



# The Cat Fanciers' Association, Inc.

*"World's Largest Registry of Pedigreed Cats"*

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## Cities Unleash Confinement Laws & FAQ

Otherwise very responsible cat owners are running afoul of the law, as cities and counties are passing the unrealistic cat confinement or "cat leash" laws. These laws are certainly not a new phenomenon. In the earliest days of animal control laws, roaming dogs were a menace to livestock in the agrarian society. Dog bites then, as now, could represent a significant public health threat, both in and of themselves and because of the risk of rabies exposure. As population density increased, additional concerns attributable to nuisance of dogs straying led to more such "leash laws" and stricter enforcement.

Even in those early years some lawmakers wrote similar laws requiring the confinement of cats. While no one that we know of has seen a cat chasing a postal carrier down the street nipping at his heels, there have always been those people who view cats as creatures to be despised, or as despoilers of backyard wildlife. It is hard for cat lovers, or people who simply respect cats as free spirits to understand this attitude.

One such attempt was entitled "An Act to provide Protection to Insectivorous Birds by Restraining Cats." Passed by the 1949 Illinois State Legislature, this bill was subsequently vetoed by Governor Adlai Stevenson, who wrote:

"It is in the nature of cats to do a certain amount of unescorted roaming. Many live with their owners in apartments or other restricted premises, and I doubt if we want to make their every brief foray an opportunity for a small game hunt by zealous citizens - with traps or otherwise. I am afraid this bill could only create discord, recrimination and enmity. Also consider the owners' dilemma: To escort a cat abroad on a leash is against the nature of the cat, and to permit it to venture forth for exercise unattended into a night of new dangers is against the nature of the owner. Moreover, cats perform useful service, particularly in rural areas, in combating rodents - work they necessarily perform alone and without regard for property lines."

Despite the wisdom of political leaders such as Governor Stevenson, lawmakers in subsequent years have continued to attempt to pound square pegs into round holes, and to treat cats like dogs in their local animal control laws. According to the American Pet Products Manufacturing Association (APPMA) National Pet Owners' Survey, 43% of cat owners allow their cats outside for a portion of the time. This can potentially (if such confinement laws were universal) represent a staggering 15 million cat owners who could be lawbreakers, often without realizing it.

The consequences of these laws mean many pet cats as well as unowned ones are sometimes swept up in Trap-And-Kill campaigns. An example of this is Akron, Ohio, where more than a thousand cats have been killed in the year since passage of that city's confinement law.

A typical example of the wording used in "Restraint and Confinement" laws for cats would be provisions in a recently proposed animal control ordinance for the town of Round Rock, Texas. This proposal in part says - "It shall be unlawful for any animal to be at large.....Any cat found straying onto the property of anyone except the owner shall be deemed a public nuisance and shall be subject to impoundment." This proposal also allows for property owners to impound animals found on their property and either take the animal to a shelter or notify Animal Control to take possession of the animal. In addition the Round Rock ordinance provides for seizure by animal control officers of any dog or cat "without a valid license", "any animal at large", or "any animal constituting a public nuisance". An impounded animal found at large without a license will have only 72 hours before "disposing....without the consent of the owner".

Obviously confinement laws can be extremely threatening to cat owners and devastating for innocent cats. If a cat unintentionally escapes from his home while his owners are on vacation and is not wearing his collar and tag this could be a death sentence.

CFA and other animal welfare organizations prefer an approach that will gradually convince cat owners that their cats are safer indoors and to help them understand that cats can adapt to a stimulating and enriched indoor or enclosed outdoor environment. Confinement laws with seizure and impoundment enforcement tend to polarize communities and amplify positions for or against cats. At special risk are homeless cats. Programs to trap/neuter/return feral cats that have been successful in stopping reproduction become impossible when a general confinement law is passed.

CFA believes that all cats should be treated with respect, taken into homes and cared for. Confinement laws reinforce negative attitudes that cats are nuisance pests without value. The following Frequently Asked Questions (FAQ) help to address some of the concerns expressed by citizens and lawmakers on this topic.

## **Cities Unleash Confinement Laws & FAQ**

### **What is CFA's position on allowing cats out of doors?**

CFA believes that cats are safer when kept indoors. However, we realize that many owners are genuinely convinced that a cat cannot be happy unless allowed some outdoor access. While pedigreed cats have been bred for many generations to be content with viewing the outdoors from the safety of a home's window, cats with backgrounds closer to their wild, or feral, roots may be less adaptable. Indoor-only cats need extra attention and stimulation. Often a compromise can be provided through an outdoor, but confined, environment.

### **Won't laws to confine cats prevent the deaths of birds and other small wildlife?**

Early calculations of bird predation by free-roaming cats, now widely repeated, were biased and based on greatly inflated estimates of the cat populations. Some cats are able to kill birds, but only in a miniscule proportion to bird deaths from a variety of primary factors such as habitat destruction, environmental toxins and other predators. In fact, Project Feeder Watch, a large and ongoing national study, puts the percentage of birds killed by cats at approximately the same as birds killed by flying into plate glass windows.

Cats are unfairly made scapegoats and blamed for disparate conditions detrimental to wildlife. Felines are indeed skilled hunters of mice and rats, species that are not considered endangered in urban or suburban areas. In rural environments where there may be some rare species the cats themselves are killed by coyotes or other animals who also prey on rodents, lizards and small creatures. This is the reality of animal predatory behavior. Even if all cats were removed or greatly reduced in wildlife sensitive areas other species, some who kill cats, would increase their consumption of wildlife.

### **Won't laws to confine cats force owners to be responsible, and thereby cure the problem of free-roaming cats?**

Various estimates place the number of unowned and feral cats in the United States at up to 40% of the total cat population, with surges and ebbs according to time of year, and variations dependent upon climate conditions. Even if every owned cat were kept indoors, there are millions of unowned cats who have no owners to obey the cat confinement laws. Cities frequently respond to individual complaints with inhumane, expensive and ineffective trap-and-kill policies that do nothing to address the root causes of the homeless cat problem. This approach is a perceived Band-Aid, but guaranteed to outrage the larger percentage in any community that values all cats.

**If laws are not the answer to preventing cats from being a nuisance by trespassing on my property, then what is?**

While CFA would love to generate a sense of forbearance and patience for cats exploring their neighborhood lawns, whether those cats are owned or feral, we recognize that what is a minor inconvenience for one person can be viewed as a major nuisance by another. We suggest to homeowners who have little tolerance for cats coming onto their property that they first try some of the more humane deterrents to discourage these visits.

- [http://www.havahart.com/nuisance/cats/cat\\_repellents.htm](http://www.havahart.com/nuisance/cats/cat_repellents.htm)
- <http://www.multicrop.com.au/KeepOff.htm>
- <http://www.critter-repellent.com/cat/cat-repellent.php>
- [http://www.queenswood.co.uk/acatalog/Chemical\\_Deterrents.html](http://www.queenswood.co.uk/acatalog/Chemical_Deterrents.html)

Gradual acceptance of an indoor/confined environment by the cat owning public, and their cats, is being achieved through education and inspiration. Several recent pet owner attitude surveys indicate increased willingness to keep cats indoors at night and there is more interest in learning how to make the transition to "indoor-only" pleasant for cats.

**What if all else fails? What if cats trespassing onto my property is intolerable?**

Often the behavior of wandering cats is most offensive because they are feral, unowned and not sterilized. A call to the shelter to ask about local programs to assist with Trap/Neuter/Return (TNR) would be a good solution in many cases. With reproduction stopped a small colony of looked-after cats can become stable and far less objectionable.

Most jurisdictions have some form of law providing relief to citizens from undue or excessive nuisance, whether this results from animal problems, neighbors having loud parties, or many other forms of disturbance. Laws against abandonment of animals are also prevalent everywhere. A search of your local animal or nuisance ordinances should tell you what remedies are available to you.

Anna Sadler, September 2003

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**To correspond with the CFA Legislative Committee, please email [Legislation@CFA.org](mailto:Legislation@CFA.org)**