

TOWNSHIP OF TABERNACLE  
BURLINGTON COUNTY, NEW JERSEY

**ORDINANCE # 2005-20**  
**AN ORDINANCE OF TABERNACLE TOWNSHIP TO PERMIT THE**  
**MANAGED CARE OF FERAL CATS**

**WHEREAS**, feral cats are cats that are significantly or completely unsocialized and are not adoptable as companion animals; and

**WHEREAS**, there are no governmental or privately operated facilities in the Township of Tabernacle ("Township") or Burlington County ("County") to care for feral cats; and

**WHEREAS**, the population of feral cats has been increasing in the Township; and

**WHEREAS**, communities throughout the United States have determined that the practice of trapping and euthanizing feral cats is not effective in reducing their numbers; and

**WHEREAS**, a present goal of Trap-Neuter-Return (TNR) is to decrease the number of cats in the environment and thereby reduce feral cat predation on wildlife; and

**WHEREAS**, programs for the managed care of feral cat colonies that include trap, neutering and returning feral cats to their habitats have proven to be effective in reducing the number of feral cats and is more humane than trapping and euthanizing; and

**WHEREAS**, TNR programs are beneficial to communities and the public health because cats in managed colonies are vaccinated against rabies and are spayed or neutered, which results in control of the population and has other positive consequences;

**NOW, THEREFORE, BE IT ORDAINED** BY THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AS FOLLOWS:

**Section 1. Definitions.**

For the purpose of this Ordinance, the following terms shall have the meaning set forth in this Section. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the

singular, words in the singular number include the plural, and words in the male gender include the female gender.

**Abandoned** means that an owner or caregiver has forsaken a domesticated cat entirely, or has neglected or refused to provide care and support of the cat.

**Animal Control Officer** means any person employed or appointed by the Township who is authorized to investigate violations of laws and regulations concerning animals, and to issue citations in accordance with New Jersey law and this Code.

**Caregiver** means any person who provides food, water or shelter to or otherwise cares for a cat.

**Domesticated cat** means a cat that is socialized to humans and is appropriate as a companion for humans.

**Eartipping** means straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized.

**Feral Cat** means a cat that exists in a wild or untamed state, either due to birth or reversion to a wild state from domestication. The usual and consistent temperament of a feral cat is extreme fear and resistance to contact with humans. Feral cats are completely or substantially unsocialized to humans.

**Feral Cat colony** means a group of cats that congregates, more or less, together as a unit. Although not every cat in a Colony may be feral, any nonferal cats that congregate with a colony shall be deemed to be a part of it.

**Nuisance** means 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** means any person, firm, corporation, partnership, association, trust, estate, or any other legal entity.

**Rescue group** is a for-profit or not-for-profit entity, or a collaboration of individuals with at least one of its purposes being the adoption or placement of cats in homes with humans to serve as companion animals.

**Stray Cat** means a cat that is regularly off the property of the owner, is not under the physical control and restraint of the owner and is not regularly provided with food by its owner.

**Suitable Shelter** means shelter that provides protection from rain, sun, and other elements that is adequate to protect the health of the cat.

**TNR** means, Trap, Neuter and Return.

**TNR Program** means a program pursuant to which feral and stray cats are trapped, neutered or spayed, vaccinated against rabies and returned to the location where they congregate.

**Zoonotic Disease** means those diseases transmittable to humans from animals, including parasitic, bacterial, fungal and viral diseases.

## **Section 2. Responsibilities of owners of domesticated cats.**

2.1 Owners of domesticated cats shall provide appropriate and adequate food, water and shelter for their cats.

2.2 The Owner of a domesticated cat shall exercise reasonable care to guard against the cat creating a nuisance.

2.3 The owner of a sexually intact (not spayed or neutered) domesticated cat shall not permit his/her cat to roam unsupervised.

2.4 An owner shall not abandon a domesticated cat.

## **Section 3. Feral Cat colonies.**

3.1. Feral Cat colonies shall be permitted and Caregivers shall be entitled to maintain them in accordance with the terms and conditions of this Ordinance.

3.2. Sponsorship of Colony TNR Programs. The Burlington County Feral Cat Initiative program sponsored by Nature's Refuge, a non-profit animal education organization, is approved. Other persons may apply to the Township to serve as colony TNR program sponsors ("Sponsors") so long as said persons agree to perform the responsibilities stated in this Ordinance for Sponsors.

3.3 Sponsor Requirements. It shall be the duty of the Sponsor to:

- a. Review and approve of colony Caregivers;
- b. help to resolve any complaints over the conduct of a colony Caregiver or of cats within a colony;

- c. maintain records provided by colony Caregivers on the size and location of the colonies as well as the vaccination and spay/neuter records of cats in the Sponsor's colonies and
- d. report annually to the Township on the following:
  - i. number of colonies in the Township;
  - ii. total number of cats in colonies;
  - iii. number of cats and kittens spayed and neutered pursuant to the TNR program and
  - iv. number of cats and kittens placed in permanent homes
- e. use due consideration to avoid the taking of rare, threatened or endangered species under the Endangered and Nongame Species Conservation Act, N.J.S.A. 23:2A-1, et seq.

3.4 Feral Cat Caregiver requirements. Caregivers are responsible for the following:

- a. registering the Feral Cat colony with the Sponsor;
- b. taking steps that are reasonably likely to result in the vaccination of the colony population for rabies and making reasonable efforts to update the vaccinations on cats that can be recaptured;
- c. taking steps that are reasonably likely to result in the spay/neuter, by a licensed veterinarian, of at least ninety percent (90%) of the colony population;
- d. providing the sponsor with descriptions of each cat in the colony and copies of documents evidencing that the cats have been vaccinated and spayed/neutered;
- e. providing food, water and, if feasible, shelter for colony cats;
- f. observing the colony cats at least twice per week and keeping a record of any illnesses or unusual behavior noticed in any colony cats;
- g. obtaining the approval of the owner of any property, to which the Caregiver requires access to provide colony care;
- h. in the event that kittens are born to a colony cat, the Caregiver shall take reasonable steps likely to result in the removal of the kittens from the colony after they have been weaned, and the placement of the kittens in homes or foster homes for the purpose of subsequent permanent placement;
  - i. reporting annually in writing 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 that 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; and

- j. obtaining proper medical attention to any colony cat that appears to require it.

### 3.5 Colony Cat requirements.

- a. The left ear of a colony cat that has been spayed or neutered and vaccinated shall be eartipped.

- b. An electronic animal identification device (EAID) shall be inserted into the cat by a veterinarian in accordance with professional medical standards. The Sponsor shall be the named contact for purposes of the EAID.

### 3.6 Disposition of Colony cats.

- a. An Animal Control Officer who has trapped a cat whose left ear has been tipped or which bears some other distinguishing mark indicating that it belongs to a feral cat colony shall scan the cat for an EAID. If an EAID is found, the Officer shall be responsible for contacting the Sponsor or other person named as owner of the cat.

- b. If the Owner or Sponsor is not able to immediately take custody of the cat, the officer shall transport the cat to the Burlington County Animal Shelter. The Owner or Sponsor shall be responsible for retrieving the cat from the Shelter within three (3) business days or advising the Shelter if the Owner or Sponsor does not intend to retrieve the cat.

## **Section 4. Ordinance Enforcement.**

4.1. The Township shall have the following rights:

- a. the right to seize or remove cats from a colony that have not been vaccinated against rabies and which are demonstrating signs of the disease.
- b. the right to seize/remove a cat from a colony that is creating a nuisance as defined above and the Caregiver and Sponsor have been given 60 days to remove and relocate the cat and have failed to do so.
- c. the right to seize / remove a colony of cats when the Caregiver regularly fails to comply with the requirements of section 3.4 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 Ordinance.

- 4.2. The requirements of this Ordinance notwithstanding, Animal Control Officers and Police Officers may investigate any Nuisance complaint.

**Date: Adopted: December 29, 2005**

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La Shawn Ruffin, RMC  
Township Clerk

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Kimberly A. Brown, Mayor