

Feral Cat Rescue's cease and desist upheld after extension request

By Peter Richardson

The cease and desist order issued to the Feral Cat Rescue is due to be enforced October 10.

The Rescue came to Council on Monday night asking for a nine month extension of that date.

This summer, Sharon Morden was offered a free lease for a property in Melancthon by local artist Kimberley Goddard. In subsequent consultations with the Melancthon planner, Chris Jones, it was requested that a presentation be made to Melancthon Council, to explain the operation and to allow councillors to ask questions. It was determined, that a business-specific by-law amendment and re-zoning application would be required to allow the rescue to relocate to the offered cow pasture.

If that re-zoning were allowed by Melancthon Council, local residents would have a period of twenty days in which to voice any concerns and to appeal the application if desired.

In addition to the re-zoning, there will be other issue to address, such as sewage, fresh water, hydro and heat in the proposed portable building, as well as the necessary building permits and site preparation. All of this led the rescue to appeal for the extension.

Although the stated intent of Shelburne Council has always been to assist the Feral Cat Rescue in whatever ways they can, many of the Councillors, as well as the mayor, had serious concerns with granting a nine month stay of the order.

Councillor Mills expressed doubts as to whether or not Council even had the legal authority to intervene at this point. He also expressed concerns over the lack of options being considered by Sharon Morden should the Melancthon bid fail, or take considerably longer than proposed.

It was also noted that of the necessary \$28,000 in funding to relocate only \$11,000 had so far been raised, leaving a shortfall of some \$17,000.

Mayor Bennington mentioned, that it was his opinion that the Melancthon re-zoning application was by no means a "slam dunk" at this time, and that even if granted, the appeal period could still delay any implementation.

It was also his opinion that had this been someone operating an illegal auto repair business from their home, Council would not grant such an extension and that doing so, for Feral Cat Rescue, could set a dangerous precedent, for future by-law enforcement actions.

Deputy Mayor Dunlop and Councillor Chambers expressed concerns over the length of the extension and the lack of either monetary or other options should this fall through or be delayed. If the latter occurred, would FCR then be coming back to Council for yet another extension?

In the end, with no formal outline of costs and alternative plans, Council rejected the granting of an extension, in a recorded vote of four to two, with Councillors Benotto and Samples voting to grant an extension, with provisos, and Mayor Bennington, Deputy Mayor Dunlop, Councillor Mills and Councillor Chambers voting against the motion.

In light of the vote and the order being enforced on October 10, 2017, Sharon Morden stated that she would have no alternative but to release the cats back into the community, unless homes can be found for the 30 odd cats before that date.

It has been suggested, that this option may well violate Ontario's animal welfare statutes and could even result in cruelty charges being laid.

In the meantime, Council will still consider other options to assist Sharon and the FCR, should the opportunity arise. These could include possible Town and County grants and the possibility of hiring FCR to officially deal with Shelburne's cats in the future.