

December 16, 2021

Subject: Inspection Findings at Jean Sweeney Open Space Park in Alameda, CA.

Our department was notified about cat feeding bowls, cat feces, and the presence of stray cats at Jean Sweeney Open Space Park. The complainant visited Jean Sweeney Open Space Park to walk their dog. The complainant also stated that their dog became sick from hookworm after their dog ingested cat feces during their walk at the park.

### Inspection Findings:

On November 17<sup>th</sup>, 2021 an inspection was conducted by Vector Control Biologists Daum, Ahlgren, and myself. Photos were taken during the inspection and on November 19<sup>th</sup>, 2021. Bowls of cat food were observed on the ground behind the fenced area near the 8<sup>th</sup> St entrance to Jean Sweeney Open Space Park. **See Figure 1.** Flies were observed feeding on the food remnants in the bowls. **See Figure 2.**



Figure 1. Bowls with cat food behind fenced area.



Figure 2. Flies visiting bowls

Styrofoam bowls were placed on both sides of the walkway behind the fenced area of the 8<sup>th</sup> St entrance to Jean Sweeney Open Space Park. **See Figure 3, Figure 4, and Figure 5.**



*Figure 3. Styrofoam and plastic bowls behind fenced area.*



*Figure 4. 8th Street entrance to Jean Sweeney Open Space Park.*



Figure 5. Location of the 8th Street walkway to Jean Sweeney Open Space Park.



Figure 6. A cat relaxes nearby. Their ear does not appear to be clipped.

Two cats were observed near the area. Their ears do not appear to be clipped indicating that the cats have not yet been spayed or neutered. **See Figure 6.** A person walking their dog mentioned that they have seen at least 3 to 4 stray cats in the area.



Figure 7. Hole cut into fence.



Figure 8. A hole in the fence with an animal run.



Figure 9. A No Trespassing sign at the 8th Street entrance.



Figure 107. A hole in the fence, animal run, and a No Trespassing sign nearby.



Figure 11. CA Penal code 602L on a No Trespassing sign.



Figure 12. Cut fence corner at the end of Wood Street.

Some areas along the chain link fence appear to have been cut and opened as if to allow for cat or human entry. **See Figure 7 and Figure 8.** No Trespassing signs were posted along the fence line. **See Figure 9, Figure 10, Figure 11, and Figure 12.**



Figure 13. Bay-Friendly Rated Landscape sign at trailhead.

## Public Health Significance:

When cat owners are unable to care for their pets any longer, they tend to be motivated to abandon their cats at locations with known cat feeding. This will eventually lead to a continuous ill-fated cycle of abandoned cats and excess cat food left in the open.

Excess cat food will attract wildlife animals including skunks, opossums, rats, flies, yellowjackets, and other nuisance animals, especially if the food is left unattended. There are many reasons to not feed wild animals. Feeding wild animals teaches them to associate humans with food, leading to a diminished natural fear for humans and a lack of the animal's innate ability to forage. Wild animals will gather at the feeding site unnaturally in groups, increasing the likelihood of disease transmission amongst themselves.

Additionally, cat waste creates a public nuisance for park visitors and nearby residents with their unpleasant odor and can become a health hazard if not cleaned up promptly. Flies that land on the feces and excess cat food can vector various bacteria, viruses, and parasites. Cat feces may contain numerous disease-causing pathogens such as *Toxoplasma gondii*, *Salmonella* spp., hookworm, and *E. coli*. Cats themselves can also carry ringworm and cat scratch fever. Fleas on cats can be abundant if not managed with appropriate flea treatments. Fleas can cause dermatitis and are known to carry and transmit murine typhus. Young park visitors and people with weakened immune systems are more prone to contract diseases.

The presence of excess cat food and stray cats poses a health hazard and public nuisance to park visitors and residents nearby. These conditions are a violation of the Alameda County Health and Safety Code 6.32.070 and Alameda County Animals Code 5.08.070. Additionally, the health hazard and public nuisance created by these cats appear to conflict with City of Alameda Codes 7-4.2 and 7-4.3. Other related codes have been added for reference including the abandonment of animals being unlawful in City of Alameda Code 7-9.5, harassment of animals through feeding wild animals in the California Code of Regulations, and trespassing laws cited in the California Penal Code. **See Appendix 1.**

## Recommendations:

- Spay and neuter efforts for the current cats at Jean Sweeney Open Space Park. Have cats adopted out if possible to be kept as indoor cats.
- Discourage the act of leaving cat food outside in public parks.
- If bowls of cat food outside are necessary, ensure excess food is removed from the premises immediately after the cats have finished eating.
- If cats must stay outside, ensure flea medications are regularly administered and cat waste is cleaned up promptly.

Alameda County Vector Control is a division within the Environmental Health Department. We strive to protect the health, safety and well-being of the community by offering free inspections, education and management recommendations.

Feel free to reach out and contact me if you have any questions.

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# Appendix 1

## Alameda County, City of Alameda, and State of California Codes

### **Alameda County Health and Safety Code 6.32.070 Maintaining a Fly Nuisance Prohibited.**

No person shall create, allow, or maintain a fly nuisance; nor knowingly allow waste to become a harborage, attractant or food source for rodents, or result in unreasonable production of odors resulting in the depreciation of adjacent property or comfortable enjoyment of life thereon. Upon knowledge of such fly nuisance, rodent infestation or unreasonable odor production, or after having received a written abatement order from the county health officer, said person shall at once proceed and continue in good faith with the abatement of such fly nuisance or control and elimination of rodents or source of unreasonable odor.

### **Alameda County Animals Code 5.08.070 Animals-Destruction of Property.**

It shall be unlawful for any person owning or having under his control any animals to permit the same to damage or destroy plants or property of another person or to defecate, urinate or commit a nuisance on the property of any other person.

### **California Penal Code: Part 1, Title 14 Malicious Mischief.**

“...every person who willfully commits a trespass by any of the following acts is guilty of a misdemeanor... Entering any lands under cultivation or enclosed by fence, belonging to, or occupied by, another, or entering upon uncultivated or enclosed lands where signs forbid trespass are displayed...” (14 PEN § 602L)

### **City of Alameda Code of Ordinances 4-28.2 Trespass Upon Public Property Prohibited.**

It shall be unlawful for any person to loiter or trespass upon any property of the City except to the extent permitted by the public use to which such property has been dedicated. (Ord. No. 535 N.S. § 4-111)

### **City of Alameda Code of Ordinances 7-4.2 Animal Quarters and Yards to be Kept Sanitary.**

It shall be unlawful for any person in the City to keep any animal in any animal quarters, kennel, animal hospital, or yard which is not at all times kept reasonably clean and sanitary to the satisfaction of the Health Officer. All above premises shall be regularly cleaned in order to prevent the accumulation of manure, animal excrete, excess animal food or other organic matter that may be a source of odors, or serve as an attractant or breeding place for insects, rodents or other vermin. (Ord. No. 2747 N.S.3)

### **City of Alameda Code of Ordinances 7-4.3 Conditions Constituting a Public Nuisance.**

It shall be unlawful and shall constitute a public nuisance for any person to keep within the City any animal that unreasonably disturbs the peace and comfort of the inhabitants of the neighborhood in which such animal is kept or interferes with any person in the reasonable and comfortable enjoyment of life or property, or creates significant risk of injury to person or property. (Ord. No. 2747 N.S.3)

### **City of Alameda Code of Ordinances 7-9.5 Abandonment of Animal.**

It shall be unlawful for any owner, keeper, or person having possession or control, of any dog or cat willfully to abandon such animal within the City. (Ord. No. 2747 N.S.3)

### **California Code of Regulations: Title 14, Division 1, Subdivision 2, Chapter 1. Section 251.1 Harassment of Animals.**

Except as otherwise authorized in these regulations or in the Fish and Game Code, no person shall harass, herd or drive any game or nongame bird or mammal or furbearing mammal. For the purposes of this section, harass is defined as an intentional act which disrupts an animal's normal behavior patterns, which includes, but is not limited to, breeding, feeding or sheltering. This section does not apply to a landowner or tenant who drives or herds birds or mammals for the purpose of preventing damage to private or public property, including aquaculture and agriculture crops. (14 CCR § 251.1, 14 CA ADC § 251.1)