

Athena Ordinance

ORDINANCE NO. 580

AN ORDINANCE RELATING TO THE KEEPING, LICENSING AND RESTRAINING, OF CATS IN THE CITY OF ATHENA AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

The City of Athena, Oregon ordains as follows:

Section 1. Repealer.

All ordinances and/or parts of ordinances in conflict herewith shall be and are hereby repealed.

Section 2. Cats outdoors

A. Cats. Unaltered cats must be confined to the owner's property. Unaltered cats outside the owner's property must be restrained or confined humanely to prevent them from running at large and to feed and protect them from injury and disease.

B. It is unlawful for any person possessing, harboring, keeping, having an interest in, or having control or custody of a cat to permit or allow more than three cats to go or remain outdoors at the same time or to permit or allow any un-altered cat over the age of four months to go or remain outdoors without being contained in a pen or a device meant to hold cats, anyone with more than 3 cats shall obtain a kennel license from the City of Athena.

Section 3. Licensing Requirement.

A. All cats are required to be licensed with the City of Athena before the cat is six months of age. License rates will be set by the City Council. Licenses are valid for one calendar year and shall be renewed prior to January each year. **In the event that the owner is over the age of 62 the license fee shall be waived.**

B. Proof of spaying or neutering shall be by way of a veterinarian's certificate or such other proof as the city recorder may elect to accept. The recorder shall maintain a record showing date of licensing, sex and condition of the animal, and the name and address of the owner.

C. All adult cat owners **may** submit a picture of their cat(s) to City hall and are **required** to have them wear a valid license tag. Any person to whom a tag has been issued shall cause the tag to be securely fastened about the cat's neck by a collar, harness or other substantial device so as to be clearly visible at all times.

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Section 4. Outdoor feeding.

It is unlawful to place or maintain placement of food outdoors between the hours of six p.m. and six a.m. unless the food is located inside a proper enclosure which is inaccessible to at-large animals.

Section 5. Space requirements.

Each cat (including weaned kittens) that is housed in any animal enclosure must be provided minimum vertical space and floor space as follows:

1. Each animal enclosure housing cats must be at least twenty-four (24) inches high;
2. Cats up to and including nine (9) pounds must be provided with at least three (3) square feet; and
3. Cats over nine (9) pounds must be provided with at least four (4) square feet.

Section 6. Nuisance control.

The owner of a cat, which is allowed to free roam beyond an owner's property, is civilly liable for any property damage which may be done to any neighboring property.

If a cat wearing identification, either city license, owner's name, telephone number, or address is caught it will be returned to the owner and a warning issued. Habitual offenders may be cited at the discretion of the Police Department.

Section 7. Treatment of Cats.

No person shall treat a cat in a cruel or inhumane manner or willfully or negligently cause or permit a cat to suffer unnecessary torture or pain, or otherwise violate the animal cruelty laws of the State of Oregon.

Section 8. Animal Waste

The owner of every cat shall be responsible for the removal of any cat feces deposited by his/her animal on public property, public walks, recreation areas or private property of others.

Section 9. Animal Abandonment

Abandonment is defined as dropping off or leaving said animal on the street, road, or highway, or in a public place, or the private property of another person, firm, and corporation or previous residence. Any person found abandoning an animal will be cited. A **fine schedule** for violations of this section *shall be established by the Council by resolution.*

Passed by the council and approved by the Mayor, February 12, 2009