

ORDINANCE NO. 002-15

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ADDING SECTION 4-12.480 TO THE YUBA CITY MUNICIPAL CODE PROHIBITING
FEEDING OF FERAL CATS**

THE CITY COUNCIL OF THE CITY OF YUBA CITY DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, feral cats and the free-feeding by people of feral cats within the metropolitan regions of the City of Yuba City has become a concern. The proliferation of feral cats creates sanitary concerns within affected areas which often leads to the spread of feline based diseases and also results in rapid population expansion of feral cats.

WHEREAS, Sutter Animal Services Authority (SASA) recognizes under California Civil Code Section 2080, that "any animal that is taken up and cared for by a person does take charge of it thenceforward and serves as a depository for the owner, with the rights and obligations of a depository for hire". Additionally, the finder is responsible for attempting to notify the lawful owner.

WHEREAS, a person is prohibited from creating a nuisance to other area residents either on private or public property. Owners found guilty of allowing their animals to destroy, foul or otherwise lower the property value and to create unfavorable and/or unhealthy conditions may be cited and may be prevented by the court from owning animals pursuant to California anti-cruelty laws, Penal Code 597.

WHEREAS, persons free-feeding animals may be cited for violating Fish and Game Code Section 251.1, which defines harassment as "an intentional act which disrupts an animal's normal behavior pattern, which includes, but is not limited to, breeding, feeding and sheltering.

WHEREAS, the City Council has determined it is necessary to restrict the feeding of feral cats in order to protect the public's health and safety.

NOW, THEREFORE, the City Council of the City of Yuba City does hereby ordain as follows:

Section 1. Section 4-12.480 is hereby added to the Yuba City Municipal Code to read as follows:

Section 4-12.480. Feeding of Feral Cats.

A. For purposes of this section, the following words, terms and phrases shall have these definitions:

"Feral cat" means a cat as defined in Section 31752.5 of the Food and Agricultural Code.

"Free-feeding" means not limiting the amount of food made available to an animal at a single feeding, resulting in excess food which will result in creating inviting conditions for other animals including wildlife.

B. It shall be unlawful for any person to create a public nuisance by free-feeding any wild animals including any feral cats.

C. It shall be unlawful for any person to make available more food supply than is reasonably adequate for the number of legally allowed domesticated cats the person may care for.

D. This section shall not apply to:

Persons who qualify for a trap-neuter-release program that the City establishes to reduce the feral/wild cat populations.

Section 2. This ordinance shall become effective thirty (30) days after its adoption. A summary of this ordinance shall be published once at least five (5) days prior to the adoption of this ordinance and once within fifteen (15) days after its adoption, in the Appeal Democrat, a newspaper of general circulation in the City of Yuba City.


Introduced and read at a regular meeting of the City Council of the City of Yuba City the 3rd day of February, 2015, and adopted at a regular meeting thereof held on the 17th day of February, 2015.

AYES: Councilmembers Buckland, Cleveland, Didbal, Gill and Mayor Dukes

NOES: None

ABSENT: None


John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk



APPROVED AS TO FORM


Tim Hayes, City Attorney