

Proposed DRAFT Trap-Neuter-Release Ordinance for Milwaukee County Municipalities:

This ordinance was crafted to meet the following goals:

- To create a program that has no cost to municipality to allow, has no added responsibility or liability for municipality, and regulates a practice that is already occurring in each municipality.
- To allow residents to be able to sterilize and vaccinate feral cats to be released onto their own property or for private rescue groups to assist residents with trap-neuter-release on their property.
- To prevent colonies of feral cats from growing in residential areas by managing the number of cats that can be released at any property.
- To ensure cats being released as feral will be vaccinated and sterilized and have records kept on file as to who releasing agent is and to ensure revaccination occurs if animal has out of date vaccine if impounded by animal control.
- To allow communities to track data on the number of cats released and allow them to monitor how this program is affecting outdoor cat population in short term and long term via data at MADACC as well as to have contacts for the releasing agent residents.
- To reduce the number of breeding feral cats in the community.
- To ensure that stray holds will still be enforced and not have animals taken from the community without a potential owner having the opportunity to come forward to reclaim their property.
- To regulate outdoor feeding of cats to prevent attracting nuisance wild animals such as coyotes.

Summary

Under current municipal ordinances there are no provisions for the management of feral cats found in the community and currently the only legal option available to residents is to trap these cats, deliver them to an animal control facility to be held under State Statute 173.13 as strays and when they are unclaimed they are euthanized for being unable to safely adjust to be adopted to the public and exist as indoor companion animals. This procedure does not reduce the overall number of outdoor cats; it increases euthanasia outcomes; and it is frustrating for community residents who want more options. This ordinance will provide residents and private animal welfare organizations with the ability to remove feral cats from their property or redeem them from an animal control facility, sterilize them, vaccinate them for rabies, microchip them with the information of the person or group releasing the animal on file, have their ear “tipped” in accordance with standard procedures for feral cats and released back onto their property or in an appropriate location on private land with the knowledge of the owner of the property. (The ear-tipping procedure easily visually identifies a feral cat that has been released rather than an owned or abandoned companion cat in the environment.)

Under current municipal ordinances there are no exemptions for feral cats from licensing or leash rules. This is illogical, since by definition these cats do not have an owner who could comply with licensing and leash rules. This ordinance allows feral cats to be exempt from municipal leash and at-large ordinances and licensing requirements if Milwaukee Area Domestic Animal Control Commission (MADACC) is provided with proof of sterilization, proof of rabies vaccine and microchip information for the individual or group that plans to release the animal prior to the release.

Under some current municipal ordinances there is a ban on feeding animals outdoors. This ordinance will allow those identified by a microchip as the Releasing Agent of a feral cat to provide fresh food for the feral cat they have released from sunrise to sunset and under observation only and provide potable

water 24 hours a day. Feeding of feral cats reduces predation and problem behaviors such as foraging in trash collection areas. No other feeding of wild or domestic animals will be permitted unless authorized by separate ordinance.

This ordinance will not prohibit the trapping and capture of feral cats by private citizens or prohibit municipalities from trapping and impounding cats at large that are considered nuisance animals. Therefore, the bill will not limit any existing options for addressing feral cat nuisance issues, but simply add additional ones.

This ordinance will provide the opportunity for the redemption of a feral cat from an impound facility by the individual or entity identified by the microchip as the Releasing Agent. The impoundment facility shall contact the Releasing Agent via the contact information listed on the microchip and no boarding or impound fees shall be accrued during the first two days of the stray hold of a reclaimed feral cat. If a booster vaccine is required, the Releasing Agent shall be responsible for the fees and vaccine at the time of reclaim. Should the Releasing Agent come after the third business day of impoundment, the Releasing Agent shall be liable for impound and boarding fees in compliance with current stray hold fees as set by the municipality. Unclaimed feral cats will be disposed of in accordance with State Statute 173.23 unless redeemed by the Releasing Agent or transfer to another Releasing Agent with updated information on file.

DRAFT ORDINANCE LANGUAGE:

1. Except as explicitly stated herein, this chapter does not change or repeal any ordinances relating to nuisance, animals, or any other subject.
2. Definitions:
 - a. *“Altered feral cat”* means a feral cat that has been captured, sterilized, eartipped, implanted with a registered microchip, and vaccinated against rabies.
 - b. *“Eartipping”* means straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized.
 - c. *“Feral cat”* means a cat that (i) is born in the wild, (ii) is the offspring of an owned or feral cat and is not socialized, or (ii) is a formerly owned cat that has been abandoned and is no longer socialized. The holding facility may in its discretion determine whether a cat in custody is a feral cat.
 - d. *“Holding Facility”* means the Milwaukee Area Domestic Animal Control Commission (MADACC).
 - e. *“Registered microchip”* shall mean an identification chip implanted under the skin of an animal for the purpose of identifying its owner or Releasing Agent which has been registered with a microchip registration company with current ownership information to include the current owner's or Releasing Agent's name, address, email address and telephone number, and the description of the animal.
 - f. *“Releasing Agent”* means any person who has obtained a feral cat from the holding facility or trapped their own property and has complied with paragraph 4. The holding facility is not by definition a releasing agent.
 - g. *“Trap, neuter and return (TNR)”* means a nonlethal, humane alternative to deal with the feral cats which are captured, altered, eartipped, microchipped, vaccinated against

rabies, and returned back to their location in order to encourage the stabilization of the feral cat population in the city.

3. A feral cat is not owned and therefore ordinances in this chapter relating to animal licensing or leashes do not apply to feral cats.
4. A Releasing Agent may release a feral cat under the following circumstances only;
 - a. The feral cat is sterilized, microchipped, eartipped, vaccinated against rabies pursuant to standard TNR practices;
 - b. The feral cat is registered with the holding facility;
 - c. The place of release is within 300 feet of the place where the feral cat was trapped; and
 - d. The property owner has given permission for the release; and
 - e. No more than two feral cats can be released at any property.
5. A Releasing Agent may leave fresh water for an altered feral cat at any time.
6. A Releasing Agent may feed a feral cat in the following circumstances only:
 - a. The feeding takes place under direct observation between the hours of sunrise and sunset; or
 - b. The feeding is necessary to trap the feral cat for sterilization surgery or necessary medical care, and the feeding takes place between the hours of sunrise and sunset for a duration of no more than one week.
7. No outdoor feeding of cats by any person is permitted except as explicitly authorized in paragraph 6.
8. When a previously released altered feral cat is later impounded at the holding facility, the holding facility shall contact the Releasing Agent via the contact information listed on the microchip.
9. An altered feral cat impounded at a holding facility may be disposed of as follows:
 - a. Redeemed by the releasing agent identified on the microchip. No boarding or impound fees shall be accrued during the first two days after impoundment; after that, impound and boarding fees will be assessed as set by the municipality. The releasing agent shall be responsible for any fees of any booster vaccine required at the time of reclaim; or
 - b. Redeemed by a new releasing agent who provides updated registration information to the holding facility under 4.b.; or
 - c. Any other method available under Wis. Stat. § 173.23.