

**VILLAGE OF MAYVILLE  
LOCAL LAW NO. 3 FOR THE YEAR 2022**

**COMMUNITY CAT ORDINANCE**

Be it enacted by the Village Board of the Village of Mayville, County of Chautauqua and State of New York, as follows:

**A. Authority**

This local law is promulgated pursuant to the authority granted by:

1. Article IX of the New York State Constitution, §2(c)(10);
2. New York Statute of Local Governments, §10(1) and (7);
3. New York Municipal Home Rule Law, §10(1)(i) and (ii) and §10(1)(a), (11), (12), and (14);
4. New York Village Law Section 4-412.

**B. Purpose**

The intent of this regulation is to protect the health, safety, welfare and environment of the residents and property owners of the Village of Mayville. This section regulates the process of trapping, vaccinating, neutering and releasing of feral cats with the hope of controlling the feral cat population within the Village.

**C. Definitions**

For the purposes of this ordinance, the following terms shall have the meanings indicated:

**AT LARGE:** Not confined, outside an area of escape such as a pen, corral, yard, cage, house, vehicle, or other secure enclosure, unless otherwise under appropriate human control.

**BEST FEEDING PRACTICES:** Best feeding practices means a person supporting one or more community cats which shall adhere to the following: (1) Feeding is conducted on a regular schedule; (2) Feeding is limited to the offering of food intended for community cats to approximately one hour per day; (3) Providing only food appropriate for cats, and not scraps or other foods that may be dangerous, deadly, or hazardous to other cats or other animals; (4) The community cat feeding area is kept clean and free of trash; (5) Food and/or water intended for community cats is kept in containers and not on the ground; and (6) Feeding shall be conducted only within the confines of the property of the person engaged in TVNR practices.

**COLONY:** Group of one or more community cats.

**COMMUNITY CAT:** Any cat that is: (1) Homeless, stray, or at large, where the cat: (a) has been socialized to people, or is less than five weeks old; (b) could become feral as connection with humans is farther removed; and (c) in the case of cats older than five weeks, has a good potential to quickly become domesticated once again; or (2) Feral, where the cat: (a) is not socialized toward humans; (b) is born in the wild or is the offspring of an owned cat; or (c) is a formerly owned cat that has been abandoned; or (3) A cat that lives in the community but is not owned by a human, sometimes referred to as a "free-roaming" or "street" cat.

**DOMESTICATED CAT:** A cat: (1) That is social towards humans; (2) That currently lives within the residence or on the property of a person or persons accepted as the cat's owner; and (3) That is considered appropriate as a companion for humans.

**EAR TIPPING:** A straight line cutting of the tip of the left ear of a cat while the cat is anesthetized.

**NEUTER:** To permanently sterilize male cats to render them incapable of impregnating female cats by means of either surgery performed to remove the reproductive organs or chemical sterilization by which the cats are injected with a drug approved by the United States Food and Drug Administration for that purpose.

**SPAY:** To permanently sterilize female cats to prevent estrus (heat) cycles and eliminate their ability to become pregnant by means of either surgery performed to remove the ovaries and uterus or chemical sterilization by which the cats are injected with a drug approved by the United States Food and Drug Administration for that purpose.

**STERILIZE:** To spay or neuter a cat.

**TRAP, VACCINATE, NEUTER, AND RETURN/RELEASE PROGRAM (TVNR):** A program in which community cats are humanely trapped, which sometimes requires feeding, evaluated, vaccinated, sterilized, and ear-tipped by a veterinarian and returned to the trap location with the intent of controlling or reducing feline population and reproduction.

**VETERINARIAN:** A person licensed to practice veterinary medicine in the State of New York.

#### **D. GENERAL PROVISIONS**

1. TVNR of community cats shall be legal in the Village of Mayville and interested citizens are encouraged to participate in and support TVNR activities on a voluntary basis on their own private property or residence.

2. All persons who attempt to trap community cats for TVNR in the Village of Mayville should be familiar with the guidelines supported by regional and national feral and community cat organizations, as well as the American Veterinary Medical Association (AVMA), regarding appropriate methods of TVNR.
3. Socialized cats and all kittens subjected to TVNR shall be eligible to be, but not mandated to be, re-socialized and put up for adoption.
4. An ear-tipped cat received by local shelters shall be returned to the location where trapped unless veterinary care is required. A trapped ear-tipped cat shall be released on site unless veterinary care is required.
5. Animal control officers shall use appropriate opportunities to inform stakeholders about TVNR.
6. It shall not be a violation of this section to determine that the best course of action for a particular cat, or cat colony, is to be left alone.
7. The Village of Mayville shall designate an official to oversee the program and that individual shall implement and administer this section with the goal of reducing the community cat population via TVNR, in consultation with community cat welfare experts including the Rescue, Chautauqua County Humane Society, Operation Pets, Feral Cat Focus and other organizations that may be identified by the Village of Mayville.

#### **E. Repeal of Existing Laws**

All ordinances, local laws, or parts thereof in conflict with the provisions with this local law are hereby repealed to the extent necessary to give this local law full force and effect during the effective period.

#### **F. Severability**

If any portion, subsection, sentence, clause, or phrase of this local law is for any reason held invalid or unconstitutional by any court, such portion, subsection, sentence, clause, or phrase shall be deemed a separate, distinct, and independent provision, and such holding shall not effect the validity of the remaining portion of this local law.

#### **G. Effective Date**

This local law shall take effect upon filing with the Secretary of State of the State of New York.

