



# Nuisance Cats

Important information for those bothered by cats

Issued June 2013

## *Helping to keep our community safe*

The *Domestic Animals Act 1994* provides legislation for cat owners around responsible pet ownership to minimise nuisance to their neighbours.

Not everyone loves your cat as much as you do, and complaints are often received in the Local Laws Unit from neighbours of cat owners who have issue with cats soiling sandpits and gardens, spraying front doors or climbing all over their cars.

Legislation is quite specific stating processes for dealing with a nuisance cat complaint, but considering that these issues usually take place between neighbours, Officers always recommend you speak with the cat owner if you know them first.

Talking about issues that you have with a neighbour can often resolve the situation avoiding the need to introduce formal processes through Council.

### *What constitutes a nuisance cat?*

1. A cat is considered a nuisance only after the following events and actions have taken place.



2. The cat intrudes on the complainant's property. The complainant notifies the cat owner once, in writing, that the cat is a nuisance and should be kept away from the complainant's property. The time and date, description of the cat and what it does on the property should be included in the letter. A copy of the letter should be kept by the complainant.

3. If the cat returns, the complainant should notify Council in writing, providing a copy of the letter to Council.

4. Council will send an abatement notice to the cat's owner advising of the nuisance and requiring the owner to take steps to ensure that the cat is kept off the complainant's property.

5. If the cat returns, the complainant should contact Council again of this occurrence.

6. Council will issue a fine to the cat owner and may impound the cat.

### *What does the law say about cats?*

Section 23 of the *Domestic Animals Act 1994* states;

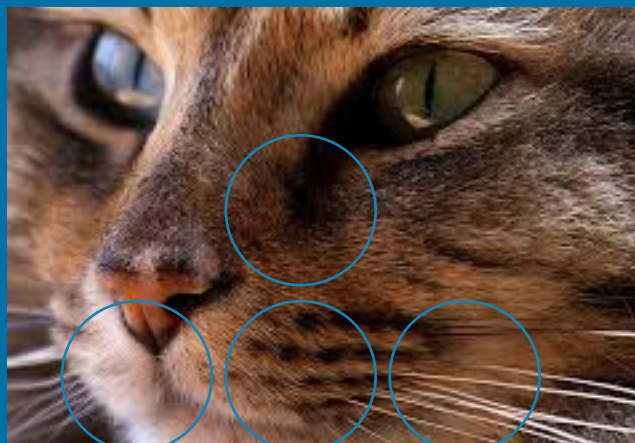
#### **23. Dogs and cats on private property without permission**

(1) If a dog or cat has been present on private property on more than one occasion without the permission of the owner or occupier of the property, the owner or occupier of private property or an authorised officer may seize the dog or cat while it is present on the property.

### *Quick Facts*

#### Desexing:

- Increases your cat's life expectancy
- Reduces the risks of developing certain types of cancer
- Reduces your cat's desire to roam
- Reduces undesirable behaviours, such as spraying, marking, fighting and yowling
- Reduces the problem of unwanted pets in society



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(2) The owner or occupier of the private property or the authorised officer who has seized a dog or cat under subsection (1) must immediately so notify the Council of the municipal district in which the property is situated.

(3) If the authorised officer who seized a dog or cat under subsection (1) is able to identify the owner of the dog or cat, the authorised officer must, within 5 business days after the seizure of the dog or cat, serve on the owner of the dog or cat a notice of objection to the presence of that dog or cat on the private property.

(4) If, after a notice under subsection (3) has been served, the dog or cat enters or remains on the private property, the owner of the dog or cat is guilty of an offence and liable to a penalty of not more than 1 penalty unit for a first offence, and 3 penalty units for a second or subsequent offence.

(5) A notice under subsection (3) must be served either personally or by registered post.

(6) A copy of a notice under subsection (3) must be given to the owner or occupier of the private property within 24 hours after the notice being served.

(7) In this section, business day means a day other than-

(a) A Saturday or Sunday; or

(b) A public holiday appointed under the Public Holidays Act 1993.

### *How can Council help if I don't know where the cat is coming from?*

Council has humane cat traps available for hire. There is no fee for the hire but strict guidelines must be adhered to when using the traps to ensure the health and welfare of the cat.

An application form is completed and a signature acknowledging the conditions of use is required. You must then contact neighbours in your immediate vicinity to allow them the opportunity of containing their cats.

### *What else can I do to deter cats? \*\**

There are a number of ways to deter cats from coming on to your property:

- Sprinkle cayenne pepper, mustard, vinegar, eucalyptus or citronella oil around the problem areas
- Smear Vaseline on the top of fences and posts to prevent cats from getting a grip
- Make a herbal spray using the following recipe:
  - o Boil a handful of Rue (*Ruta graveolens*) in a litre of water for ten minutes
  - o Allow it to stand for eight hours before straining it through a piece of muslin cloth (or a stocking) into a spray bottle
  - o Spray the mixture around the areas you want to protect from nuisance cats. The smell is offensive to cats and fools them into believing there is already a dominant cat on the premises
  - o Repeat twice daily for up to a week to ensure the cat does not return
- To prevent cats digging at night, water the area just before dark. Cats do not like to have wet, muddy feet
- Cover children's sandpits when not in use, particularly at night
- To clean up cat urine, dissolve bicarbonate of soda in water and scrub the affected area. Follow with a white vinegar rinse. This method is environmentally safe and is an effective disinfectant, deodorant and cleaning agent. Do not use ammonia-based cleaners as they have an old urine-type smell that will only encourage cats to urinate in that area even more
- If an uninvited cat is sleeping on the roof or bonnet of your car, hang ping-pong balls on fishing line from the roof of the garage at a height at which they just miss the car but will hit the cat. The balls will annoy the cat so much that it will find another place to sleep

\*\* Advice with thanks from GoodCatSA.com

### *Contact Council*

If you require any further information or to apply for a permit, contact the Mitchell Shire Council Local Laws Department on 5734 6200.

Mitchell Shire Council

t: (03) 5734 6200

f: (03) 5734 6222

e: [mitchell@mitchellshire.vic.gov.au](mailto:mitchell@mitchellshire.vic.gov.au)

w: [www.mitchellshire.vic.gov.au](http://www.mitchellshire.vic.gov.au)

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