

RECORD OF ORDINANCES

Ordinance No. 2021-13 Passed September 7, 2021

AN ORDINANCE ADOPTING SECTION 505.21 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO TO PROVIDE REGULATIONS ON FERAL CATS.

WHEREAS, feral cats are cats that are wild, stray or not owned; and

WHEREAS, the feeding of feral cats creates a nuisance within the City of Brookville; and

WHEREAS, City Council desires to adopt this ordinance to prohibit the feeding of feral cats within the City of Brookville;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:

SECTION I: The City Council hereby adopts the following Section 505.21 to address feral cats within the City of Brookville:

505.21 Feral Cats

- (a) For the purpose of this section, any cat that is wild, stray or not owned shall be considered feral. A domestic cat turned wild shall be considered feral.
- (b) It shall be unlawful for any person to continue to feed a feral cat.
- (c) It shall be prima facie evidence of a violation of this section if a person shall knowingly or recklessly:
 - (1) Leave food or any other type of feed outdoors after daylight hours; or
 - (2) Leave food or any other type of feed outdoors unattended not in the presence of the owner’s domestic cat.
 - (3) Allow feral cats running at large to feed on one’s own property.
- (d) Any person feeding feral cats may be required to cooperate with any humane program sponsored by the City or operating under the City’s auspices, that traps feral cats for the purpose of spaying/neutering the cats and immunizing the cats from rabies, “tipping” the cat’s ear and then returning the cat to its environment in the general vicinity in which it was trapped.
- (e) Whoever violates this section is guilty of a minor misdemeanor. If the offender previously has been convicted of a violation of this section within one year of a new violation of this section, the offender shall be guilty of a misdemeanor of the fourth degree.

SECTION II: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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BEAR GRAPHICS 800-325-8094 FORM NO. 30043

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SECTION III: This Ordinance shall take effect thirty (30) days after passage by the Council of the City of Brookville as provided by the Charter of the City of Brookville.

PASSED this 7th day of September, 2021.

ATTEST:


Michelle Brandt, Acting Clerk


Charles Letner, Mayor


CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2021-13, passed by the Council of the City of Brookville, Ohio, on the 7th day of September, 2021.


Michelle Brandt, Acting Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2021-13 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 9th day of September 2021, to the 8th day of October 2021, both days inclusive.


Michelle Brandt, Acting Clerk