

ORDINANCE NO. 682

AN ORDINANCE, RELATED TO DOMESTIC, WILD, WILD DOMESTIC, AND FERAL CATS WITH IN THE CORPORATE LIMITS OF THE TOWN OF ODESSA, LINCOLN COUNTY, STATE OF WASHINGTON ON, AND PROHIBITING CERTAIN CONDUCT THEREON, AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, The Odessa Town Council has determined that there are an undetermined number of wild, wild domestic, and feral cats affecting numerous areas of town; and

WHEREAS, The Odessa Town Council has determined that wild, wild domestic, and Feral cats may pose a risk to humans and domestic animals in the Town of Odessa; and

WHEREAS, The Odessa Town Council has determined that no person should be allowed to harbor, conceal, or feed wild, wild domestic, or feral cats with in the corporate limits of the Town of Odessa; and

WHEREAS, Ordinance No. 630 does not sufficiently address domestic, wild, wild domestic, and feral cats, Ordinance No. 630 is hereby rescinded; and

WHEREAS, Section 2, paragraph D, E, and F, shall not take effect until January 1st 2018.

WHEREAS, the Town of Odessa Town Council recognizes there may be a financial strain to citizens purchasing ID tags, the Town council lowers the cost of the tag purchased between the date of adoption of this ordinance to December 31st 2017, from five dollars to two dollars. On January 1st, 2018 the price will increase to the cost in section 3.

WHEREAS, the Odessa Town Council held a public meeting on March 27, 2017 to provide information and receive questions and comments regarding cats within the corporate Town limits; and

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ODESSA, LINCOLN COUNTY, WASHINGTON, AS FOLLOWS, TO WIT:

Section 1. Definitions.

For the purposes of this chapter:

- A. "Domestic cats" means any cat, excluding wild cats, that any resident of Odessa claims ownership of and provides facilities at their residence for said cat or cats and purchased a license for.
- B. "Wild cats" means any feline that by nature is wild and not normally domesticated for the use as a pet.
- C. "Wild domestic cats" or "Feral cat" means any house or barn cat that no ownership has been determined to exist between cat and person and is living on its own, or the offspring of stray or other feral cats, and are not accustomed to human contact.

Section 2. Cat licenses – Required.

It shall be unlawful for any person or persons to own or harbor any cat with in the corporate limits of the Town of Odessa, unless such person or persons shall first procure a ID therefor as hereinafter provided.

- A. Licenses will be issued by the Town. ID tags are valid for one year, January 1st to December 31st.
- B. Any cat reaching six months of age must be licensed.
- C. No license is required of nonresidents staying temporarily within the city for not more than 7 days. Licenses must be obtained within 7 days of the owner's establishing residence within the city.

D. A late application penalty of \$10.00 shall be imposed on each cat if application for such licenses is made after 90 days from the date of renewal, and either:

1. More than 30 days from the date of acquisition of the cat over seven months of age; or
2. More than 30 days after the cat has attained the age of seven months; or
3. More than 30 days after the applicant has established residence in the city.

E. Before a license is issued for any cat, the owner must prove, by a certificate of vaccination signed by a licensed veterinarian that the cat has been vaccinated against rabies at the time of licensing.

F. A certificate by a licensed veterinarian is necessary to prove that a cat has been spayed/neutered.

Section 3. Fees

The following fees are applicable as provided in this chapter:

A. Cat License	
1. Unaltered cat	\$30.00
2. Altered cat	\$5.00
B. Replacement Tags	\$2.00

Section 4. ID Tag procedures – Receipts and tags.

Upon the payment of the license fee and fulfillment of the licensing requirements, a license tag as provided for in this chapter, shall be delivered to the applicant. License information shall be retained by the city. Such licensing information shall include, *name, address, phone number of the owner, type, name and sex of the cat, whether it is spayed or neutered, status of rabies, and expiration year of the rabies vaccine.*

Section 5. ID Tag procedures – Affixing tags.

The owner shall cause a valid license tag to be permanently affixed to the collar of the cat so that such license tag is in such a position that it may be easily seen by the animal control officer. The owner shall cause the tag to be worn by such animal at all times.

Section 6. ID tags not transferable.

License tags shall not be transferable. No refund shall be made of or cat license fee for any reason.

Section 7. Maximum Number of Cats

No person, persons, or household shall keep more than four (4) cats that are over six months of age on any premises in the Town.

Section 8. Cats or Cats Running at Large

Due to the nature of cats, it would be impracticable to try to control their movements. However, live traps may be used to catch cats that are creating a nuisance upon private or public property inside the town limits. Upon catching a cat with a valid town ID tag, the cat is to be immediately set free. Cats not wearing a valid ID tag are deemed to be wild cats, or wild domestic cats and are to be disposed of as set forth in this chapter.

Section 9. Disposal of Wild, Wild Domestic and Feral Cats.

Upon catching a wild, wild domestic, or feral cat that appears to be in good health and not a health hazard, the person may remove the cat to a suitable area outside of town, where the wild, wild domestic or feral cat may be released. If the person is unable to remove the wild, wild domestic cat to a suitable location, the animal control authority or their designee is to be notified to remove the cat to a suitable location, at their earliest opportunity.

Upon catching a wild or wild domestic cat that has or appears to have health problems, the animal control authority or their designee shall be notified immediately for the removal of the cat

and its humane destruction, if it is determined by the animal control authority or their designee to have health problems, as not to infect any domestic cat or cats.

Section 10. Removing Lawfully ID Tagged Cats or Concealing Identity of Cats.

It shall be illegal to try to conceal or to conceal the identity of a domestic cat or to dispose of a valid ID tagged domestic cat.

Section 11. Wild, Wild Domestic and Feral cats inside the town limits--Illegal.

It shall be illegal for any person or persons to harbor, conceal, feed, or care for, any wild cat or wild domestic cats inside the town limits of Odessa.

Section 12. Violation - Penalty

Violation of any provisions of this chapter shall be a civil infraction and shall be subject to a fine at the rate as set forth in Section 1.16.

Section 13. Severability.

Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 14. Rate changes

The Odessa Town Council is hereby allowed to fix the rates and supplemental charges in this chapter resolution

Section 15. Effective Date.

That this ordinance shall be effective immediately after its passage, approval and publication.

PASSED AND ADOPTED BY THE ODESSA TOWN COUNCIL THIS 27th DAY OF MARCH, 2017.

Lois Hubbard, Mayor

ATTEST:

Gail Kiesz, Clerk-Treasurer