COMMUNITY CAT PROGRAM ORDINANCE

Sec. 4-2. Definitions.

***Cat***means a member of the domestic species Felis Catus.

**Community Cat** means any free-roaming cat without visibly discernible evidence of ownership or microchip identification that may be cared for by one or more residents in the area, known or unknown. Community cats that are ear tipped indicate an unowned cat that is sterilized and vaccinated against rabies at least one time.

**Community Cat Caretaker** means a person who provides care to a community cat such as food, water, shelter, and veterinary care, while not being considered the owner, custodian, harborer, possessor, or keeper of a community cat under this ordinance.

**Community Cat Colony** means a group of cats and the geographic location where that group live or where they forage or hunt for food or are fed and generally cared for by an individual.

**Community Cat Program**is the program in which community cats are sterilized, vaccinated against rabies, ear tipped, and returned to the location where they were found.

**Community Cat Program Partner** means organizations or individuals authorized by the regulatory authority to monitor, manage, and assist in the implementation of the Community Cat Program.

***Community Cat Program Regulations and Guidelines*** mean the rules adopted by the city council allowing permitted organizations or individuals to undertake Community Cat Program activities, which rules include standards of care and guidelines for implementation activities.

***Ear Tips, Ear Tipped, Ear Tipping*** is designed to identify a community cat as sterilized and lawfully vaccinated for rabies.  Ear tipped means straight-line cutting of the tip of the left ear, or V cuts in the ears of a feral. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian.

***Shelter/Neuter/Return*** *(SNR)* means the nonlethal process of humanely impounding, sterilizing, vaccinating against rabies, ear-tipping, and returning community cats to their original location.

***Trap/Neuter/Return*** *(TNR)* means the nonlethal process of humanely trapping, sterilizing, vaccinating against rabies, ear-tipping, and returning feral cats to their original location.

**Article VIII Community Cat Program**

**Sec. 4-141: COMMUNITY CAT PROGRAM PURPOSE AND APPLICABILITY.**

A program is hereby adopted to control community cat populations in the city of Dickinson ("city"), and to address associated health and safety hazards, and other impacts in the city. The program shall be known as the city of Dickinson Community Cat Program. The program shall be implemented in partnership with permitted Community Cat Program individuals and organizations and shall be managed by the regulatory authority.

**Sec. 4-142: Community Cat Program Partner Permit**

An annual permit shall be required for any organization or individual that wishes to partner with the regulatory authority in the implementation of the Community Cat Program.

A permit application shall be submitted in the form and with the information required by the city including the following:

Applicant contact and address information.

Community Cat Program data upon request of the regulatory authority.

**Sec. 4-143: Community Cat Program**

Any community cat impounded by the regulatory authority which has an appropriate ear tip shall be returned to the location where it was found, unless veterinary care is required. Community cats shall not be impounded by the regulatory authority.

Community cats shall not be exempt from the provisions of statute or other ordinance provisions applicable to prohibition of the cruelty to animals; provided however, the return of a community cat to the location where it was found or humanely trapped, after sterilization, vaccination, and ear tipping, shall not be considered abandonment under any statute or other ordinance provision.

Community cats, being unowned as defined herein, shall not be subject to provisions of this ordinance applicable to owned animals, such as licensing, at large provisions, and being counted toward the number of owned animals permitted under any statute or local ordinance provision.

Community cats shall be eligible for release from the regulatory authority prior to any stray hold period imposed by statute or this ordinance, so long as the community cat is sterilized, ear tipped and vaccinated against rabies prior to returning to the location where it was found.

Community cats that are part of the Community Cat Program shall be vaccinated at least once against rabies, and reasonable effort shall be made to revaccinate Community Cats that are subsequently re-trapped.

When the regulatory authority impounds a community cat that is not ear tipped, a Community Cat Program partner shall be contacted to sterilize, vaccinate against rabies, ear tip and return the cat to the location where it was found or humanely trapped.

**Sec. 4-144: COMMUNITY CAT PROGRAM PERMIT AND APPLICATION REQUIREMENTS**

An annual permit shall be required for any individual or organization that wishes to practice TNR in the city.

A permit application shall be submitted in the form and with the information required by the city, including the following:

1. Community Cat Program Permit Requirements: A completed Community Cat Program application, and accompanied with the following supplemental information:
   1. Applicant’s contact and address information.
   2. Affidavit forms signed by each affiliated person confirming their receipt of a copy of the City of Dickinson Community Cat Program Regulations and Guidelines and stating that they have read, understand, and will comply with those regulations and guidelines.
   3. If feeding or trapping is proposed on private property, a copy of both the property owner’s and resident’s consent agree to allow TNR activities on the private property.
   4. If feeding or trapping locations are proposed on public property, proof of comprehensive general liability insurance in a form acceptable to and in an amount determined by the city’s risk management department, with the city named as an additional insured. The insurance shall not be modified without the consent of the city.
   5. A statement accepting and agreeing to abide by all the regulations and guidelines of the Community Cat Program.

**Sec. 4-145: ENFORCEMENT.**

A.   **Standards Of Care**: The regulatory authority may delegate the monitoring of the standards of care described within the city's Community Cat Program Regulations and Guidelines and this ordinance to permitted Community Cat Program Partners. Nothing in this subsection is intended to restrict the remedies available to the city for a violation of the requirements of this article or the Community Cat Program’s regulations and guidelines.

B.   **Revocation Of Permit**: In addition to any other remedy available to the city, the city may revoke the Community Cat Partner permit if the regulatory authority determines that the permittee has violated the provisions of this article or the program’s regulations and guidelines.

C.   **Complaints**: Any person may file a written complaint with the regulatory authority regarding any aspect of the Community Cat Program. Upon receipt of such a complaint, an investigation will be initiated by the regulatory authority regarding the allegations in the complaint.

**Sec. 4-146: PROHIBITION AGAINST RELEASE:**

A cat not trapped through the city's Community Cat Program is prohibited from being released into the city or otherwise allowed to roam free in the city, whether the release occurs on private or public property. Any person violating this section shall be guilty of a misdemeanor punishable in accordance with section 4-4 of this code.