

D R A F T (3rd)

City of Pawtucket

CHAPTER

AN ORDINANCE IN AMENDMENT OF CHAPTER 116 OF THE CODE OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996 ENTITLED "ANIMALS" ESTABLISHING SPAY OR NEUTER REQUIREMENTS FOR CATS IN THE CITY OF PAWTUCKET.

Be it ordained by the city of Pawtucket as follows:

SECTION 1. Chapter 116 of the Code of Ordinances of the City of Pawtucket, 1996, entitled "Animals" shall be amended by adding the following:

SPAY OR NEUTER REQUIREMENTS FOR CATS.

No person shall own or harbor, within the City of Pawtucket, any cat over the age of six months which has not been spayed or neutered, unless such person obtains an "intact" permit issued by the Animal Control Officer to an individual upon request. Intact permits shall be issued only for:

1. Medical health reasons
2. A cat that the owner certifies to be a pure bred show cat
3. An unaltered cat if the owner signs a written statement that such animal will not be allowed to breed.

A one-time fee for such a permit shall be \$100 per cat.

Cats exempted because of medical health reasons are not required to pay the "Intact permit fee."

All funds from "intact" permits shall be deposited in the Animal Control Fund to be used for the following purposes:

1. A public education program to prevent overpopulation in cats;
2. A program to spay and neuter cats that are available for adoption at the Pawtucket Animal Shelter;
3. A follow-up program to ensure that cats adopted from the Pawtucket Animal Shelter are spayed or neutered.

SECTION 2. REVOCATION OF PERMIT

(A) Any permit issued may be revoked if the Animal control Officer has reasonable cause to believe any of the following to be true:

- (1) The permittee has failed to comply with any condition or requirement of the permit or has failed to pay any fee imposed under this ordinance
- (2) The permittee refuses to allow inspection, upon forty-eight hours written notice, of any cat covered by the permit or the premises on which the animal is kept
- (3) The permittee has transferred sold or otherwise disposed of the cat for which the permit was issued.

(B) If, after investigation, the Animal Control Officer concludes that it is probable that one or more of the above grounds for revocation has occurred, it shall cause written notice thereof to be transmitted by mail to the address of the permittee. Said notice shall specify the grounds of possible revocation of the permit and shall specify a date and time for an informal hearing to be held before an Animal Control Officer. Said date shall be not less than five days subsequent to the date the notice is mailed. After the informal hearing, the Animal Control Officer may modify the terms of the permit or revoke the permit.

SECTION 3. SPAY OR NEUTER REQUIREMENTS FOR CATS ADOPTED AT THE PAWTUCKET ANIMAL SHELTER.

The Pawtucket Animal Shelter shall not release, adopt outs or otherwise transfer with or without a fee any cat that has not been spayed or neutered unless the adopting party executes a written agreement with the Pawtucket Animal Shelter to have the cat spayed or neutered within 30 days of the adoption date or within 30 days from the date that the cat reaches sexual maturity with the cost of such spaying or neutering to be the responsibility of the adopting party. The written agreement must include the cat's age, sex and general description; the date of adoption and the date by which the cat must be spayed or neutered; the adopting party's name, address, phone number and the dollar amount of the deposit remitted. In addition to executing the written agreement, the adopting party must leave with the Pawtucket Animal Shelter a deposit to be determined by the Animal Control Officers part of which is to be refunded by the Pawtucket Animal Shelter to the adopting party upon presentation of a written statement or receipt from a licensed veterinarian of the adopting party's choice where the cat was spayed or neutered providing that the spaying or neutering was performed within the 30-day period. Alternatively, the Pawtucket Animal Shelter shall make appropriate arrangements for the spaying or neutering of the cat by a licensed veterinarian and have the surgery completed before releasing the cat to the adopting party.

The following are exemptions from the provision of Section 3.

1. Pawtucket Animal Shelter receives a written report from a licensed veterinarian stating that the life of the cat would be jeopardized by the surgery and that such health condition is likely to be permanent.
2. The Pawtucket Animal Shelter receives a written report from a follow-up program to ensure that cats adopted from the Pawtucket Animal Shelter are spayed or neutered and a licensed veterinarian stating that there is a temporary health condition, including sexual immaturity which would make surgery life threatening to the cat or impracticable, in which instance the Pawtucket Animal Shelter shall grant the adopting party an appropriate extension of time in which to have the cat spayed or neutered based on the veterinarian's report.

The exemptions provided in Section 2 of this ordinance shall only be applicable if the Pawtucket Animal Shelter receives said written report from a licensed veterinarian within the 30-day period during which the spaying or neutering would otherwise be required.

If requested to do so, the Pawtucket Animal Shelter shall refund deposited funds to the adopting party upon reasonable proof being presented to the Pawtucket Animal Shelter by the adopting party that the cat died before the expiration of the period during which the spaying or neutering was required to be completed; or if the animal is returned to the Shelter within 30 days of adoption.

SECTION 4. PENALTY

- A. Violation of this ordinance shall be punishable by a fine of \$100.00 for the first offense, \$250.00 for the second offense and \$500.00 for the third and subsequent offenses.

SECTION 5. DISPOSITION OF FINES.

All fines collected under Section 3 of this ordinance shall be deposited in the Animal Control Fund to be used to offset the costs of a program to spay and neuter cats that are available for adoption at the Pawtucket Animal Shelter.

SECTION 6. This ordinance shall take effect upon final passage.