ORDINANCE NO. 1992

ORDINANCE AMENDING CHAPTER 14 OF THE MUNICIPAL CODE PERTAINING TO COMMUNITY CATS

WHEREAS, the city wishes to minimize the number adult cats and kittens which must be euthanize each year; and

WHEREAS, a group of citizens has offered to assist the City by providing a Trap-Neuter-Return (TNR) Program for community cats and kittens; and

WHEREAS, all efforts by these individuals and groups will be coordinated with the City's Animal Control Officers.

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHPORT, ALABAMA AS FOLLOWS:

1. That Article VIII, Section 14-190 through Section 14-194 be added to the Municipal Code and shall hereby read as Exhibit "A" which is attached hereto and incorporated herein by reference as if fully set out verbatim.
2. That this Ordinance shall become effective immediately.

ORDAINED this the 18th day of March 2019.

CITY COUNCIL OF THE
CITY OF NORTHPORT

Jay Logan
Council President

ATTEST:

Bruce Higginbotham
City Administrator

APPROVED this the **18th** day of **March 2019**.

Donna Aaron, Mayor

I hereby certify that the above and foregoing Ordinance was published on March 27, 2019 in the Northport Gazette, a newspaper of general circulation published in the City of Northport.

Bruce Higginbotham, City Administrator

1st Reading: March 4, 2019
Motion By: Hogg
2nd Reading: March 18, 2019
Motion By: Roberts
Second By: Hinton
Publication: March 27, 2019

EXHIBIT “A”

Chapter 14

Article VIII Community Cats

Sec. 14-190	Purpose and Intent
Sec. 14-191	Definitions
Sec. 14-192	Trap-Neuter-Return Program
Sec. 14-193	Enforcement
Sec. 14-194	TNR Sponsor Requirements
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Sec. 14-196-199	[Reserved]

14-190 - Purpose and Intent

In order to control the population and reduce breeding of free-roaming cats, Trap-Neuter-Return (TNR) may be permitted to be practiced by community cat caregivers, organizations, and animal control, in compliance with any applicable federal or state law. As a part of Trap-Neuter-Return, spay or neuter and vaccination for rabies shall take place under the supervision of a licensed veterinarian. TNR may be used as a tool by the City to assist with its animal control efforts and duties as it relates to free-roaming cats.

14-191 – Definitions

The following words, terms and phrases, when used in this Chapter, shall have the meanings respectively ascribed to them below:

A. **"Community Cat"** means a free-roaming cat who does not have an owner. This cat may be cared for by one or more residents of the immediate area who is/are known or unknown. A community cat may or may not be feral. No one possesses or has right of property in this cat.

B. **"Community Cat Caregiver"** means a person who, in accordance with a good faith effort to conduct TNR, provides care. This care includes providing food, shelter, or medical care to a community cat. However, a community cat caregiver is not the owner, harborer, controller, or keeper of a community cat and does not have the right of property in the cat.

C. **"Ear Tipped Cat"** means a cat which has been surgically spayed or castrated by TNR and has its left ear tip cropped short. This is a humane way to identify free roaming cats that have been fixed and vaccinated.

D. **"Sponsor"** means an organization that coordinates TNR efforts and cooperates with the Animal Control Officer to effectively reduce cat populations, resolve cat nuisance complaints, and report to the City of Northport on TNR activity.

E. **"Trap-Neuter-Return or TNR"** means humanely trapping a community cat, taking it to a veterinarian for a surgical spay or castration, rabies vaccination, and having its left ear tip cropped by ¼ inch.

14-192 – Trap-Neuter-Return Program

A. A trapped ear tipped cat may be released on the site where it was trapped unless veterinary care is required. An ear tipped cat received by a shelter or Animal Control may be returned to the location where trapped unless veterinary care is required. It is illegal to return an obviously unhealthy or injured cat back to a colony.

B. Community cat caregivers are allowed to reclaim impounded community cats without proof of ownership solely for the purpose of carrying out TNR and/or returning ear tipped cats to their original locations with the consent of the City. A community cat caregiver who returns a community cat to its original location while conducting TNR is not deemed to have abandoned the cat.

C. Trap-Neuter-Return is a program which may be used by the City for impounded community cats. Animal Control and the local shelter are authorized to conduct TNR or to direct impounded community cats to a TNR program.

D. Exemptions. A caretaker in compliance with this section shall be exempt from all other ordinances of the city that impose requirements on cats that are owned, kept, harbored, or in the custody of a person.

E. The TNR Program is not intended to apply to abandoned cats in a residential neighborhood. Feral cat colonies shall not be allowed in a residential subdivision.

14-193 – Enforcement

A. An Animal Control Officer may investigate a nuisance complaint allegedly caused by a feral or stray cat or feral cat colony. If it is found that a feral or stray cat or feral cat colony within the corporate limits is causing a nuisance, the Animal Control Officer or the city may provide all sponsors with written notice delineating the nuisance and location of the cat or colony or the City may use other methods of Animal Control to deal with this nuisance.

B. If one or more cats are causing a nuisance, then the sponsor of the colony may be allowed to attempt to cure the nuisance. An Animal Control Officer or the City shall have the right at any time to remove the offending cat or cats.

C. An Animal Control Officer may seize and remove a feral cat colony or stray cat if the caretaker fails to comply with the requirements of this article and the sponsor does not correct the situation.

D. An Animal Control Officer may reassign sponsorship of a sponsor's feral cat colonies if the sponsor fails to comply with the requirements of this section.

14-194 – TNR Sponsor Requirements

It shall be the duty of a sponsor to:

A. Help to resolve any complaints over the conduct of caretakers of community colonies or cats belonging to community colonies.

B. Report annually to the city on the following:

1. Number of cats sterilized and vaccinated pursuant to the TNR program in the past year; and

2. Number of cats and kittens removed for the purpose of foster or adoptive placement in the past year.

C. Shall provide current contact information of the Sponsor or Sponsors to the City employee designated by the Northport Chief of Police to facilitate communication between the activities of the City's Animal Control Officers and the activities of the Sponsor or Sponsors in the Trap-Neuter-Release Program.

Sec. 14-195 – Controlling Authority

The City Administrator and the Chief of Police shall have the controlling authority as to when and if the use of implementation and/or revocation of TNR.

Sec. 14-196-199 - Reserved