

SUMMARY: An ordinance amending the Washoe County Code by creating provisions related to the managed care of feral cats and revising definitions.

BILL NO. 1737

ORDINANCE NO. 1556

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ADDING PROVISIONS RELATED TO THE MANAGED CARE OF FERAL CATS AND RELATED DEFINITIONS; AND MAKING CHANGES TO THE DEFINITIONS OF "NUISANCE" AND "OWNER".

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Washoe County Code is hereby amended by adding thereto the following new section which shall read as follows:

55.475 Managed care of feral cats.

1. Feral Cat Colonies.

(a) Feral cat colonies are allowed in Washoe County. Feral cat colony caretakers shall be entitled to maintain and care for feral cats.

(b) *TNRM Programs: Sponsorship.* Any animal humane organization that agrees to comply with the requirements of this section shall contact regional animal services to obtain designation as a sponsor. The humane organization shall advise regional animal services in writing and provide its address, telephone number and electronic mail address, if applicable.

(c) *Sponsor Requirements.* It shall be the duty of the sponsor to:

(1) Approve feral cat colony caretakers;

(2) Work actively to resolve any complaints over the conduct of a feral cat colony caretaker or of cats within a colony;

(3) Maintain records provided by feral cat colony caretakers on the size and location of the colonies and the vaccination, micro-chipping, and spay and neuter records of cats in the sponsor's colonies. Titer tests are acceptable to determine a particular colony's resistance to rabies by random examination;

(4) Provide educational training and written materials for all feral cat colony caretakers covering uniform standards and procedures for colony maintenance. An approved online training program may be accepted upon approval by regional animal services;

(5) Report annually to regional animal services on the following:

(i) number and location of colonies by address and zip code that the sponsor maintains through the TNRM program;

(ii) estimated total number of cats in each of the colonies;

(6) Prevent sponsored feral cat colonies from being maintained on lands managed for wildlife or other natural resources, such as, but not limited to, nature preserves, in order to avoid the taking of rare, listed, threatened or endangered species as determined by Nevada Department of Wildlife;

(7) Provide forms and other documentation necessary to allow feral cat colony caretakers to receive public or private subsidies, medical care or other assistance which may be available for their feral cat colonies.

(d) *Feral Cat Colony Caretaker Responsibilities.* It shall be the duty of each feral cat colony caretaker to:

(1) Register each colony with the sponsor;

(2) Take all appropriate and available steps to vaccinate the colony population for rabies, preferably with a three-year vaccine, and to update rabies vaccinations as mandated by law;

(3) Take all appropriate and available steps to have the colony population spayed or neutered by a licensed veterinarian;

(4) Ear tip the left ear of each colony cat that has been vaccinated, spayed or neutered so that each colony cat can be readily identified;

(5) Microchip each colony cat in accordance with professional medical standards. The sponsor and the feral cat colony caretaker shall be the named contacts for purposes of the microchip animal identification;

(6) Provide the sponsor with descriptions of each cat in the colony and copies of documents demonstrating that the cats have been vaccinated, micro-chipped and spayed or neutered;

(7) Provide the necessary sustenance for colony cats;

(8) Obtain written approval from all property owners or their authorized representatives to enter land upon which the feral cat colony caretaker requires access to establish and provide colony care;

(9) Abide by the sponsor's policies and procedures.

(e) *Withdrawal of feral cat colony caretaker or sponsor.* In the event a feral cat colony caretaker is unable or unwilling to continue in that role, he or she shall notify his or her sponsor. In the event a sponsor is unable or unwilling to continue to perform its role, it shall advise regional animal services. The sponsor shall work with regional animal services to obtain a replacement sponsor. If no new sponsor is found



within 30 days, the sponsor shall notify regional animal services.

(f) *Disposition of feral cat colony cats.*

(1) An animal control officer or authorized representative who has impounded or received a cat from a member of the public, where the cat has been ear tipped or microchipped indicating that it belongs to a feral cat colony, shall attempt to contact the sponsor or feral cat colony caretaker. If a microchip is not found, the animal control officer or authorized representative shall impound the cat and notify the approved sponsors of the description and zip code where the cat was found. The sponsor shall then take all available steps to identify the cat's feral cat colony caretaker or a feral cat colony caretaker who will take responsibility for managing this cat.

(2) If an identified feral cat colony caretaker is not able to immediately take custody of the cat, the sponsor shall immediately pick up the cat.

2. Enforcement.

(a) In order to encourage the stabilization of the feral cat population in Washoe County, regional animal services shall have the following rights:

(1) To trap in a humane manner and remove any cats:

(i) which demonstrate signs of disease; or

(ii) which must be removed for public health or safety concerns.

(2) To euthanize in a humane manner any feral cat which demonstrates signs of rabies, or which has an illness or injury that presents an imminent danger to public health or safety.

(3) To request that a sponsor remove a feral cat that is creating a nuisance if the sponsor has failed to adequately resolve the nuisance within 30 days of written notice thereof. In the event regional animal services directs the sponsor to remove the cat, the sponsor shall have 30 days to do so.

(b) Animal control officers may investigate any nuisance complaint allegedly caused by a feral cat. In the event an animal control officer finds that a feral cat or feral cat colony has created a nuisance, the animal control officer shall advise the sponsor in writing.

(c) If a sponsor fails to perform its responsibilities, regional animal services may notify the sponsor that it must comply with the requirements of this section within 30 days. If the sponsor fails to do so, regional animal services may remove the sponsor from the list of approved sponsors, and may reassign the feral cat colonies to another sponsor.

(d) A feral cat who is not microchipped, but who was spayed or neutered, vaccinated for rabies, ear tipped, and released

prior to the effective date of this section shall be deemed to be in compliance with this section.

SECTION 2. Section 55.010 of the Washoe County Code is hereby amended by adding thereto the following new definitions:

"Abandoned Cat" means a domesticated cat that an owner has forsaken entirely or refused to provide care and support.

"Domesticated cat" means a cat that is socialized to humans and is appropriate as a companion.

"Eartipping" means straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized.

"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.

"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.

"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 who is approved by a sponsor.

"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.

"TNRM" means trap, neuter, return and monitor.

"TNRM Program" means a program in which feral and stray cats are trapped, neutered or spayed, micro-chipped, vaccinated against rabies, and returned to the colony location in which they were found, and which are then monitored by the feral cat colony caretaker.

Section 3. Washoe County Code 55.010 is hereby amended by changing the definitions of "Nuisance" and "Owner" as follows:

"Nuisance" has the meaning described in Washoe County Code 50.308 (18) and (19).

"Owner" means any person keeping, harboring or having charge of or having the care, custody or control of an animal, or permitting any animal to be or remain on, or be lodged or fed within, such person's house, yard or premises. "Owner" does not apply to animals owned by others that are temporarily maintained on the premises of a veterinarian. Owner does not include a feral cat colony caretaker.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the 14<sup>th</sup> day of April, 2015.

Proposed by Commissioner Jung.

Passed on the 28<sup>th</sup> day of April, 2015.

Vote:

Ayes: Berkbigler, Jung, Herman, Lucey & Hartung.

Nays: None

Absent: None

Mark Berkbigler  
Chairman  
Washoe County Commission

ATTEST:

Dancy L. Parent  
County Clerk

This ordinance shall be in force and effect from and after May 8, 2015.



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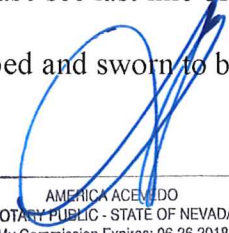
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STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **5/1/2015 - 5/8/2015**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: \_\_\_\_\_



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**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1556 BILL NO. 1737  
NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on April 14, 2015 by Commissioner Hartung and was passed and adopted without amendment at a regular meeting held on April 28, 2015 by the following vote of the Board of County Commissioners: An ordinance amending the Washoe County Code by adding provisions related to the managed care of feral cats and related definitions; and making changes to the definitions of "nuisance" and "owner". (Bill No. 1737) Those Voting Aye: Vaughn Hartung, Jeanne Herman, Marsha Berkgigler, Kitty Jung and Bob Lucey Those Absent: None This Ordinance shall be in full force and effect from and after May 8, 2015. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only. DATED April 29, 2015 Nancy Parent, Washoe County Clerk and Clerk of the Board of County Commissioners No. 55727 May 1, 8, 2015

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BILL NO. 1737**

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An ordinance amending the Washoe County Code by adding provisions related to the managed care of feral cats and related definitions; and making changes to the definitions of "nuisance" and "owner". (Bill No. 1737)

Those Voting Aye: Vaughn Hartung, Jeanne Herman, Marsha Berkbigler, Kitty Jung and Bob Lucey

Those Absent: None

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DATED April 29, 2015

Nancy Parent, Washoe County Clerk and  
Clerk of the Board of County Commissioners

No. 55727

May 1, 8, 2015

1556