



THE CAT FANCIERS' ASSOCIATION, INC.

World's Largest Registry of Pedigreed Cats

Limit Laws - What if your cats make you a “law breaker”?

If you own more than a single cat you should be familiar with your local animal laws, especially any restrictions on how many pets you may keep. If your home is covered by deed restrictions or homeowner association rules these provisions may also include animal limits. Pet “limit laws” can seriously affect cat owners who are otherwise law abiding if they have more animals than allowed. Enforcement can mean an official order to get rid of one or several cats and could result in your cats (or other pets) losing their home or even their lives.

Limit laws are enacted at the local level, either as part of an animal ordinance or separately. These laws may also be in combination with the zoning ordinance that regulates land use. If you live in unincorporated areas, these laws are found in your county code, and if you live in incorporated areas, the municipal ordinance.

When local lawmakers enact an animal limit law they will pick a specific number, often merely copied from another law and this may seem reasonable to someone who has never had pets. Whatever the number, it is arbitrary – two, three, four cats or even some total number of pets of all species. This number is unrelated to excellent care, size of the home, the owner’s resources or dedication to pet care. Lawmakers are often told that limits will reduce the numbers of animals in the shelters or on the streets. They see allowing less pets as a way to avoid neighborhood nuisances or stop the abuse and neglect of animals. Government does have the legal power to enact laws to protect the public, and in fact, courts generally uphold limit laws as a valid exercise of “police power”. Often local governments simply think a definite number limit is easier and more cost effective than relying on general nuisance laws.

The trend in the United States is for multiple cat households. Currently 33% of all US households own an average of 2.45 cats. Those households with two or more cats own an average of 3.7 cats.¹ It is obvious that today there are many conscientious and law-abiding pet owners over the limits allowed in some communities that have passed these laws. Cat owners who take good care of their animals live in fear when there are arbitrary limits. Some may forego rabies vaccinations or other health care when veterinarians are required to report to animal control all certificates of inoculation. Others fear pet sitters, meter readers-emergency responders, building inspectors or any household contacts who could report how many cats they have. Remember, your pets are like any other personal information that can be misused by others and cause unanticipated havoc in your life. Good Samaritans who rescue stray cats or provide fostering for homeless cats are especially vulnerable when they interact with the public. Animal laws often consider cats “harbored”, i.e. fed for arbitrary periods such as 30 days, to be “owned” and subject to licensing, nuisance or other laws. Those who care for free-roaming feral cats are therefore also at risk. Limit laws lead to these cats being ignored rather than trapped, altered, vaccinated and fed by caregivers.

Enforcement of limit laws is considered “complaint driven”. This means enforcement starts with a complaint, possibly from a co-worker, former spouse or a neighbor. The grievance may be completely unrelated to any nuisance caused by the cats but instead motivated for other retaliation. Limit laws may be enforced by regular law enforcement (e.g. police or sheriff, including animal control) but also the local government’s administrative personnel (e.g. zoning, code enforcement, health department, etc.) or legal counsel .

Once enforcement is initiated, whether by complaint or other information, the means and methods are greatly varied depending on differing state and local laws, the vagaries of local politics and whims of enforcement personnel. Outcomes can range from no action to severe. Pet owners can lose their pets, money, time and worse. Take any indication of enforcement action seriously, even if it seems baseless, especially if the situation cannot be resolved quickly and satisfactorily. Consult a local attorney who can help you assess the law, politics, individual facts and circumstances. The goal is to realistically evaluate your options, the risks, benefits, costs and likelihood of success.

¹ American Pet Products Association (APPA) National Pet Owners Survey 2009-2010.

Faced with a demand to immediately reduce your number of cats (or other pets), consider whether this could be temporary. Placement with friends, sitters, boarding or in another house or business premises of yours could be a short-term option. Removing the animals may buy time to negotiate, mediate or avoid filing of criminal charges or civil penalties that can be charged per day. Rather than give up their cats some people choose to move. This decision is very personal and difficult. It may be out of the question for some, but for others relocating is the best alternative and usually less expensive than litigation.

If you need to find permanent new homes for one or more cats you could call friends or family, put notices on veterinarians' bulletin boards, advertise in the local newspaper or online resources, etc. With local shelters normally full of charming young adoptable cats it is often impossible to re-home an older animal, especially one with medical or other special needs. It is heart wrenching for a pet owner to relinquish their cat to a shelter out of desperation, knowing their pet may not find a new home. Removing a cat from his home and putting him into a strange environment is an extremely stressful event for the cat and owner. The chance of re-homing several cats is slim when over 50% of all cats are killed in shelters. Finding a rescue group or a "no-kill" shelter with space for a cat is sometimes impossible. It is well worth understanding the existence and enforcement of limit laws in your area so you will never find yourself and cat in this situation.

Recommendations

- Be aware of the existing ordinances in your community including any limits on the numbers of animals allowed. Look at not only the animal control laws but also the zoning code requirements, since this is where number limits are often contained. Do this by checking online for code sources and then go to the offices of the various lawmaking entities to be sure you have the most current law. If you are not sure of your animal number compliance status, avoid contact with animal control or law enforcement agencies before you fully understand the law and can assess your options.
- Most animal welfare and feral cat groups oppose limit laws. Even animal control and humane societies often realize these laws reduce the numbers of homes available for cats and eliminate good rescue or cat foster homes. If you hear of a proposal in your City or County contact the Cat Fanciers' Association (CFA) Legislative Group for materials and opposition guidance - legislation@cfa.org
- There is material about why limit laws are arbitrary and counterproductive on the CFA website www.cfa.org²
- If you are the subject of a complaint, normally animal control will not want to confiscate your cats unless there is abuse or neglect involved. It is always better to have animal control supporting keeping your pets in your care. Reduce the issues to the arbitrariness of the local law and emphasize that it is reasonable for you to keep your home and pets.
- Try to amend or repeal the existing limit law. Work with your local lawmakers to educate and gain support. Some will realize even they are violators themselves or easily could be. You can mobilize the many cat fanciers, feral cat caregivers, rescuers and shelters aligned in opposition to limit laws. Ask for letters from national organizations such as CFA, Alley Cat Allies and No Kill Solutions. Use the local newspapers and online communities to build a case against the law. Encourage letters to the editor or articles about the many homeless cats sitting in the shelter or reproducing unchecked on the streets and how these situations could be improved by eliminating the limit law.

Limit laws can be defeated with enough public opposition. Many people ignore a law that is enforced arbitrarily and realize the dangers only when the limit law suddenly impacts them. Limit laws seriously threaten the lives of cats and are contrary to the interests of public health. Demands to get rid of a pet diminish the value that cats have as family members. A law that penalizes responsible pet ownership when there are better ways to deal with animal nuisance or animal abuse does not benefit the community.

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² <http://www.cfa.org/articles/legislative/index.html>