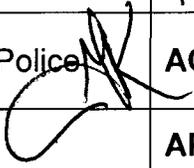


City Council Meeting: March 15, 2011

AGENDA ITEM: Amendment to City Code 7-4: Animal Control	AGENDA SECTION: <i>New Business</i>
PREPARED BY: Gary D. Kalstabakken, Chief of Police 	AGENDA NO. <i>9.9.</i>
ATTACHMENTS: Ordinance, Survey Data	APPROVED BY: <i>DDJ</i>
RECOMMENDED ACTION: Motion to approve an ordinance amending City Code 7-4.	

ISSUE

The City Code currently regulates cats by requiring licensing and prohibiting cats from being allowed to roam at large in the City. Through this regulation the City impounds cats that are found roaming. The cats may then be claimed by the owner at the impound facility and the owner must pay fees for impound and care/sheltering. However, if no owner comes forward, the City pays for all the fees associated with the care/sheltering, adoption or disposal. Fees for unclaimed cats account for about 85% of the fees paid by the City for animal care services in a year – the balance is for unclaimed dogs.

During budget discussions for 2011, City services were examined to determine if the appropriate services are being offered and at the appropriate levels. Cat licensing was identified as a service that is not offered by the majority of neighboring communities and is a service that should be considered for elimination. The amount paid for cats has been about \$8000 annually but appears to be increasing. The fee recently increased from \$207 and is now \$212 per unclaimed cat and the number of impounded cats has increased. In the most recent 13 months of billing for animal impound services (January 2010 thru January 2011), there were sixty-six cats impound and unclaimed. The City paid \$13,662 fees for the impound services. In the same time period, 10 dogs were unclaimed and the City paid \$2870. Fees are offset by an impound fee paid by owners who reclaim their pets; in 2010 there were 10 cats and 70 dogs impounded and reclaimed by their owners and each paid a \$20 impound fee.

BACKGROUND

The City's regulation of cats has been in place since at least 1974. Cat owners are expected to meet the same requirements as dog owners. In reality, however, cat registrations have lagged far behind dog registrations. From 2007 – 2009 there were 67 cat licenses issued (Avg. 22 annually). In contrast, the number of dog licenses issued in the same time frame was 710 or 234 annually. It is unlikely that there is 10 times the number of dogs than cats in the community; rather it is more likely that cat owners are not licensing their cat(s).

There are 50 cats impounded annually that are not claimed by an owner and probably another 20-25 calls concerning stray cats that do not result in a cat being impounded. An estimated 90% of cats impounded are unclaimed while about 90% of dogs impounded *are* claimed by an owner. In 2010 dogs were reclaimed 87% and cats 12% of the time. Cats rarely have a collar with an identification tag on when found. This makes it extremely difficult to find the cat's owner. In contrast, most dogs do have a collar with tag and many are micro-chipped for identification, too. This makes it easy to identify the dog's owner and notification can then be made to the owner about the dog being impounded.

A survey of the eleven municipalities in Dakota County was conducted to determine how cat regulation is handled in our neighboring communities. The survey revealed that three (3) cities –including Rosemount – currently impound cats that are found roaming. Eagan and Burnsville are the other cities that do impound stray cats. Eight (8) cities do not regulate cats and do not impound cats. Residents in those communities are told that the City does not handle cat complaints. Some cities do provide referral telephone numbers to cat rescue agencies and/or give advice on how to keep stray or roaming cats away. If the City adopts the proposed amendments, Police staff will provide the referral numbers and advice to residents calling with stray cat issues and the information will also be posted on the City’s website.

The proposed changes to City Code 7-4 will remove the licensing requirements for cats and will also remove language prohibiting cats from being at large. Cat owners will no longer be required to purchase a license for their cat. If complaints are received concerning stray cats, the Police Department will no longer have a Community Service Officer or Police Officer respond to the complaint.

These amendments do not remove all regulations pertaining to cats. The City Code still puts a limit of five (5) dogs, cats and ferrets - in any combination - that are permitted at any residential property. Agricultural properties of 10+ acres may have up to ten (10) cats as long as the cats are spayed or neutered. Also, cats still fall under the Noise Nuisance of the Code; however, noise is not a typical problem associated with cats.

RECOMMENDATION

Staff recommends that the Council approve the amendments to the Animal Control ordinance.

CITY OF ROSEMOUNT
COUNTY OF DAKOTA
STATE OF MINNESOTA

ORDINANCE NO. 2011-03

ORDINANCE RELATING TO REGULATIONS OF CATS;
AMENDING TITLE 7, CHAPTER 4 OF THE ROSEMOUNT CITY
CODE

THE CITY COUNCIL OF THE CITY OF ROSEMOUNT, MINNESOTA, ORDAINS as follows:

Section 1. The following definition in Section 7-4A-1 of the Rosemount City Code is amended as follows:

RESTRAINT:

A dog, ~~cat~~, or ferret is said to be under "restraint" if it is controlled by a leash; if it is under voice or signal command of a competent person, providing that the dog, ~~cat~~, or ferret will obey such voice or signal commands; it is within the limits of the owner's property; or while it is confined within a vehicle being driven or parked in the street. A dog, ~~cat~~, or ferret is considered to be under restraint on a right of way, park or public property only when it is controlled with the use of a leash no longer than six feet (6') or when it is under voice or signal command in the exercise areas designated by the city. Retractable leashes may be used but must be kept to a length of six feet (6)' or less when in the vicinity of any other person or animal. Registered dangerous dogs and dangerous animals must be restrained as required by other sections of this chapter.

Section 2. Section 7-4B-1(A)(1) of the Rosemount City Code is amended as follows:

7-4B-1: **ANIMAL REGISTRATION PROVISIONS:**

A. Requirements:

1. No person in the city shall own, harbor or keep a dog, ~~cat~~, or ferret over six (6) months of age, within the city, unless a current city registration for such dog, ~~cat~~, or ferret has been obtained as herein provided.

Section 3. Section 7-4B-1(C)(1) of the Rosemount City Code is amended as follows:

C. Application:

1. Application for city registration shall be made to the police department. It shall include such descriptive information as is necessary to provide a reasonable identification of the dog, ~~cat~~, or ferret and owner.

Section 4. Section 7-4B-1(E)(1) of the Rosemount City Code is amended as follows:

E. Fees:

1. City Registration: The City registration fee shall be set by Council resolution and reviewed annually. The following provisions shall also apply:
 - a. Fee Discount: Spayed or neutered dogs, ~~cats~~, or ferrets shall qualify for a discount of half (1/2) of the normal fee.
 - b. Multiyear Registration: Spayed or neutered dogs, ~~cats~~, or ferrets shall qualify for a multi-year registration. This multi-year registration shall expire on the date the rabies certification expires.
 - c. Nonspayed or Nonneutered Dogs, ~~Cats~~ And Ferrets: Nonspayed or non-neutered dogs ~~and cats~~ shall only be eligible for a yearly registration. The cost for the registration shall not be discounted. Nonneutered or nonspayed ferrets over six (6) months of age shall not be licensed and shall not be allowed in the city.
 - d. Service Animals and ~~or~~ Police Canines: Service animals and ~~or~~ police canines shall be required to be registered but the normal fee will be waived.
 - e. Senior Citizen Discount: Senior citizens shall be offered a fifty percent (50%) discount of the registration fee. For purposes of this discount a "senior citizen" will be considered anyone aged fifty-five (55) years or older.

Section 5. Section 7-4B-1(H) of the Rosemount City Code is amended as follows:

- H. Transfer of Registration: If a dog, ~~cat~~, or ferret dies within the registration period and a dog, ~~cat~~, or ferret is secured to replace it, the registration for the deceased animal may be transferred to the replacement animal upon payment of a transfer fee of one-half (1/2) of the original fee and compliance with all other ordinances.

Section 6. Section 7-4B-1(I) of the Rosemount City Code is amended as follows:

- I. New Resident Exemptions: ~~4.~~ Any dog, ~~cat~~, or ferret owner, upon first becoming a resident of the City, shall be allowed thirty (30) days time within which to obtain the animal's registration.

Section 7. Section 7-4C-3(B)(1) of the Rosemount City Code is amended as follows:

- B. Requirements Not Applicable: The registration requirements of section 7-4B-1 of this Code ~~this Chapter~~ shall not apply to:

1. Any dog, ~~cat~~, or ferret belonging to a nonresident of the City and kept within the City for not longer than thirty (30) days. Provided that all such dogs, ~~cats~~, or ferrets shall at all times while within the city be kept under restraint.

Section 8. This ordinance shall be in effect following its passage and publication.

Adopted this ____ day of March, 2011, by the City Council of the City of Rosemount, Minnesota.

William H. Droste, Mayor

ATTEST:

Amy Domeier, City Clerk

Published in the Rosemount Town Pages the _____ day of March, 2011.

Dakota County Stray/Lost Cat Policies

CITY	Impound cats?	Impound feral cats?	POLICY
Apple Valley	No	No	Residents are informed that the police department does not take or handle stray cats; they are not advised to take the cat anywhere. They simply explain to residents that they do not handle cats.
Burnsville	Yes	Yes	Cats are impounded for 5 days, in which animal control attempts to locate an owner. After 5 days, they call a local rescue agency to pick up the cats. If the cat is too feral or dangerous, they will euthanize them.
Eagan	Yes	Yes	Cats are impounded at Pilot Knob Animal Hospital or American Boarding Kennels.
Farmington	No	No	Residents are informed that the police department does not take or handle any stray cats, they are not advised.
Hastings	No	No	Residents are informed that the police department does not handle stray cats and are not advised or given any referrals.
Inver Grove Heights	No	No	Residents are informed that the police department does not handle any stray cats. They are not recommended to take the cats anywhere, but they are advised on how to keep the cats away (i.e. stop feeding them, using repellants). Animal Control will only pick up cats if they are sick or injured, in which case the cat will be taken to an animal hospital or impound facility to receive minimum medical needs to get healthy. They are then taken to a relief center, or euthanized if necessary.
Lakeville	No	No	Same as Inver Grove Heights
Mendota Heights	No	No	Residents are informed that the police department does not handle any stray cats. If someone finds a lost cat that has collar/tags, an officer can attempt to locate the owner; otherwise residents are advised to take the cat somewhere themselves.
South St. Paul	No	No	Residents are informed that the police department does not take or handle cats. Cats are only impounded if they are posing some type of danger to the resident (biting or spreading sickness); otherwise the resident is referred to a stray cat association.
West St. Paul	No	No	Residents are informed that the police department does not take or handle cats; they do offer to rent out live traps to residents if they wish to trap the cat themselves. The resident can then release the cat wherever they see fit; otherwise they are referred to take the cat to a relief center.

Stray Cat Associations/Relief Centers to which residents can be referred to bring found cats:

1. Pet Haven: 952-831-3825
2. Animal Ark: 651-438-9195
3. Stray/Feral Cat Rescue: 651-486-7522
4. Feline Rescue: 651-642-5900
5. Caring for Cats: 651-407-8485
6. Cat's Meow Rescue and Retirement: 651-769-1339
7. Stray Feral Rescue: 651-644-3890
8. Animal Relief Fund: 612-521-3767
9. Rainbow Rescue: 952-440-3824
10. Last Hope: 651-463-8747