Feral Cat Colonies in Sparks
Why Zoning Laws are appropriate for the governance of Feral Cat Colonies

• Per a 2003 Interlocal agreement, Washoe County assumed all animal control functions in Sparks.

• WC has the power to adopt animal control ordinances that apply to Sparks; over Sparks’ objections.

• WC has adversely impacted Sparks’ land uses by legalizing a feral cat colony program; enforced/administered by NHS.

• Sparks Charter allows City to regulate its land uses.

• Zoning laws will protect citizens from Feral Cat Colonies.
Feral Cat Colonies are a dangerous land use

- Feral cat colony structures are unsightly and can be moved quickly to evade nuisance laws.

- Feral cat colony “Caretakers” have no legal or ownership responsibilities to Sparks community/businesses/or to their own colonies.

- Food scattered in feral cat colonies attracts potentially rabid animals into neighborhoods/business districts.

- Feral cats from colonies freely roam residential & businesses causing damage/smell/noise & possible spread of diseases to our citizens.
What is a feral cat?

Washoe County Code  
Section 55.010

“Feral Cat” means a cat:

1. That is born in the wild; or
2. That is a formerly owned cat that has been abandoned and is no longer socialized
How many Feral Cats are in Washoe County?

- According to NHS partner, Community Cats: “There are more than 60 million homeless cats in the United States.

- We estimate there are 25,000 in Washoe County alone, living in our industrial parks, residential neighborhoods and business districts.”

http://communitycatsofreno.com/
What is a Feral Cat Colony?

Washoe County Code
Section 55.010

• “Feral cat Colony” means a group of cats that congregates, more or less, together as a unit.

• Although not every cat in a feral cat colony may be feral, any non-feral cats that congregate with a colony shall be deemed to be a part of it.
“Temporary Structures” contained in a Feral Cat Colony

Feral Cat Colony “Structures” are migratory, easily transported, evading nuisance regulations
“Caretakers” manage Feral Cat Colonies

“Feral Cat Colony Caretaker” means a person other than an owner who provides food, water and shelter to, or otherwise cares for, a feral cat colony, and is approved by a sponsor (WCC 55.010)

“Sponsor” is any animal humane organization that agrees to comply with the requirements of this section and provides written notice to regional animal services that it will serve as a sponsor for feral cat management
Unlike Washoe County Animal Control Officers, who must meet minimum job requirements & experience handling and capturing feral animals...

WASHOE COUNTY ANIMAL CONTROL OFFICER

DEFINITION
Under general supervision, enforces applicable County ordinances and State laws governing the care, control, licensing, impoundment and euthanasia of animals; captures and transports animals; and performs related work as required.

EXPERIENCE AND TRAINING REQUIREMENTS
One year as an Animal Services Assistant; OR two years of progressively responsible experience caring for and handling of animals in a professional work environment, interviewing the public, assessing information and making determinations; OR an equivalent combination of training and experience.

*****

Ability to:
Perform animal services and enforcement functions.
Carry out oral and written directions.
Exercise good judgment in handling potentially hostile individuals and situations.
Read, interpret, and enforce animal services laws, ordinances, and regulations.
Communicate effectively both orally and in writing.
Identify various breeds of dogs and cats and other domestic animals.
Maintain effective working relationships with others.
Maintain records and prepare routine reports.
Deal tactfully and courteously with the public when providing information and carrying out enforcement activities.
Feral Cat Colony “Caretakers” are civilian volunteers with no formal animal training or experience.
Feral Cat Colony “Caretakers” cannot be held legally responsible for damages or nuisances caused by their colonies

“Owner” does not include a feral cat colony caretaker
(W.C.C. Section 55.010)

Citizen volunteers have no training, little experience and no legal obligations to their Community or their Feral Cat Colony
As “Non-Owners”, feral cat colony Caretakers are not legally responsible for Neglecting/Abandoning their Cat Colonies

Dehydrated Kittens

Hungry & Undernourished


users.waldonet.net.mt
Feral Cat Colony “Caretakers” move out of the area

Skunks and Raccoons? Rabies?
Feral Cat Colony “Caretakers” can be exploited by strangers dumping more cats into their Colony

Cats abandoned by the dozens at Chesterfield feral colony

By Joe St. George, CBS news, Chesterfield, VA (WTVR) May 21, 2014

25 cats have been abandoned near Hull Street and Courthouse Road in Chesterfield County…Mary Cary, who has cared for a feral colony behind the Big Lots and Martins locations for nearly a decade, said ten kittens were abandoned Tuesday … “Only six cats, …are supposed to live in the feral colony. Caregivers said the location is not meant for any more.”
Feral Cat Colony “Caretakers” cannot prevent the nuisance activities of their feral cats

Town council tires of feral cat problem
By Stephannie Johnson | October 15, 2014 (Parry Sound, Can.)
“The number (of cats) has increased in the last couple of years,”... they’re becoming more brazen, jumping on people’s cars, resting on people’s cars, resting on trailers; they’re causing damage not only to people’s property, but vehicles as well.

Cat Colonies a 'Huge Problem'
By Dan Tevock (Fredericksburg Patch, June 20, 2012 ) (Virginia)
“The stench of cat urine permeating an open field south of Fredericksburg seemed out of place”... The cacophony of hisses and cat fights pierced the air. Some cats exited the tree line already with scars on their skin where the fur had been ripped away in fights. Two cats, both tabbies, were actively reproducing about 10 feet away.

Health Concerns Put An End To FSC's Stray Cat Program
By Mary Toothman THE LEDGER Published: Wednesday, September 11, 2013 (Florida)
It seemed like a great idea at the time, said Terry Dennis, FSC's vice president of operations... Some animal and health experts have concerns that the housing provided for the cats could attract other wild animals, such as possums or raccoons, and they could have rabies, Dennis said.
Zimmerman had…purposely or knowingly maintained a condition that was offensive to the senses and obstructed the free use of property by … feeding between thirty and forty feral cats

Witnesses explained the felines’ offensive impact on the town...principally to the cats’ urine and feces that polluted the neighborhood, destroying flowerbeds, lawns, and shrubbery, cats fighting at night, and dead cats being found around town and expressed concern that the cats were inbreeding and carrying diseases.

After less than an hour of deliberation, the jury returned a guilty verdict against Zimmerman.
Why Feral Cat Colonies threaten surrounding properties.

Rabies
Feral Cats and Rabies

Rabies

“Cats are the main domestic animal linked to human exposure to rabies” - Center for Disease Control, 2013
How Feral Cats become infected with Rabies:
Food in Colonies attract animals with Rabies that then attack feral cats/Humans
How Feral Cats become infected with Rabies

Scratches and bites from other rabid cats & animals
Feral Cats transmit Rabies to Animals & Humans

- Children are more susceptible to interacting with feral cats and contracting Rabies.

Virus transmitted by infected saliva through bite or wound

Rabies virus may infect the central nervous system

Brain inflammation

Brain

Spinal cord

www.medindia.net
Rabid cat attacks on the rise

Cats thrown from car: 6 exposed to rabid cat in west Lake Worth; owner sought
By: Hanna Winston, News Channel 5, Fla.
May 20, 2015
Six people are being treated after exposure to a rabid cat that was caught west of Lake Worth. Two cats were thrown from a vehicle Friday evening and good Samaritans in the neighborhood attempted to rescue the cats, one of the cats then bit and scratched six people.

Rabies cases on the rise
By: Kevin Rowson, WXIA, STOCKBRIDGE, Ga
May 29, 2015
Two Henry County neighborhoods are under rabies alerts after a recent rabies outbreak. The latest case happened in Stockbridge on Tuesday when a dead cat tested positive for rabies. It was Walter and Shannon McElreath's cat. They live in the Carriage Trace neighborhood. The McElreaths said they took in the stray cat when it walked up to their door... "He would come and cuddle up next to me and then if I reached down to pet him, he would attack me," she said...now the McElreaths and their six children, ages 4 to 14, have to undergo rabies treatment for the next three weeks.
The map shows more reported Rabies in TNR communities, and those sharing a boundary.
Why Feral Cat Colonies threaten surrounding properties

Toxoplasma Gondii
"Women infected with *Toxoplasma* during pregnancy should be aware that toxoplasmosis can have severe consequences."  
(CDC, 2013)
Feral cats spread Toxoplasma Gondii
“Toxoplasma Gondii, which can be passed from cats to humans, could play a role in the development of schizophrenia”

Time Magazine, re Studies @ Stanley Medical Research Institute, June 8, 2015

"T. Gondii gets into the brain and forms microscopic cysts"

Severe toxoplasmosis can cause damage to the brain, eyes or other human organs
Why Feral Cat Colonies threaten surrounding properties

*Bartonella henselae* Infection

“Cat Scratch Fever”
People can get CSD from the scratches of domestic or feral cats, particularly kittens. The disease occurs most frequently in children under 15. Cats can harbor infected fleas that carry Bartonella bacteria. These bacteria can be transmitted from a cat to a person during a scratch. (Center for Disease Control, November, 2012)

The infection can feel warm or painful. A person with CSD may also have a fever, headache, poor appetite, and exhaustion. The person's lymph nodes closest to the original scratch or bite can become swollen, tender, or painful.
Why Feral Cat Colonies threaten surrounding properties

Sparks has no current ability to control Feral Cat Colonies

Unlike typical zoning ordinances that allow for conditional permitting of uses, Sparks cannot control the third party responsible for overseeing WC’s feral cat program.
WRACS will not Collect nuisance or combative Feral Cats

• “Feral cats are considered *free roaming cats* and WRACS will not pick them up” (Mr. Bobby Smith, Assistant Manager of WC Animal Services; addressing the WCBCC, 10.14.2014)

• NHS, not Washoe County, is responsible for managing feral cat colonies *(Id.)*

• Burden/ Risk placed on untrained citizens to trap fractious, nuisance, and diseased Feral Cats; Transport to NHS is done in personal vehicle

• When Government fails to enforce/remove a nuisance; citizens retaliate against the nuisance.
Obstacles for Nevada Humane Society’s “Oversight” of Feral Cat Program

- NHS a third party contractor, not part of Inter-local Animal Services Agreement.
  - Independent legal entity whose corporate goals/purposes conflict with Sparks City Charter (Protect citizens through zoning ordinances)
  - No legal/fiscal/fiduciary obligations/accountability to Sparks’ citizens/businesses.
  - Programs 100% dependent upon charitable donations (animal programs/facilities can become under-funded/extinct)
  - No elected officials protecting city’s interests.
When recourse to alleviate a nuisance is removed by law, cruelty occurs.
Public rejection of Feral Cat Colonies & Programs

- **Arizona:** *Phoenix College ending Feral Cat Program*, Eugene Scott, The Republic, 02.17.2014

- **Canada:** *Town Council Tires of Feral Cat Problem*, Stephannie Johnson, Parry Sound, 10.15.2014

- **Florida:** *Health Concerns Put an End to FSC’s Stray Cat Program*, Mary Toothman, The Ledger, 09.11.2013

- **Georgia:** *Athens-Clarke pulls funding for Feral Cat Program*, Blake Aued, 06.04.2012

- **Virginia:** *Cat Colonies a “Huge Problem”*, Dan Telvock, 06.20.2012

- **Virgin Islands:** *Magens Bay Authority wants stray cats “removed”*, Jenny Kane, 09.20.2014
Feral cat colonies should be a prohibited use within the municipal boundaries of the City of Sparks

- Feral cat colonies are not a naturally occurring condition but an artificial condition created by people.

- Feral cat colonies is a use that has an adverse, disproportionate impact on surrounding property which is NOT COMPATIBLE with surrounding residential and commercial land uses.

- Zoning laws are employed to control the use of land to minimize adverse impacts caused to surrounding landowners.

- Due to the negative impacts of: Temporary structures, Free roaming cats damaging and befouling surrounding residential and commercial property, attracting high risk species, the spread of diseases and the threat to the overall health, safety and welfare of our community, the governance of feral cat colonies falls within the philosophy and jurisdiction of Sparks’ zoning laws and should be included in the revisions to Title 20 of the SMC.