

How to Research Pet Limit Laws

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How many cats can be kept at a particular location? The location is actual real estate, “location matters,” and the answer will be determined by local, not state law, or by private restrictions imposed on certain parcels. Private limits can be terms of individual rental agreements or imposed on all owners or tenants within a community development by “CC&Rs” (recorded covenant, conditions, and restrictions) limiting use of the property subject to rules that are administered by homeowner associations (HOAs.) The existence of private restrictions should be a part of a preliminary determination for any specific property. These are governed by state law and beyond the scope of this article.¹ Always obtain documents and consult your own attorney. Financial and personal risks can be high, so decisions must be made with care.

Public limit laws are enacted by either the incorporated municipality or the county governing the individual property under investigation. Verify and corroborate to ensure using the correct law. There are no compiled lists of these laws and no substitute for careful research to find within a particular code, every applicable provision. At a minimum, a general number may be included in the “animal law” covering pets. These may cover dogs only or include cats and sometimes other species. Cats are typically subject to a minimum age threshold to allow for placing kittens. A much less common provision may allow more sterilized cats in a rescue or nonprofit activity. Cats may be subject to a species-specific absolute limit or part of a total

allowance including dogs or other species. Numerical laws may also include property sizes. These may be provisions for excess numbers requiring a “kennel” qualification that might include cats in the same requirements or have separate terminology and provisions for “catteries.” There are no drafting standards, and provisions are often haphazardly copied.

Even without limits in the animal law, there may be additional animal restrictions in zoning laws. The basic concept is dividing the land into zones, for example, single-family residential, types of multi-family housing, commercial, manufacturing, recreational, agricultural, and other categories where only specific uses are allowed. These may require permitting, variances, or non-conforming uses. These may or may not include pet limits, kennels, and catteries, either personal, hobby, commercial, or other descriptions. When allowable uses are subject to permitting, this may be a godsend or total barrier depending on additional provisions and processes not always obvious from ordinance language. Professional advice is often necessary to evaluate whether a specific location will be workable for the number of cats anticipated. Breeding and sales must be evaluated separately from numbers.

Also, additional animal provisions may be included in other parts of a code. Both an index search and internet general search should be included and checked.

Access to codes online is now widespread in the United States but not universal. Even online codes may not be current and must be verified. The websites of animal service providers, whether public agency or private contractor should be checked for ordinances, links, or other information. If codes are not available online, hard copies should be accessible at the jurisdiction's offices and/or a local library. Check recent agendas and minutes of governing bodies for animal issues as well as local news outlets if available. Keep careful notes, especially of any conversations. Using a scanning app on a phone is a good backup for making copies.

Enforcement of limit laws is usually complaint-driven, often by spiteful neighbors motivated by something other than animals. Fanciers should research possible penalties.

1. <https://www.berding-weil.com/articles/enforcement-of-pet-restrictions.php>