

CITY OF AURORA, COLORADO CAT RESTRAINT LAW

Historically, dogs, but not cats, have been covered by local animal control ordinances. Although cats are increasingly the pet of choice, millions are still euthanized by animal care and control facilities each year. Unfortunately, too many people fail to spay or neuter their cats or keep them indoors, and some people cruelly abandon cats they can no longer care for.

Cats that roam free, whether owned, stray, or feral, often lead short, traumatic, and painful lives. They also kill birds and other wildlife, and spread disease to other cats, wildlife, and humans. For these reasons, communities increasingly recognize the importance of extending responsible pet requirements to cover cats as well. Cat licensing, control and restraint ordinances help ensure that cats receive the care and protection they deserve. Progressive provisions found in ordinances include the following requirements:

- ◆ Mandatory spay/neuter of all cats over six months of age, unless owner purchases annual intact permit and/or breeders permit. Medical exemptions can be offered;
- ◆ Requirement for all cats to be licensed and vaccinated against rabies; and
- ◆ Cats must be confined to their owner's property or physically restrained when off the premises.

The **City of Aurora, CO** ordinance includes these provisions, and excerpts from that ordinance are included in this fact sheet.

M a n d a t o r y licensing and rabies vaccination have been required in Aurora, CO since February 12, 1990. Mandatory spay/neuter, prohibiting cats from running at



Photo: Jeff Price

large, and limits on the number of cats per household became effective on Feb 18, 1994. An evaluation demonstrating the positive impact of the ordinance is included on the last page.

Many cities and counties have implemented cat ordinances, and have had great success with controlling cat populations, keeping cats healthier and safer, and protecting local wildlife. Some communities also limit the number of pets per household with exceptions for registered breeders. Consider a local cat ordinance in your area for the health and safety of cats, humans and wildlife! Implementation and enforcement must be discussed early when working for the introduction of local cat ordinances. Your city or county animal care and control agencies should be consulted and should be part of your campaign.

For more information or the complete Aurora City ordinance, contact:

Aurora Animal Care Division
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Aurora, CO 80010
(p)(303)326-8290
animalcare@auroragov.org

AMERICAN BIRD CONSERVANCY
CATS INDOORS! THE CAMPAIGN FOR SAFER BIRDS AND CATS
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EXCERPTS FROM CITY OF AURORA, CO ORDINANCE

ARTICLE II. DOGS AND CATS

DIVISION 1. GENERALLY

Sec. 14-41. Licensing.

(a) *License required.* Any owner of a domesticated dog or cat kept as a household pet within the city shall obtain an animal license, from the city or its designated agents, for each animal over the age of six months. No license shall be issued until the applicant for the license provides proof of current vaccination for rabies as required in this chapter.

(e) *License tags.* It is the responsibility of any owner, keeper or possessor of a domesticated dog or cat kept as a household pet within the city to cause such animal to wear at all times a metal tag bearing the legible number of a current license issued for such animal as provided for in this section. At any trial concerning a violation charged under this section, the absence of such tags shall be prima facie evidence that such animal was not properly licensed.

(f) *Penalty.* Any person found guilty of violating this section shall, upon the first conviction, be subject to the payment of a fine of not less than \$50.00, upon the conviction of a second offense occurring within a one-year period shall be fined a sum not less than \$75.00, and upon the third and any subsequent convictions shall be fined not less than \$100.00 and not more than \$1,000.00 or be subject to not more than 180 days in jail or both. None of the minimum monetary fines in this subsection shall be suspended by the municipal court. (Code 1979, Sec. 7-56)

Sec. 14-42. Spay or neuter.

(a) *Required.* It shall be unlawful to own, possess or keep in the city any dog or cat over the age of six months that has not been spayed or neutered, except as provided in subsections (b) and (c) of this section.

(b) *Exceptions.* The following are exceptions to the spay or neuter requirements in subsection (a) of this section:

- (1) *Medical.* A licensed veterinarian has determined that an animal is medically unsuited to undergo the surgical procedure. A signed statement from a licensed veterinarian is required and shall state specifically the medical grounds for the exemption.
- (2) *Temporary medical.* When the animal's medical condition is temporary in nature, the licensed veterinarian shall sign a written statement as to the prognosis of when the surgery may be performed..
- (3) *Transitory status.* An animal which is temporarily in the city. . . .
- (4) *Intact permit.* An owner obtains an annual intact animal permit and is in compliance with the city annual licensing requirements contained in this chapter.

(d) *Penalty.* Any owner found guilty of violating this section and not classified within the exceptions shall be subject to both fine and imprisonment as provided by section 1-13 of this Code. A portion of the minimum monetary fines and imprisonment may be suspended by the municipal court only if the owner of any animal in violation presents to the court proof of the spay or neuter of the animal. Nothing in this subsection shall be construed as preventing the animal care officer from instituting a proceeding in the municipal court for violation of this section where there has been no impoundment. (Code 1979, Sec. 7-15)

DIVISION 3. CATS

Sec. 14-101. Running at large.

(a) *Prohibited.* It shall be unlawful for the owner of any cat to fail to keep the cat from running at large within the city.

- (1) For the purposes of this chapter, a cat not physically restrained when off the premises of the owner or custodian shall be deemed running at large.
- (2) For purposes of this chapter, the term “premises of the owner or custodian” shall be defined as the residence of the owner or custodian, including the attached property surrounding the residence that is leased or owned by the owner or custodian, but not including any common area, park or recreational property jointly owned or leased by the members of a homeowners’ or tenants’ association.
- (3) No cat shall be deemed to be running at large when the animal is upon the premises of the owner.
- (4) Any cat enclosed within the automobile or other vehicle of its owner or custodian shall be deemed to be upon the owner’s or custodian’s premises.

(b) *Penalty.* Any person found guilty of violating this section shall, upon the first conviction, be subject to the payment of a fine of not less than \$15.00, upon the conviction of a second offense occurring within a one-year period shall be fined a sum not less than \$25.00, and upon the third and subsequent offenses committed within a one-year period shall be fined an amount not less than \$75.00 nor more than \$1000.00. None of the fines shall be suspended by the municipal court. Nothing in this subsection shall be construed as preventing the animal care officer from instituting a proceeding in the municipal court for violation of this section where there has been no impoundment. (Code 1979, Sec. 7-30)

Sec. 14-102. Excessive number prohibited.

(a) It shall be unlawful to own, keep or harbor more than five cats that are four months of age or older on any premises. Only one litter of offspring may be kept on the premises until the age of four months. Exceptions are as follows:

- (1) Licensed kennels, pet shops, city shelters and individuals in possession of a valid fancier’s permit.
- (2) Individuals exceeding the allowable number of cats at the time of the enactment of the ordinance from which this section derives may be permitted excess allowable number of cats if the specific existing cats were licensed by the animal care division at the time this section became effective on February 18, 1994.

(b) It shall be an affirmative defense to excessive number of cats prohibited if the owner is engaged in a bona fide effort to rescue cats and possesses an animal rescue permit. The owner must make application for the permit to the animal care division within 14 days of taking custody of the additional cats. The permit shall give the owner three months to dispose of the cats or otherwise return to the limit of permitted cats. A maximum of two rescue permits shall be issued to a household at any one time. (Code 1979, Sec. 7-31)

**1994 STATISTICS FOR AURORA CITY ORDINANCE
COMMUNITY SERVICES DEPARTMENT
ANIMAL CARE DIVISION**

SPAY/NEUTER AND CAT ORDINANCES WORKING WELL: The 1994 year end statistics reveal Aurora's animal ordinance revisions working well. Results have been similar for both dogs and cats: fewer are coming into the shelter as strays, less are being surrendered to the shelter by owners who no longer want their pets, more are being claimed by owners and returning home from the shelter, more are wearing licenses so they can be returned home more quickly and easily, and less are being euthanized. Public education efforts have also made more people and organizations aware of the Aurora shelter. Animals being "rescued" from the shelter and made available for adoption elsewhere has also dramatically increased.

<u>DOGS</u>	<u>1994</u>	<u>1993</u>	<u>Percentage</u>
Brought to the shelter as strays	3,474	3,704	- 6%
Surrendered to shelter by owner	518	639	- 19%
Claimed by owner (returned home)	1,760	1,833	- 4%*
Adopted	482	563	- 14%
Euthanized	891	1,168	- 24%
Rescued (transferred or fostered)	328	177	+ 85%
Licenses Issued	9,499	4,085	+ 43%
Bites reported	298	315	- 5%

<u>CATS</u>	<u>1994</u>	<u>1993</u>	<u>Percentage</u>
Brought to the shelter as strays	2,114	2,239	- 6%
Surrendered to shelter by owner	405	639	- 25%
Claimed by owner (returned home)	167	123	+ 36%
Adopted	439	520	- 15%
Euthanized	1,218	1,445	- 16%
Rescued (transferred or fostered)	282	89	+217%
Licenses Issued	2,949	1,475	+ 50%
Bites reported	72	74	- 3%

* Although the number reclaimed by the owner in 1994 was lower than the number reported in 1993, it actually reflects a 1% increase of all dogs brought to the shelter as strays being reclaimed. More dogs were impounded in 1993 but the percent returning home was lower.