

4-21-20 LEGISLATIVE
CA 5-12-20 Amended
1st R 5-19-20
2nd R 6-2-20
3rd R 6-16-20
170

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11151-2020

INTRODUCED BY: MAYOR GAMMELLA + Council members Mancini, Poindexter, Scott, Schmuck, Grutt + Council President Vecchio

AN ORDINANCE

ENACTING SECTION 505.23 OF THE GENERAL OFFENSES CODE OF THE CITY OF BROOK PARK ENTITLED "MANAGEMENT OF CAT POPULATION; PERMITTED ACTS", AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Brook Park has determined that a process of trapping, sterilizing, vaccinating for rabies, ear-tipping and returning cats to their original location is an effective and humane way to manage the population of cats within the City of Brook Park; and

WHEREAS, the Council has determined that this process, known as Trap-Neuter-Return, is the preferred approach for managing the cat population, and that Trap-Neuter-Return shall be the prioritized disposition for any impounded community cats.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Section 505.23 of the Brook Park Codified Ordinances, entitled 'Management of Cat Population; Permitted Acts' is hereby enacted to read as follows:

505.23 Management of Cat Population; Permitted Acts.

- (a) Definitions. For purposes of this Section, the following terms shall have the following meanings:
 1. "Community Cat" is a member of the domestic species *Felis Catus* and shall mean a free-roaming cat who 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. Community cats are not wildlife.
 2. "Community Cat Caregiver" shall mean a person who, in accordance with and pursuant to a policy of Trap-Neuter-Return, provides care, which may include shelter or medical care to a community cat, while not

being considered the owner, harborer, controller or keeper of a community cat.

3. "Eartipping" shall mean the removal of the distal one-quarter of a community cat's left ear, which is approximately 3/8-inch or 1 cm, in an adult and proportionally smaller in a kitten. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian. Eartips are designed to identify a community cat as being sterilized and lawfully vaccinated for rabies.
4. "Trap-Neuter-Return" 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 Brook Park as part 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 carrying out Trap-Neuter-Return and/or returning eartipped community cats to their original locations.
4. A person who returns a community cat to its original location while conducting Trap-Neuter-Return is not deemed to have abandoned the cat.
5. Trap-Neuter-Return shall be the preferred disposition for impounded community cats. Animal control and the local shelter are authorized and encouraged to conduct Trap-Neuter-Return or to direct impounded community cats to a Trap-Neuter-Return program.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: This ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for further reason that Council desire to enact Section 505.23, therefore, provided this ordinance receives the affirmative vote of at least (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: June 14, 2020

M.P. Vecchio
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
CLERK OF COUNCIL

APPROVED: [Signature]
MAYOR

6/17/2020
DATE

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 1121-2020 passed on the 14th day of June 2020 by said council.

Michelle Blazak
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at five of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing June 19, 2020

MICHELLE BLAZIK
Clerk of Council

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schmuck	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>