AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CAT PROGRAM (CCP) IN THE TOWNSHIP OF WOOLWICH

2024-15

WHEREAS, the Township of Woolwich (hereinafter referred to as "Township") desires to implement a program in the Town for the purpose of reducing the population of feral and free roaming cats, benefitting the public health, improving the quality of life for residents and enduring the humane treatment of community cats; and

WHEREAS, the attached Community Cat Ordinance outlines the policies and procedures for a Community Cat Program ("CCP"); and

WHEREAS, the Township desires to adopt the following Community Cat Ordinance for the implementation of a CCP in the Township via an amendment to Chapter 59 entitled "Animals" of the Code of the Township of Woolwich as "Article II, Community Cat Program".

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Woolwich, County of Gloucester and State of New Jersey that the governing body does hereby adopt the following Community Cat Ordinance for the implementation of a Community Cat Program ("CCP") in the Township of Woolwich, as an amendment to Chapter 59 of the Woolwich Township Code entitled "Animals", to add Article II entitled "Community Cat Program" within the Code of the Township of Woolwich;

ARTICLE II COMMUNITY CAT ORDINANCE

GENERAL PROVISIONS

DEFINITIONS.

ABANDON — Forsake a cat entirely or neglect to provide appropriate care and support for a cat.

ANIMAL — Any live vertebrate creature, including mammals, birds, reptiles, amphibians and fish, but not humans.

ANIMAL CONTROL OFFICER — Any person employed or appointed by the Township who is authorized and certified to investigate violations of laws and regulations concerning animals and to issue citations in accordance with New Jersey law and this chapter.

CAREGIVER — Any person who provides food, water or shelter to or otherwise cares for a cat and who has been trained and registered by the sponsor as an approved caregiver.

COMMUNITY CAT — A cat who is completely or substantially unsocialized to humans. The usual and consistent temperament of a community cat is extreme fear and resistance to contact with humans. Community cats are:
A. Born in the wild;
B. Offspring of tame or community cats and not socialized; or
C. Formerly tame cats who have been abandoned and have reverted to an untamed state.

COMMUNITY CAT COLONY — An individual community cat or a group of cats who congregate together outside as a unit. Any noncommunity cats who congregate with a multiple-cat colony shall be deemed part of it.

EAR TIPPING — Straight-line cutting of the tip of the left ear of a cat by a licensed veterinarian while the cat is anesthetized.

NUISANCE — Disturbing the peace by:

A. Habitually or continually howling, crying or screaming; or
B. The habitual and significant destruction, desecration or soiling of property against the wishes of the owner of the property.

OWNER — Any person, firm, corporation, partnership, association, trust, estate or any other legal entity.

SPONSOR — An individual or entity qualified and approved by the Township of Woolwich to provide the services, and undertake the responsibilities, of a TNR Program Sponsor as set forth more fully in this chapter.

SUITABLE SHELTER — Shelter that provides protection from rain, sun and other elements that is adequate to protect the health of the cat.

TAME CAT — A cat who is socialized to humans and is appropriate as a companion for humans.
TNR — Trap, neuter and return.

TNR/TNVR PROGRAM — The Township's program set forth in this chapter pursuant to which community and stray cats are trapped, neutered or spayed, vaccinated against rabies, eartipped and returned to the location where they congregate.

TNVR — Trap, neuter, vaccinate (rabies) and return.

TOWNSHIP — Township of Woolwich, County of Gloucester, New Jersey.

ARTICLE II MANAGEMENT OF COMMUNITY CATS

PURPOSE: To permit the implementation of a community cat program (CCP) in the

Township of Woolwich, for the purpose of reducing the population of feral and free roaming cats, benefitting public health, improving the quality of life for residents, and ensuring the humane treatment of community cats.

IMPLEMENTATION: The Township of Woolwich shall administer and implement the programs set forth in this Chapter in accordance with applicable guidelines and standards as set forth in state and local statute.

COMMUNITY CATS:

A. Abandonment prohibited.

B. Community cat colonies shall be permitted, and caregivers shall be entitled to maintain them in accordance with the terms and conditions of this section.:

1. The owner of a cat shall not under any circumstances abandon the cat. Affirmatively placing a cat at the location of a community cat colony on property belonging to another individual or entity shall be considered abandonment.
2. Engaging in trap-neuter-return of community cats in a manner consistent with the terms of this chapter shall not be considered abandonment.

C. Sponsorship of TNR Program. Persons and organizations may apply to the Township of Woolwich to serve as TNR program sponsor ("sponsors"). Any person or entity so applying shall comply with the requirements of this section. Any person intending to undertake the responsibilities of sponsor shall advise the Township of Woolwich in writing and provide his/her/its address and telephone number, and any other information deemed necessary by the Township of Woolwich to evaluate the qualifications of the applicant to provide the services and assume the obligations of a sponsor. It is anticipated that the Township will approve of only one TNR program sponsor to provide services at any one time within the Township. It shall be the duty of a sponsor to:

1. Take all reasonable steps to get community cat populations in Woolwich Township spayed/ neutered and ear-tipped and vaccinated against rabies.
2. Maintain record of colony caregivers participating in the Community Cat Program.
3. Assist Woolwich Township in designing and implementing public education related to the Community Cat Program.
4. Assist approved caregivers with getting cats spayed/neutered, ear tipped and vaccinated if they are unable to do so on their own.
5. Help to resolve any complaints over the conduct of a colony caregiver or of cats within a colony.
6. Report annually to Woolwich Township on the following:
    a. Number of colonies in the Township;
    b. Total number of cats in each colony;

D. Community cat caregiver requirements. Caregivers are responsible for the following:

1. Applying to the sponsor to obtain caregiver status and registering the community cat colony with the sponsor.
2. Taking all reasonable steps to vaccinate every cat in the colony for rabies and update the vaccinations.
3. Taking all reasonable steps to get all cats in the colony population spayed/neutered and eartipped by a licensed veterinarian.
4. Providing the sponsor with a description of each cat in the colony and copies of documents evidencing that the cats have been vaccinated, spayed/neutered, and ear tipped.
5. Providing food, water and suitable shelter for colony cats.
6. Observing the colony cats and keeping a record of any illnesses or unusual behavior noticed in any colony cats.
7. Obtaining the prior written approval of the owner of any property, including the property upon which the caregiver resides, to which the caregiver requires access to provide colony care.
8. In the event that kittens are born to a community colony cat, taking steps to remove the kittens from the colony after they have been weaned, have them spayed/neutered and vaccinated and microchipped if possible; and place the kittens in homes, foster homes or with animal shelters, rescue organizations or veterinary offices for the purpose of subsequent permanent placement.
9. Reporting annually to the sponsor on the status of the colony, including data on the number and gender of all cats in the colony, the number of cats who died or otherwise ceased being a part of the colony during the year, the number of kittens born to colony cats and their disposition, and the number of cats and kittens placed in permanent homes as companion cats.
10. Obtaining proper medical attention for any colony cat who appears to require it.

E. Feeding of community cats. Caregivers are required to feed the cats in their colonies as part of properly managing the colonies. As part of this requirement, caregivers must:

1. Feed only during daylight hours.
2. Feed only the amount of food required by the cats in the colony.
3. Leave food out for a maximum of one hour per feeding, no more than twice per day, which shall mean removing all food dishes after each one-hour feeding.
4. A bowl or similar small container with fresh water may be left out at all times.
5. Feeding must take place in the location least likely to cause a nuisance to tenants, neighbors, customers and the general public.
6. It shall be unlawful to feed community cats who are not spayed/neutered, ear tipped and vaccinated in accordance with this section, unless the caregiver is in the process of trying to trap the cats for spay/neuter, ear tipping and vaccination. Animal Control Officers shall be empowered to give a warning notice to any individual feeding one or more community cats not spayed/neutered, ear tipped and

vaccinated in accordance with this section and to notify the sponsor of the program. The Animal Control Officer shall also give the caregiver the sponsor's contact information. The warning notice shall require the individual to contact the sponsor within 15 days to obtain assistance in getting the cat(s) spayed/neutered, ear tipped and vaccinated and otherwise brought into compliance with this section. Failure to make such contact within 15 days and cooperate with the Township and the sponsor in meeting the requirements of this section will subject the violator to a fine not to exceed $1,000 per offense.

F. Colony protection. Community cat colony material, i.e., shelters, food/water bowls/plates, feeding stations, shall be protected from removal; however, maintained in a clean fashion.

G. Nuisance abatement. If an Animal Control Officer determines that an ear-tipped community colony cat is causing a nuisance as defined by this section, the Township shall contact the sponsor and allow the sponsor 60 days to resolve the complaint or remove the cat before the Officer takes further action. The caregiver or sponsor must begin nuisance abatement procedures within 48 hours after being notified of a nuisance by the Township and must take all reasonable steps to resolve the nuisance in as short a time period as possible, not to exceed 60 days.

H. Disposition of community colony cats. An Animal Control Officer who has trapped a cat whose left ear has been tipped shall release the cat unless the cat is injured or sick and requires medical attention. If the cat requires medical attention, the Animal Control Officer shall bring the cat to the sponsor. If the Animal Control Officer releases the cat, the Animal Control Officer shall contact the sponsor and provide the sponsor with a description of the cat, the location where the cat was trapped, and the complaint which caused the Animal Control Officer to set the trap.

I. Enforcement. The Township shall have the following rights:

1. The right to seize or remove any cat from a colony who is demonstrating signs of rabies.

2. The right to seize or remove a cat from a colony which is creating a nuisance as defined in this chapter, after the caregiver and sponsor have been given 60 days to abate the nuisance or remove the cat and have failed to do so.

3. The right to seize or remove a colony of cats when the caregiver regularly fails to comply with the requirements of this section and the sponsor has not been able to obtain a replacement or substitute caregiver within 60 days of the Township's notice to the sponsor of the caregiver's failure to comply with this section. The requirements of this section notwithstanding, Animal Control Officers may investigate any nuisance complaint. If an Animal Control Officer determines that an ear-tipped community colony cat is causing a nuisance as defined by this chapter and the sponsor fails to resolve the nuisance or remove the cat within the 60 days, the Animal Control Officer may remove the cat. If an Animal Control Officer reasonably determines that a cat is injured or poses a significant threat to public health, the Officer may reduce the

time that the sponsor has to resolve the complaint, as necessary to protect the cat and public health, before taking further action. In the case of an emergency, the Animal Control Officer or a police officer may remove the cat. Within eight hours, the Animal Control Officer or police officer must provide the sponsor with notice of the cat's' whereabouts and allow the sponsor an opportunity to retrieve the cat for treatment, return, or relocation.

J. Trapping cats prohibited except as part of TNR program. It shall be unlawful for any individual to trap a cat other than for the purpose of complying with the requirements of the section. Individuals may not trap cats for the purpose of euthanizing the cats or surrendering the cats for impoundment. This section shall not apply to:

1. Township officials and their agents trapping cats in the course of their employment or contract; or
2. Any individual trying to recover his or her own lost cat through trapping on his or her own property or with permission of the property owner. I. Use of cat licensing fees for TNR. The Township may utilize funds derived from cat licensing fees to pay for spay/neuter and vaccination of cats in the TNR program.

INCONSISTENT ORDINANCES REPEALED. All ordinances or parts of other Ordinances in conflict with the provisions of this Ordinance shall, to the extent of the conflict, be, and are hereby repealed, provided that nothing herein shall in any way excuse or prevent prosecution of any previous existing violation of any Ordinance superseded hereby.

SAVING CLAUSE. Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by the Ordinance.

PASSAGE AND PUBLICATION. This Ordinance shall be in full force and effect from its passage of publication by the Clerk as provided by law and shall continue in effect and operation until lawfully repealed by the Committee.

Adopted this 5th day of August, 2024 TOWNSHIP OF WOOLWICH

_____
Natalie Mathias, Mayor

ATTEST: _____
Jessica Mignogna, Clerk

Certification of introduction

The foregoing resolution was introduced by the Township Committee of the Township of Woolwich at a meeting conducted on the 15th day of July, 2024. It shall be further considered for final adoption subsequent to a public hearing to be conducted on same at a meeting of the Woolwich Township Committee to be held on the 5th day of August, 2024.

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Jessica Mignogna, Clerk

CERTIFICATION OF ADOPTION

The foregoing Ordinance was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 5th day of August 2024.

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Jessica Mignogna, Clerk