**CHAPTER 3**

**FERAL CATS**

**10-301. Definition of a feral cat.** A feral cat means any cat living in the wild in an untamed state or having been abandoned by owners or the off-spring of an animal abandoned by its owners, and existing as a wild, undomesticated animal with poor socialization skills.

**10-302. Health hazard.** Commonly known as a stray cat, feral cat and the cat colonies it can inhabit may become a health hazard due to trespassing on private and public properties, instigating aggression with other feral and domesticated cats, littering of trash receptacles, noise, increase in the reproduction of fleas, lice and other diseases, creating unsanitary conditions due to excrement and urine, disease and death of the animal(s).

**10-303. Animal control officer.** The animal control officer is any person who has been appointed by the Mayor of the City of Calhoun for the purpose of administering the provisions of this chapter and other chapters under title 10. The animal control officer shall seek permission from the property owner, if known, or through a court order before entering upon private property to rescue, retrieve, round-up, corral, or humanely trap any feral cat which is roaming at large. The animal control officer may enter any public property in order to enforce this chapter and this title.

**10-304. Kennel.** Any person shall not keep or maintain on their private property more than five (5) animals, including but not limited to cats without being approved and registered as a kennel, operating in a commercial zone. Any residence having five (5) or more cats shall be considered a kennel and shall be in violation of this ordinance. An exception may be made by the animal control officer if all the cats are contained within the residence; all have up-to-date rabies vaccinations, appear to be clean and fed appropriately, have been neutered, and the residence is fit for human habitation. All exceptions to the over five (5) cat limit shall be filed at city hall. If, at any, time, the conditions change within the dwelling to the health and welfare of the cats or the owner, appropriate action may be taken by the animal control officer and he/she may revoke the exemption and proceed with the appropriate seizure of cats and penalties, if warranted.

**10-305. Notice of abatement.** The animal control officer may file a notice of abatement on a renter or owner who has cat colonies running at large. A cat colony is more than five (5) free roaming cats. A notice of abatement shall give the owner or renter of the property the right to dispose of the cats within a specified period of time. It shall then be the responsibility of the individual to whom a notice of abatement is given to get rid of the cat colonies.

**10-306. Cat hoarding.** The animal control officer shall have the authority to investigate cat hoarding. Cat hoarding involves an individual acquiring more than five (5) cats that are not free roaming but contained within a dwelling. Cat hoarding may contribute to significant health problems due to cat fleas, excrement, urine and other issues. The animal control officer is empowered to investigate all complaints and reports of potential health issues, animal cruelty or hoarding cases. If a hoarding instance is found, a warrant may be obtained by the animal control officer to remove all of the cats from the home to be disposed of as the judge orders. Fines and penalties must be paid by the hoarder as well as any clean-up costs incurred by the city or costs to the local shelter.

**10-307. Feral cats prohibited.** It is a violation of this chapter for a property owner or resident to allow feral cats to create health hazards, or to hoard cats. It is a violation of this chapter to allow feral cats to colonize on private property or to encourage feral cats to occupy public property by feeding the feral cats. Any feral cat found to be roaming freely may be picked up at will by the animal control officer and taken to the local shelter. Traps may also be set by the animal control officer on public property or on private property with the owner's consent or by court order.

**10-308. Impounded feral cats.** Any impounded feral cat taken to the local animal shelter by the animal control officer shall be held for at least three (3) days before being humanely euthanized or offered for adoption. If the cat is determined to be diseased or severely injured, the animal may be euthanized immediately.

**10-309. Violations and penalties.** Violations of this chapter shall constitute a civil offense and shall, upon conviction, be punishable under the general penalty provision of this code. Each day a violation shall be allowed to continue shall constitute a separate offense.