

## **ORDINANCE # 463**

AN ORDINANCE PERTAINING TO THE REGISTRATION AND CARE OF CATS AND PROHIBITION OF FEEDING FERAL CATS IN THE CITY OF INMAN, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF INMAN, KANSAS:

Section 1. Feral cats are hereby declared to be a public nuisance and a threat to the public health. The feeding of feral cats increases the likelihood of disease from cats and other wild animals which are attracted by the food.

Section 2. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: *Cat* means any feline, regardless of age or sex.

Section 3. Identification and Registration. Every person residing in the city and owning or having in possession any cat over four months old shall have the cat bear identification and the owner shall have a city license purchased annually. The fee will be \$10.00 for each un-neutered cat and \$5.00 for each neutered cat, annually.

Section 4. Rabies vaccination. Every person residing in the city and owning or having in possession any cat over four months old shall be required to have the cat inoculated for rabies. Every veterinarian who vaccinates any cat shall collect his fee for the vaccination from the owner or keeper of the cat and shall issue a certificate of vaccination to such owner or keeper. He or she shall state in the certificate the name of the owner or keeper, the date of vaccination and the fact of vaccination.

Section 5. Maximum number. It shall be unlawful for any person in the City to have in possession or under control more than three cats over the age of four months.

Section 6. Parents' liabilities. The parent or guardian or any minor claiming ownership of any cat shall be deemed to be the owner of such animal and shall be charged for all penalties and shelter fees imposed by this article.

Section 7. Running at large. No person shall permit his cat to run at large within the city limits at any time. A cat shall be deemed running at large when off the premises of its owner or keeper without being under control of its owner or keeper.

Section 8. Disposition of feral or vicious cats. Any feral or vicious cat found running at large, because of its disposition or diseased condition may be too hazardous to apprehend, may be destroyed when so ordered by the chief of police. In an emergency, if the chief of police cannot be contacted in time to avoid danger to any person, any police officer may destroy such animal without first contacting the chief of police.

Section 9. Running at large or creating nuisance. Any cat running at large or creating a nuisance, in violation of this article, is declared to be a public nuisance and shall be impounded by the police, as provided in this ordinance.

Section 10. Redemption. Any person appearing at the city animal shelter who satisfies the police officer of the fact of his or her ownership or right to the possession of any cat therein impounded shall have such cat returned to him upon the following conditions:

A. If the cat so impounded has a valid city tag and vaccination tag, the cat may be returned to the owner upon his paying to the police officer an impounding fee of \$50.00 and \$20.00 for each day the cat has been impounded. The police officer shall give a receipt to such claimant in duplicate for such payment and shall release the cat to the owner or claimant.

B. If the cat impounded does not have a valid city tag or vaccination tag, the cat may be released to the owner or claimant upon his paying to the police officer an impounding fee of \$50.00 and \$20.00 for each day the cat has been impounded and obtaining from the police officer a cat tag, as provided by this article. The fees, as provided for in this subsection, shall be paid to the police officer and, upon presentation of evidence that such cat has been vaccinated for rabies, the police officer may authorize the release of the cat. A cat that has not been vaccinated for rabies within the preceding 12 months shall not be released or returned to its owner until the cat has been vaccinated as set forth in this subsection. It shall be the owners responsibility to make arrangements to have the cat vaccinated at the place where the cat is impounded.

C. If a licensed but untagged cat is impounded, it shall be the duty of the owner of such cat to comply with this article by procuring a duplicate city of vaccination tag within three days of impoundment. The police officer may then release the cat to the owner upon payment of the fees, as provided in this section. Within three days of impoundment, if the fees are not paid or if the order of release is not obtained within the three-day period, the cat shall be disposed of.

Section 11. Care of Feral Cats. It shall be unlawful for any person within the City of Inman, Kansas to intentionally provide food, water or other forms of sustenance to a feral cat colony or feral cat.

Food may only be placed outside on the cat or dog owners' property for cats or dogs which are licensed.

Section 12. The owner of a licensed cat must not permit his or her cat to trespass onto soil and/or cause damage to other private and/or public property.

Section 13. Garbage cans left outdoors must be tightly secured with proper lids to prevent entry of stray cats or other animals. Garbage storage areas must be kept clean.

Section 14. Penalties. Any violation of any section of this ordinance shall be considered an unclassified misdemeanor. Upon conviction of a violation of any section of this ordinance, the Court may impose for a first conviction a minimum fine of \$200.00 and upon a second or subsequent conviction, a minimum fine of \$500.00 and court costs. The Court may impose, jail sentence of up to 30 days upon any such conviction, in addition to the fine.

This ordinance shall take effect from and after its passage by the governing body and publication in the official city newspaper.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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John D. O'Brien, Mayor

Attest:

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Eva Friesen, City Clerk