

CITY OF PRINCE RUPERT

REPORT TO COUNCIL

DATE: September 10, 2007

FROM: Douglas Jay, Corporate Administrator

**SUBJECT: DANGEROUS DOGS, CAT REGULATIONS, FERAL CATS &
ANIMAL CONTROL OPTIONS**

RECOMMENDATION:

That Council reviews the report and its options regarding both the Animal Control Bylaw and the feral cat program, and then direct Staff to prepare a new Animal Control Bylaw for introduction, and decide on the appropriate option regarding a feral cat program.

REASON FOR REPORT:

Council directed staff to prepare a report on dangerous dogs, feral cats and potential options that Council may consider with an animal control bylaw.

BACKGROUND:

Council recently directed Staff to prepare a report on animal control and potential bylaw improvements that could be considered, paying particular attention to dangerous dogs, cat regulation and feral cats.

I. DOGS

Regarding dogs, the municipality has already enacted a *Dog Licence and Control Bylaw* that provides for the regulation of dogs in the community. The current bylaw provides for the establishment of a dog pound, requiring that all dogs be licenced, regulation of dogs - requiring proper control of all dogs in public, limitations on the number of dogs within a household, the pick up of dog excrement, and impoundment and fines for bylaw violations.

However, there are some additional bylaw options available to Council that can improve upon the existing bylaw. With the enactment of the *Community Charter* or "*Charter*", municipal powers were clarified or enhanced regarding animal control and dangerous dogs.

BREED RESTRICTIONS

For example, the *Charter* allows municipalities to establish different classes of animals on the basis of sex, age, size or breed, allowing for the regulation of dogs by breed and for the establishment of breed specific regulations. This means that some municipalities have enacted bylaws or amendments that classify "restricted dogs" by breed and then prescribe additional controls on that particular class of "restricted dogs".

Most of these restricted dogs consist of specific breeds such as:

Pit Bull	Pit Bull Terrier
American Pit Bull Terrier	Staffordshire Bull Terrier
American Staffordshire Terrier	Cane Corso
Italian Mastiff	Presa Canarios
Fila Brasileiro	Argentinian Dogo

Many municipalities will, under bylaw, require that these particular classes of restricted or dangerous dogs, while on private property, be kept indoors or if outdoors, be kept within an adequately fenced area and/or to be properly leashed or tethered. Some communities also require that the dog owners display pre-approved signage at the fence gate or other prominent location to warn the public of a dangerous dog on the premises.

Furthermore, many communities will also regulate this classification of dogs when they are in public, including provisions that these dogs be leashed in public and/or muzzled while in public.

An additional benefit of the *Charter* is that it also provides municipalities with the clear authority to enter onto private property to apprehend and impound dangerous dogs. This means that where an animal control officer (bylaw officer) or peace officer has reasonable grounds to believe that a dog is likely to kill or seriously injure a person, that animal can be seized and impounded.

These are all additional powers that are not contained within the current *Dog Licence and Control Bylaw*, and are important tools in providing animal control services. Of course, there are exemptions to bylaw restrictions and the standard exemptions are usually reserved for guide and law enforcement dogs.

RESTRICTED ZONES

In addition to the above, many communities within British Columbia also contained provisions within their bylaws establishing dog free zones. For example, some municipalities made their downtown core areas dog free zones, while others established dog free zones in parks or near beaches and waterfront areas.

In addition to these dog free zones, some municipalities also established zones where dogs were permitted, but on a leash only, and others where dogs were permitted to be unleashed. Some municipalities have constructed “dog parks” where owners could take their dogs in a “dog friendly” environment for exercise and recreation off leash.

II. CATS

The primary animal control bylaw within the City of Prince Rupert is the aforementioned *Dog Licence and Control Bylaw*, which provides for some regulation of dogs, but no regulation of other animals such as cats. This is not too dissimilar from other municipalities.

Unlike dogs, in which most municipalities had enacted bylaws, there were fewer municipalities that enacted animal control bylaws with provisions that applied specifically to cats. Some municipalities established a bylaw definition of “animals” that included many categories of animals, ranging from bovine to feline. Even with this broad definition of animals, many of these bylaws focused more on dogs than on other types of animals, often only regulating the other animals in requiring that they be kept under control at all times.

Where municipalities did provide for specific cat regulation within their animal control bylaw, they tended to focus primarily on the following areas:

- licencing or mandatory identification of all cats;
- limits on the number of cats per household;
- requirement that cats be kept under the control of owners;
- the seizure and impoundment of cats if caught at large;
- fines and penalties for infractions of the bylaw.

These types of regulations could be included in a new Animal Control Bylaw for the City of Prince Rupert, and would help to alleviate some of the concerns that were expressed to Council previously about domestic cats being allowed to roam at large or as a result of residents harbouring large numbers of cats.

III. CRUELTY TO ANIMAL CLAUSES

Many municipalities also included within their animal control or dog control bylaws, provisions that prohibited “cruelty to animals”. These clauses are intended to recognize that the humane treatment of companion animals and animals in general is a fundamental responsibility of both pet owners and society in general.

Some of these provisions included regulations requiring that dogs be leashed with a minimum of 3 meters of leash, prohibiting the tethering of animals downtown to sign posts & parking meters or left unattended. Other provisions prohibited dogs from being left unattended in vehicles that were parked either downtown or in mall parking lots. General requirements of the owners included the responsibility to ensure that their animals were generally well looked after and attended to.

In all cases, violations of the above meant that the animal control officer (bylaw officer) or peace officer, as the case may be, could seize and impound the animal, resulting in a fine or impoundment fee or both to the owner.

IV. ENFORCEMENT & EDUCATION

An important part of any bylaw program is the enforcement and education component. This holds particularly true for an animal control bylaw, especially when the bylaw is being introduced with new provisions or with some significant amendments.

As such, should Council decide to implement a new animal control bylaw, then there should also be a corresponding increase in funding for additional bylaw enforcement as

the potential for infractions will be significantly higher, particularly in the stage after adoption. While much of the animal control function can be performed within the regular working hours and with the existing staff complement, it is estimated that additional animal control service will cost \$3800 - \$4000, which should allow for after hour call outs and/or on weekends in the warmer months.

Bylaw enforcement is not the only behaviour modifying mechanism available to the municipality. Education is another important component used to bring about a change in thinking. Accordingly, similar to the enforcement issue, a corresponding increase in funding for community based education should go hand in hand with adoption of a new or modified bylaw.

Some communities provide general education services through a combination of their bylaw offices and in partnership with organizations such as the SPCA and local veterinarians. Funding of such programs varies from community to community and has included tax sources, private charitable contributions, and a portion of the fees received from licencing of animals. Actual levels of funding will be dependent on the program deliverables and in consultation with any third party partners.

V. FERAL CATS

Many communities throughout North America will have feral cat populations that have become a source of problems and concerns for municipalities, veterinarians, animal control agencies and community members. Feral cats have been defined as a sub-group of free-roaming cats, having no owners, no dependable food source or home, and little human interaction.^(1 & 3)

Some characteristics of feral cat populations are that they reproduce, compete for scarce resources, transmit disease to both cats and humans, and impact the populations of small mammals and birds. Other attributes of the feral cat population is that they will often grow to a point where they resemble a stable population. These colonies have high birth rates as a result of the cats being sexually intact and through uncontrolled reproduction.⁽¹⁾

A feral cat population, if left unattended to or unaddressed, could see significant growth in their numbers primarily as cats can produce litters of up to 18 kittens a year. While approximately half will survive, these kittens can go on to produce their own litters within a year. The life expectancy of feral cats is estimated to be 3-5 years because of accidents, disease, predators and starvation act to curb the population.⁽²⁾ In other words, their high mortality rates arise from the harshness of their lives, having to fight for mates, avoid predators, compete for food sources, and through regular exposure to “agents of disease”.⁽¹⁾

A cursory search of other municipalities’ bylaws and services indicates that there do not appear to be many municipalities within British Columbia that have programs in place to deal specifically with feral cats. Unlike domestic cats, the difficulty with feral cats is that there are no owners that can be subjected to regulation via bylaw. Accordingly, if

Council wishes to deal with the feral cat problem, then some of the solutions may lay outside the realm of bylaws.

Typically, there are four common approaches to feral cats: ⁽³⁾

1. Trap, sterilize, vaccinate & return to the original locations;
2. Trap and euthanize;
3. Trap, sterilize, vaccinate, and relocate to a sanctuary;
4. “Status Quo” – do nothing or rather, let nature take its course.

The first three approaches have general support throughout North America and within various organizations such as the *SPCA*, the *Humane Society of the United States*, the *American Veterinary Medical Association*, the *Canadian Federation of Humane Societies*, and the *Canadian Veterinary Medical Association*.

However, the major area of agreement or consensus in dealing with feral cats is that the “status-quo” of non-intervention is not an option as it generally exposes the cats to less than humane conditions and for the potential problems that it poses to both the domestic cat population and the potential of posing mild health risks to the human population.

A) Option One – (trap, sterilize, vaccinate & return)

This option is based on the assumptions that the “resident” feral cat population will have become somewhat “stable” over time and will have potentially interacted with nature, becoming part of the local ecosystem. These cats, by nature of being feral, engage in riskier behaviour that places them at significantly higher risk than domestic cats for diseases such as: *feline panleukopenia*, *feline leukemia*, and *feline immunodeficiency virii*.
(1-3)

Often referred to as a “managed colony” approach, this program aims to sterilize the cats, reducing the feral cat population through attrition and in doing so, vaccinating the feral cats to reduce suffering from the effects of the aforementioned diseases and to reduce the risk of having those diseases passed on to the existing domestic cat population.

This option requires a veterinarian, a trapper and a caretaker/monitor. The veterinarian is involved in performing the services of sterilization and vaccination. Often times, ear-tipping or notching are part of the program so that the trapper or caretaker/monitor can easily distinguish between cats that have been treated and those that are new to the feral colony. The trapper as the name implies, is involved in trapping the cats and the caretaker/monitor, is involved in the feeding and monitoring for new cats.

Costs of this option (annually):

\$16,500 (based upon 50 cats)
\$25,000 (based upon 100 cats)
see attachment for cost breakdown

B) Option Two – (trap and euthanize)

This option is predicated on the assumptions that the feral cat population is best dealt with by humane intervention through euthanasia, thereby reducing the hardship of the feral cats, for much of the same reasons indicated above. This option usually is the least expensive as the costs to euthanize are generally less than the combined costs of sterilization and vaccination.

One of the potential concerns about this approach is that it removes the feral cat population, which in all likelihood, became part of the local ecosystem. As such, these cats may help curb the local rat population, which Council has expressed some concerns about previously.

By removing such large number of feral cats, there may be an unintended consequence of seeing the rat population spike upwards. However, the degree to which these consequences can be predicted is not reliable as there simply is not enough data on both the local feral cat and rat populations, nor is there consensus among the professional veterinary field and biologists on the effects of feral cats acting as predators on larger wildlife such as rats.⁽³⁾

Costs of this option (annually):

\$9,600 (based upon 50 cats)
\$11,200 (based upon 100 cats)
see attachment for cost breakdown

C) Option Three – (trap, sterilize, vaccinate and relocate)

This tends to be the least popular of the three “action” options available, partly because of the difficulty of finding a suitable new location to serve as a “sanctuary” of sorts. This option has all of the costs associated with Option One, but with the additional costs of having to locate and establish a sanctuary. Accordingly, the costs of locating and establishing a new sanctuary could vary widely.

Costs of this option (annually):

\$16,500 (based upon 50 cats)
\$25,000 (based upon 100 cats)
*Plus costs of locating and establishing a new sanctuary
see attachment for cost breakdown*

In British Columbia, the SPCA has participated in some “clinic programs” as part of the Option One (trap, sterilize, vaccinate and return). However, these clinic programs have been rather limited in British Columbia, with only a small handful held in BC and none in the northwest. The *American Veterinary Medical Association* and the *Humane Society of the United States* have both advocated “qualified” policy positions that feral cats should be euthanized, rather than being released back into the community.

Another factor in dealing with feral cats, particularly in working with Option Two, is the ability to modify the habitat of the feral cats. If the habitat can be modified so that it is

no longer attractive to cats with easy access to food or shelter, then the option of removing the cats permanently may become a long-term solution. This could include increased enforcement with garbage storage which would help remove potential food sources. Some communities have undertaken programs to close entrances to old buildings, including holes under foundations, removing brush and other hiding places for rodents, erecting fences and other barriers, and “sealing” buildings by plugging or repairing doors and windows.⁽³⁾

ANIMAL CONTROL BYLAW ISSUES

An Animal Control Bylaw can also consider important regulations such as whether to regulate a broader class of animals such as fowl, birds, exotic or wild pets, and similar issues. While the current bylaw does not make provision for anything other than dogs, by enacting a new bylaw with these provisions in place, the municipality will be in a better position to act as these animals come into the community.

COSTS AND BUDGET IMPACT:

There are no direct costs for adopting a new animal control bylaw. However, there are some additional costs associated with increased bylaw enforcement. Most of these costs could be absorbed within the existing bylaw operation, but there will still be some costs as a result of after hour call-outs for animal control purposes. These have been estimated at \$3,800 – 4,000 for the year, provided that it can be accommodated within the collective agreement. Should Council adopt the recommendation to proceed with a new Animal Control Bylaw, then these costs will be referred to the 2008 budget.

A new animal control bylaw that includes cat regulation could permit cat licencing or registration fees of cats which would help offset the costs of additional bylaw enforcement and potentially contribute to some of the costs of a feral cat program. A feral cat program will benefit both domestic cats and the general population, in that it helps curb feline diseases, reducing the risk to those domestic cats. Should Council wish to proceed with a feral cat program, then discussions/negotiations with local partners will help determine the final program costs. Any costs associated with a feral cat program will be referred to budget for implementation in 2008.

CONCLUSION:

Adopting a new Animal Control Bylaw will allow Council to better regulate not only dogs, dangerous dogs, and cats, it can also provide for additional regulation of other animals, including the regulation or prohibition of exotic pets.

Furthermore, the adoption of a new Animal Control Bylaw will provide the necessary authority to deal with the problem areas of dangerous dogs, where significant gaps existed previously and in the area of cat regulation. Licencing of cats through either an annual licence fee or mandatory, one-time registration may provide a potential source of funds to complement a feral cat program.

Registration and identification could be accomplished through a “microchip” program in partnership with the local veterinarian.

Accordingly, it is recommended that Council direct Staff to prepare a new animal control bylaw for introduction at an upcoming meeting. By virtue of adopting this particular recommendation, Council would be signalling its intent to improve the regulation of Dogs, Cats and animals in general, allowing Council to also receive comment from the public prior to adopting a bylaw.

Regarding a feral cat program, there are a couple of different options available to Council. These options are based upon some distinct philosophical approaches to animal control and come with inherent advantages and disadvantages. If Council chooses to act, then it can select the option that best meets the goals and objectives of Council.

Should Council wish to continue with a feral cat program, then it should indicate which option it prefers and then refer a feral cat program to the 2008 budget process to be included in next year’s Five Year Financial Plan. The next steps for Staff will then be to meet further with the SPCA, both the local and provincial representatives, and with the local veterinarian to further refine a feral cat program.

Further, if Council so chose, Staff could invite the SPCA to attend a future meeting of Council to share its position on a feral cat program prior to rendering a decision on the program.

Reviewed by City Manager

Douglas Jay
Corporate Administrator

Gord Howie

Bob Thompson
GM Engineering & Public Works

Attachments:

- References
- Cost Assumptions
- Bylaw Comparison

REFERENCES

1. Gibson, Karen L., et. al. **Canadian Veterinary Journal** – “A Trap, Neuter and Release Program for Feral Cats on Prince Edward Island”, vol. 43, September 2002
2. Sir James Dunn Animal Welfare Centre, “***Feral Cats: Animal Welfare Series Brochure No.2***”, Atlantic Veterinary College (University of Prince Edward Island)
3. Slater, Margaret R. **Community Approaches to Feral Cats: Problems, Alternatives and Recommendations** Humane Society Press, Washington DC, 2002
4. Canadian Federal of Humane Societies, “*Companion Animals – Policy Statement*” http://cfhs.ca/info/companion_animals+print/ August 30, 2007
5. Canadian Veterinary Medical Association, “*Policy Statement – Euthanasia (revised December 2006)*” <http://canadianveterinarians.net/showtext.aspx?ResourceID=34> August 30, 2007

COST ESTIMATES

Option One (Trap, Sterilize, Vaccinate & Return)

50 Cats

Base wages*	7,990
Sterilize & Vaccinate (25 females)	4,054
Sterilize & Vaccinate (25 males)	3,074
Feeding & Monitoring	1,000
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Total Costs	<u>\$16,118</u>

100 Cats

Base wages*	7,990
Sterilize & Vaccinate (50 females)	8,109
Sterilize & Vaccinate (50 males)	6,148
Feeding & Monitoring	2,000
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Total Costs	<u>\$ 24,247</u>

Option Two (Trap & Euthanize)

Base wages*	7,990
Euthanize 50 cats	1,605
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Total Costs	<u>\$ 9,595</u>

Base wages*	7,990
Euthanize 100 cats	3,210
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Total Costs	<u>\$ 11,200</u>

** Base wages provide on average 5 hours per week of feral cat control and includes the required benefits*