statelocalgov.net/index.cfm.
- Check whether your local animal shelter or animal control has a website. If it does, the local animal laws may be posted there.
- Several websites track local governments’ laws, including: municode.com (go to Library) and generalcode.com (go to Resources, then eCode 360® Library).
- If your local laws aren’t online, check your county or city clerk’s office. You may have to go to the office in person to review them. Although going to the clerk’s office may take longer, you should be able to find the most up-to-date version of your local ordinances there. That may not be true of the other resources.
- Go to your public library. The reference librarian will help you locate them.
- Go to your law library. Your local courthouse may also have a library that you can use.

UNDERSTANDING YOUR LAWS

What if you read your state and local laws and find a part that is confusing or vague? The government agency that enforces the law may have issued a regulation that makes the law easier to understand. It's more likely that a state agency issued regulations, rather than a local agency, but it doesn't hurt to check both places.

For a state agency: Go to your state government website and find the executive branch's web page. Enforcement agencies are usually part of the executive branch.

For a local agency: Try the same approach as above on your local government's website to find any regulations your local agencies may have issued.

For example—if the Department of Agriculture has jurisdiction over animal shelters, that agency likely has regulations in place that interpret and expand upon the law.

Are you looking for information on animal laws because you are directly involved with a case?

You should instead seek legal advice from a lawyer who is familiar with the laws and facts of your situation. See our guide to getting the right legal help for your case:

alleycat.org/LegalResources.



Look For These Local Laws That Impact Community Cats:

TRAP-NEUTER-RETURN (TNR) LAWS

- **What they do:** A good TNR law or policy is the most humane and effective way to protect community cats' lives and improve the community. Key elements in a model TNR law are:
 - Definitions of "community cat," "eartip," and "TNR."
 - A statement that community cat caregivers are **not** owners.
 - A statement that trapped eartipped cats should be immediately let out of the trap at their colony or the trapping location unless medical care is required.
 - A statement that non-eartipped cats taken to a shelter should be directed to a TNR or Shelter-Neuter-Return (SNR) program. In an SNR program (also referred to as Return-To-Field or RTF), community cats who are brought to a shelter are spayed or neutered, vaccinated, eartipped, and returned to their original location by animal control officers or shelter staff. Animal control officers and shelters may also work with TNR groups to transport cats back to their outdoor homes.
 - A statement that TNR is not abandonment because community cats are being returned to their outdoor home and colony where they have been living and thriving. TNR does not introduce cats to unfamiliar, and therefore negative, surroundings, and community cats already have the skills to care for themselves. Learn more about why TNR is not abandonment at alleycat.org/NotAbandonment.
- Learn more about how to develop a successful TNR ordinance: alleycat.org/TNROrdinances.

LIMIT LAWS

- **What they do:** Limits laws arbitrarily restrict the number of companion animals someone can own regardless of whether the person can provide proper care for more. This is especially problematic when the definition of a pet “owner” in local laws is written to include community cat caregivers. These laws endanger cats because they increase the number of animals killed in shelters by deterring people from adding another member to their family. These laws also endanger caregivers because animal control may penalize those who feed or do TNR for community cats.

LEASH LAWS

- **What they do:** Leash laws are ordinances that ban cats from being “at large,” meaning outside without a leash. These laws are ineffective, impossible to enforce, and incompatible with TNR. They simply result in more cats being impounded and then killed. When leash laws are passed animal control will impound more community cats because they do not have an “owner” to leash them. The natural habitat for community cats is the outdoors and leashing them in this environment is cruel and pointless. Some jurisdictions have repealed their leash laws because they found they were unenforceable.
- **The history of leash laws and why they need to end:** Most animal control laws were initially created to protect people and their property, especially livestock, from being harmed by stray animals. After World War II, many of these original laws were changed to increase restrictions on pet owners to protect public health and safety and ensure that owners took responsibility for their pets. Leash laws were passed to prohibit owners from allowing dogs to wander without restraint, thereby reducing the risk of property damage and injuries. Leash laws are inappropriate for cats because the amount of damage they could potentially cause to people and their property is minimal, and the penalty—being impounded and likely killed—is severe. Leash laws for cats are unnecessary and should be repealed. **At the very least, they should exclude community cats so people can freely carry out TNR.**

LICENSING LAWS

- **What they do:** Licensing laws require pet owners to register their pets with a government agency.
- **The history of licensing laws and why they need to end:** Licensing requirements for dogs began in the United States in 1894, when the ASPCA began operating New York City’s public animal shelters. The purpose of the \$1.00 license fee was to fund animal control services and discourage animal control officers from kidnapping owned dogs to collect impound fees. Now dog licensing is a common law around the nation. Many municipalities have included cats in licensing laws. The theory is that cat licensing requirements will increase the chances of reuniting owners with their lost pets. This is false. **Even with licensing laws, only 2 percent of impounded pet cats are reunited with their owners.** This is a heartbreaking statistic, especially when you consider that more than 70 percent of all cats who enter our nation’s animal shelters are killed. Licensing laws are not the answer, and in fact, some jurisdictions have repealed cat licensing because they found it unenforceable and ineffective. We need to repeal local cat licensing ordinances and change the way our shelters address community cats.



Licensing laws are often interpreted in a way that interferes with TNR and endangers community cat caregivers. They also have large administrative costs that take time and money away from successful, lifesaving programs like low-cost spay and neuter. It does not take long for many local governments that implement cat licensing laws to see these downsides. They often change their minds and repeal them.

- Learn more about the dangers of cat licensing laws: alleycat.org/Licensing.

FEEDING BANS

- **What they do:** Feeding bans make it illegal to provide care to community cats. These bans prohibit caregivers from feeding outdoor cats and punish them for simply being good Samaritans. This is no way for a government to treat its citizens. These cruel, ineffective laws also have the opposite effect than intended. Instead of disappearing, community cats become even more visible to the public because they are forced to forage through waste and garbage for their food. This is proven to increase nuisance calls to animal control—the very thing feeding bans are meant to prevent.
- Learn more about Alley Cat Allies' position on feeding bans: alleycat.org/FeedingBans.

MANDATORY SPAY AND NEUTER LAWS

- **What they do:** Mandatory spay and neuter laws are often passed with good intentions, but are misguided and have harmful consequences. These punitive laws ignore the lack of free or low-cost spay and neuter options available in most communities. They also don't address community cat populations, because these cats are not owned. Less than 3 percent of stray and community cat populations are neutered as compared to 82 percent of pet cats.^{1,2} Laws need to create incentives so these services are available to the people and animals who need them most.



- Learn more about why mandatory spay and neuter is unnecessary: alleycat.org/SpayNeuterLaws.

ABANDONMENT LAWS

- **What they do:** Abandonment laws are anti-cruelty laws that prohibit individuals from dumping animals who are ill-suited to care for themselves outdoors, like socialized pets who have always lived inside with people. Unfortunately, some jurisdictions have falsely interpreted the “Return” in Trap-Neuter-Return as abandonment. **Returning cats to their outdoor homes during the TNR process is not abandonment.** Community cats are well-adapted to life outside and would only be returning to where they were successfully living—with the added protection of spay or neuter and vaccinations.
- Learn more about why TNR is NOT abandonment: alleycat.org/NotAbandonment.

SOURCES:

1. Wallace, JL, and Levy, JK, Population Characteristics of Feral Cats Admitted to Seven Trap-Neuter-Return Programs in the United States, *J of Feline Medicine and Surgery* 2006; 8:279-284, 282 at Table 3.

2. New JC Jr., Salman MD, King M, et al., Characteristics of Shelter-Relinquished Animals and Their Owners Compared With Animals and Their Owners in U.S. Pet-Ownning Households, *J App Anim Welf Sci* 2000; 3:179-201, 185 at Table 2; see also American Pet Products Manufacturers Association, “2007-2008 APPMA National Pet Owners Survey,” 155 at Table 10.

ABOUT ALLEY CAT ALLIES

Alley Cat Allies is the global engine of change for cats. We protect and improve cats' lives through our innovative, cutting-edge programs. We are seen around the world as a champion for the humane treatment of all cats. Founded in 1990, today Alley Cat Allies has grown into a powerful force with more than 650,000 supporters. Together, we've helped and inspired countless individuals, communities, and organizations save and improve the lives of millions of cats and kittens worldwide. We work with lawmakers, animal shelters, and the public to change attitudes and advance lifesaving policies that best serve the interests of cats. Learn more about our work at alleycat.org. Connect with us on Facebook (facebook.com/AlleyCatAllies). Join us on Twitter (@AlleyCatAllies). Follow us on Instagram (@AlleyCatAllies).