

ORDINANCE 23-2019

AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 505 ANIMALS AND FOWL, OF THE CITY OF NEW PHILADELPHIA, OHIO, by adding Section 505.18 MANAGEMENT OF CAT POPULATION PERMITTED ACTS, AND DECLARING AN EMERGENCY.

WHEREAS, feral cats have become an increasing presence in the city of New Philadelphia; and

WHEREAS, if not appropriately addressed a health hazard could be created; and

WHEREAS, a community group has offered to assist in the management of the problem; and

WHEREAS, the proposed ordinance changes will assist that group and allow improvement in the health, safety, and welfare of the citizens of New Philadelphia.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AS FOLLOWS:

SECTION 1. That Codified Ordinance Chapter 505 ANIMALS AND FOWL, of the City Of New Philadelphia, Ohio is hereby amended to include Chapter 505.18 MANAGEMENT OF CAT POPULATION PERMITTED ACTS and shall read as follows:

505.18 MANAGEMENT OF CAT POPULATION PERMITTED ACTS

A. Definitions. For purposes of this Section, the following terms shall have the following meanings:

(1) "Community Cat" shall mean a cat that is abandoned, stray, lost, or feral and that may be cared for by a community cat caregiver, specifically TUSCARAWAS COUNTY TNR PROJECT INC., or their approved representatives.

(2) "Community Cat Caregiver" shall mean a person who, is approved by and in accordance with the policy of TUSCARAWAS COUNTY TNR PROJECT INC., provides care, including, food, shelter, or medical care to a community cat, while not being considered the owner, harbinger, controller, or keeper of a community cat.

(3) "Eartipping" shall mean the removal of the ¼ inch tip of a community cat's left ear, performed while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian, designed to identify the community cat as being sterilized and lawfully vaccinated for rabies.

(4) "Trap-Neuter-Return (TNR)" shall mean the process of humanely trapping, sterilizing, vaccinating for rabies, eartipping, and returning community cats to their original location.

B. Permitted Acts. The following actions shall be permitted in the City of New Philadelphia, specifically allowing TUSCARAWAS COUNTY TNR PROJECT INC., to pursue the process of Trap-Neuter-Return:

(1) Trapping, for the sole purpose of sterilizing, vaccinating for rabies, and eartipping community cats, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian, where applicable.

(2) An eartipped cat received by local shelters will be returned to the location where trapped unless veterinary care is required. A trapped eartipped cat will be released on site unless veterinary care is required.

(3) Community cat caregivers are empowered to reclaim impounded community cats without proof of ownership solely for the purpose of the implementation of the process of Trap-Neuter-Return as more particularly provided in this Section.

(4) TUSCARAWAS COUNTY TNR PROJECT INC., will provide to the New Philadelphia Police Department and the New Philadelphia Safety Director a list of representatives (trapper, caregiver) who are approved by TUSCARAWAS COUNTY TNR PROJECT INC. The list must be updated by TUSCARAWAS COUNTY TNR PROJECT INC. whenever any change is made to the current submitted list.

(5) A current copy of TUSCARAWAS COUNTY TNR PROJECT INC. Internal Revenue Service Employee Identification Number (EIN 84-1973667) and a copy of TUSCARAWAS COUNTY TNR PROJECT INC. Charter and Bylaws will be submitted to and kept in the City of New Philadelphia Mayor's Office.

(6) Every approved TUSCARAWAS COUNTY TNR PROJECTS INC. representative, when performing in a TNR or Community Cat Caregiver function, must have written permission from the landowner on their person.

SECTION 2. This Ordinance is hereby declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the City of New Philadelphia, Ohio.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: January 27, 2020

ATTEST:

Julie Courtright
JULIE COURTRIGHT
CLERK OF COUNCIL

Donald C. Kemp
DONALD C. KEMP
PRESIDENT OF COUNCIL

APPROVED:

Joel B. Day
MAYOR JOEL B. DAY

SPONSORED BY: SAFETY, HEALTH, AND SERVICE COMMITTEE