

## **ORDINANCE NO. 2 OF 2020**

### **AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE CODE OF CABOT, CHAPTER 4 ANIMALS FOR THE CITY OF CABOT; AND FOR OTHER PURPOSES**

WHEREAS, it is the intent of the City Council of the City of Cabot, Arkansas to amend the Code of Cabot and adopt the new Animal Control regulations set forth below in an effort to encourage the humane treatment of animals.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF CABOT,  
ARKANSAS THAT:**

#### **SECTION 1:** Chapter 4, Animals, Article I. – In General, § 4-1. – Definitions

is hereby amended to add and/or modify the following definitions:

Community Cat - Any free-roaming cat that 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.

Working Cat means any free-roaming cat that may or may not be feral and "works" for its upkeep by hunting vermin, such as rodents and is cared for by an individual or business proprietor.

Eartipping – The removal of the 1/4-inch tip of a Community Cat's left ear, performed while the cat is under anesthesia. The purpose of eartipping is to identify the Community Cat as being sterilized and lawfully vaccinated for rabies.

#### **SECTION 2:** Chapter 4, Animals, Article I. – In General § 4-1. – Definitions

is hereby amended to delete the following definitions:

Feral cat caretaker means any person or organization, other than an owner, who provides food, water, shelter or otherwise cares for a feral cat.

Feral cat colony means a group of cats that congregate as a unit. Although not every cat in a colony may be feral, any non-feral cats that congregate with a colony shall be deemed to be a part of it.

Feral cat colony caretaker means any feral cat caretaker who is approved by city animal services to care for a feral cat colony.

**SECTION 3:** Chapter 4, Animals, Article III. – Animal Care and Control § 4-61. – Releasing Animals In Public Places in the Corporate City Limits is hereby amended and Municode shall update and codify the following language as follows:

Sec. 4-61. – Releasing Animals In Public Places in the Corporate City Limits.

(c) Exceptions.

(1) This Section does not apply to feral cats released as part of the City TNR program.

(2) This section does not apply to cats released as part of the City of Cabot Community Cat Program.

**SECTION 4:** Chapter 4, Animals, Article III. – Animal Care and Control § 4-65. – Public Nuisance Animals is hereby amended and Municode shall update and codify the following language as follows:

Sec. 4-65. – Public Nuisance Animals.

(10) Any Community Cat Colony within the corporate city limits of Cabot, which has not had all cats sterilized or vaccinated.

**SECTION 5:** Chapter 4, Animals, Article III. – Animal Care and Control § 4-70. – Impoundment and Destruction Authorized is hereby amended and Municode shall update and codify the following language as follows:

Sec. 4-70 Impoundment and Destruction Authorized.

(b) Such impounded animal shall be held for a period of five (5) business days, at the end of which time the animal becomes the property of the City of Cabot and may be adopted, transferred, or humanely Euthanized in cases of aggression, untreatable/manageable illness or injury, unmanageable behavior issues resulting in the animal being unadoptable.

(c) Such animal may be humanely euthanized prior to the expiration of such five (5) business day waiting period when such animal has been seriously injured or seriously ill and humane euthanasia would eliminate

suffering on the part of the animal and would constitute the humane solution to such animal's suffering.

(d) Such animal may be euthanized prior to the expiration of such five (5) business day waiting period when such an animal presents itself in a vicious or dangerous manner that places the public or Cabot Animal Services Employees in ongoing danger and such euthanasia would eliminate this threat.

(e) Such animal may be released as part of the City of Cabot Community Cat Program.

**SECTION 6:** Chapter 4, Animals, Article IV. – Dogs and Cats § 4-103. – Running At Large Prohibited is hereby amended and Municode shall update and codify the following language as follows:

4-103. – Running At Large Prohibited.

(b) Exceptions.

(1) Feral cats that have been trapped, spayed or neutered and released are exempt from this section. Each cat would be ear-tipped, clearly identifying it as a product of the city TNR program.

(2) Community cats are exempt from this section as part of the City of Cabot Community Cat Program. Each cat would be ear-tipped, clearly identifying it as a part of the City of Cabot Community Cat Program.

**SECTION 7:** Chapter 4, Animals, Article V. – Feral Cat Colonies shall be repealed in its entirety and replaced with the following regulations shall be codified using the same format as the current code, as follows:

**Section 1: Purpose of Section**

(a) Community Cat Management Initiatives: The City of Cabot recognizes the need for innovation in addressing the issues presented by feral, free-roaming and other

community cats. To that end it recognizes that there are community care givers of cats, and acknowledges that properly managed community cats may be part of the solution to the continuing euthanasia of cats; and establishes the following requirements:

(1) All community cats must be maintained on private property of the with permission on the private property landowner (including city, state, and federal public property).

(2) A community cat caregiver certification program may be developed to educate people about community cats, the importance of a veterinary provider relationship to best address community cat needs, common disease(s) & proper care, good management practices, and maintenance of the community cats. The educational program shall be developed by Cabot Animal Services.

(3) All cats that are part of the community cat management program must be sterilized, vaccinated against the threat of rabies, and ear-tipped on the left ear for easy identification; if these requirements are met the community cat is exempt from stray and at-large provisions of this ordinance that apply to owned animals.

(4) If a person is providing care for the community cats, he or she is required to provide certain necessities on a regular/ongoing basis, including, but not limited to, proper nutrition and medical care as needed. If medical care is unavailable or too expensive, the caregiver must not allow the cat to suffer.

(i) Food must be provided in the proper quantity for the number of cats being managed and is to be supplied no less than once per day. Food must be maintained in proper feeding containers.

(ii) Water must be clean, potable and free from debris and algae.

(iii) Shelter shall be unobtrusive, safe, and of the proper size for the cat(s).

(5) Any cat received by Cabot Animal Services may be returned to the location where picked up after neutering, eartipping, vaccination against rabies unless further veterinary care is required, or a home is found for the cat (unless found to be a Public Nuisance Animal).

(6) A trapped, eartipped cat, unless found to be a Public Nuisance Animal, will be released on site unless further veterinary care is required, in which case the cat will be returned once it no longer needs care.

(b) Working Cat Management Initiatives: The City of Cabot recognizes the need for innovation in environmental protection from harmful pesticides and rodenticides. A working cats program is designed to place cats in safe environments where they are valued for their hunting skills as working cats. This program will be offered by the Cabot Animal Shelter for use with otherwise unadoptable cats in the program as an alternative to euthanasia. The cats may not be suitable for adoption because they are feral cats or did not acclimate to living in close quarters with humans. The City of Cabot Working cats program will provide cats that are spayed or neutered, fully vaccinated, eartipped to individuals and businesses and in exchange for their services, the cats are to receive a place to live, food, water, and vet care as described in this ordinance.

1) All Working cats must be maintained on private property of the with permission on the private property landowner (including city, state, and federal public property).

(2) A working cat caregiver certification program may be developed to educate people about community cats, the importance of a veterinary provider relationship to best address community cat needs, common disease(s) & proper care, good management practices, and maintenance of the community cats. The educational program shall be developed by Cabot Animal Services.

(3) All cats that are part of the working cat program must be sterilized, vaccinated against the threat of rabies, and ear-tipped on the left ear for easy identification; if these requirements are met the working cat is exempt from stray and at-large provisions of this ordinance that apply to owned animals.

(4) If a person is providing care for the working cats, he or she is required to provide certain necessities on a regular/ongoing basis, including, but not limited to, proper nutrition and medical care as needed. If medical care is unavailable or too expensive, the caregiver must not allow the cat to suffer.

(i) Food must be provided in the proper quantity for the number of cats being managed and is to be supplied no less than once per day. Food must be maintained in proper feeding containers.

(ii) Water must be clean, potable and free from debris and algae.

(iii) Shelter shall be unobtrusive, safe, and of the proper size for the cat(s).

(5) A trapped, eartipped cat, unless found to be a Public Nuisance Animal, will be released on site unless further veterinary care is required, in which case the cat will be returned once it no longer needs care.

**SECTION 8: Repealer.** All Ordinances and parts of Ordinances, in conflict herewith are hereby repealed to the extent of the conflict; specifically, parts and sections delineated herein are hereby repealed.

**SPONSOR:**

Ed Long, Ward 1, Position 1

**PASSED: 8-0**

**DATE: 2/24/2020**

**APPROVED:**

\_\_\_\_\_  
Ken Kincade, Mayor

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
Ben Hooper, City Attorney

\_\_\_\_\_  
Tammy Yocom, City Clerk~Treasurer