

TOWNSHIP OF MAPLEWOOD



ORDINANCE

2761-14

**AN ORDINANCE
TO CREATE A PILOT PROGRAM
TO PROHIBIT
THE FEEDING OF FERAL CATS
UNLESS PROPERLY DOCUMENTED
AND TO CONTROL THE PROLIFERATION
OF FERAL CATS IN A HUMANE MANNER
FOR THE PROTECTION OF HEALTH AND SAFETY
OF THE PUBLIC**

"Interpretive Statement"

THIS ORDINANCE WILL ADOPT A TRAP-NEUTER-RETURN PROGRAM FOR FERAL CAT(S) WITHIN THE TOWNSHIP OF MAPLEWOOD

WHEREAS, the proliferation of feral cats and feral cat colonies throughout the State, including the Township of Maplewood ("Township"), if not regulated and restrained would continue to result in growing numbers of such colonies and ever increasing population of feral cats; and

WHEREAS, the existence of such large numbers of feral cat colonies poses a danger to the health, safety and welfare of the residents of the Township; and

WHEREAS, it is the intention of the Mayor and Township Committee to mitigate the potential threat to the welfare of the community in a humane manner and the regulations as herein set forth are intended to mitigate the potential threat by the imposition of controls as a first step in a trap/neuter/return program which is endorsed by the American Society of the Prevention of Cruelty to Animals.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey that:

FIRST: Section 113-29 of Chapter 113 of the Code of the Township of Maplewood entitled "Feeding of Unlicensed Cats" be amended as follows:

Definitions(s)

"Caretaker" shall mean a person who provides care for a feral cat colony including feeding, trapping, transporting for spay/neutering, transporting for veterinary care as needed, and other actions needed for a healthy feral cat colony in compliance with local ordinances and operating procedures.

"Colonies" shall mean one or more feral cats that congregate, more or less, together as a unit and share a common food source.

"Feral cat" for the purposes of this Ordinance shall mean any unowned and homeless or stray cat.

"Sponsor Organization" means for the purpose of this Ordinance a nonprofit organization designated by the Township Committee that has expertise in organizing and operating feral cat colonies and in working with volunteers to conduct such feral cat colonies in a comprehensive healthful manner in compliance with this ordinance.

Unlawful Activity

It shall be unlawful for any person to intentionally provide food, water or other forms of sustenance to a feral cat or feral cat colony unless the person has been registered with the Sponsoring Organization on forms to be provided by the Sponsoring Organization and the Township, as a "caretaker" for feral cats.

Documentation and Rules

In furtherance of the Township's program to control the proliferation of feral cat colonies in the Township in a humane manner, persons who are interested in documenting as a caretaker of feral cats shall do so by executing a Feral Cat Documentation Form. By doing so, the caretaker agrees to the following:

- a) Assure responsibility and arrangements for feeding the cat or colony regularly throughout the year, including weekends holidays and absences of the documented Caretaker person(s).
- b) Cooperate in the regular and frequent trapping of cats over the age of 12 weeks to have them spayed or neutered and vaccinated against rabies.
- c) Arrange to have symptomatically ill or injured cats brought for veterinary care
- d) Identify all trapped spayed/neutered cats by tipping their ears.
- e) Arrange to have all cats vaccinated for rabies.
- f) No Feral cat feeding sites shall be located on house properties or business properties located within 50 yards of a child care center or school.
- g) Feral cat feeding stations shall not be located on the property of any person or business without the approval of the property owner and/or business.
- h) Feral cat feeding sites shall not be located upon any public property owned by the Township of Maplewood, the South Orange-Maplewood School District or other governmental unit.
- i) Food for Feral cat colonies shall not be provided in a manner that attracts cats not in the colony or provides food for rodents, raccoons or other wild animals. Food shall be removed within one hour.
- j) Persons who want to participate as caregivers shall attend a mandatory training class operated by the Sponsoring Organization or other recognized training organization and this course shall be

a prerequisite to registration.

k) Each Caretaker shall register with the Township Clerk, on a form to be provided, annually.

l) Once registered, the Clerk will provide the Caretaker a sticker designating the Caretaker as registered. The sticker is to be displayed prominently on the property which is hosting the colony so that Township employees will be able to recognize the Caretaker as registered with the Township.

Sponsoring Organization:

a) As designated by the Township Committee, the Sponsoring Organization shall develop standard operating procedures for caring for feral cat colonies. These standard operating procedures shall be approved by the Township Health Officer.

b) The Sponsoring Organization shall have insurance to cover injuries of volunteers or persons bitten or injured by cats or other causes of injury at the documented feral cat colony or in conjunction with activities involved in the management of documented feral cat colonies.

c) Shall work with volunteers to provide for timely and regular capture of cats, spay/neutering of cats and vaccination and veterinary care as needed of feral cats in colonies.

d) Shall provide or coordinate mandatory educational classes to educate persons who are documented to be feral cat colony caretakers and volunteers in best practice and standard operating procedure methods to operate a feral cat colony and in reducing nuisance to neighbors.

e) Shall provide or coordinate educational materials concerning feral cat colonies to the public and to neighbors within five houses in the front, sides and rear of the Feral cat colony.

f) Shall at least monthly monitor Feral cat colony Caretakers for adherence to operating procedures and the health and number of Feral cats in the colony. Shall maintain a record of these monitoring observations and report to Health Department on a monthly basis.

Penalties for Violation

Any person, firm, corporation or other entity violating this Ordinance shall, upon conviction thereof, be subject to a fine of:

First Offense	\$100.00
Second Offense	\$250.00
Any Subsequent Offense	\$500.00

SECOND: Pilot Program

This pilot program will have a term of three years, which will begin on December 1, 2014 and end on November 30, 2017. The program will be reviewed annually. The review shall include but not be limited to:

- a) The pilot program's operation and implementation;
- b) Effectiveness in the reduction of the number of feral cats and control of the feral cat population;
- c) Cost effectiveness of the pilot program;
- d) Caretaker participation in the pilot program;
- e) Sponsor Organization participation in the pilot program; and
- f) Effect on neighbors and residents.

All other sections shall remain unchanged.

THIRD: Severability

If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

FOURTH: Repeal of Prior Ordinances

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

FIFTH: Effective Date

This Ordinance shall take effect after final passage and publication and as provided by law and shall expire November 30, 2014.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held on October 21, 2014, and that Committee met again on November 5, 2014 at 7:30 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Committee proceeded to consider the said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk