

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2019-42

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, PART II, CHAPTER 14 "ANIMALS", BY ADDING A NEW ARTICLE XIII "COMMUNITY CAT PROGRAM", AND CODE SECTIONS THEREUNDER; TO REPEAL CONFLICTING LAWS, ORDINANCES AND RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT ORDAINED BY THE CLAYTON COUNTY BOARD OF COMMISSIONERS AND IT IS HEREBY ORDAINED

**Section 1.** The Code of Clayton County, Georgia, as amended, is hereby further amended by amending Part II, Chapter 14 "Animals", by adding a new Article XIII "Community Cat Program", and code sections thereunder numbered as Section 14-350 "Purpose", Section 14-351 "Definitions specific to this article" and Section 14-352 "Community Cat Program", to read as follows:

*Article XIII. – COMMUNITY CAT PROGRAM*

*Sec. 14-350. – Purpose*

*The Board of Commissioners finds that control of the feral cat population in the County can best be managed through a program of trap-neuter-return. The alternative program of trap and euthanize, has failed to adequately address the problem as the removed cats are replaced by reproduction. The American Society for the Prevention of Cruelty to Animals (ASPCA) has found that trap-neuter-return programs are the more cost*

*effective, practical and humane way to address the problem of unsocialized feral cats within a community.*

*Sec. 14-351. – Definitions specific to this article*

*Community cat means an unowned, free-roaming cat that has been spayed or neutered, vaccinated and marked by surgical ear-tip pursuant to the community cat program. A community cat shall not be classified as a stray animal or stray cat.*

*Community cat program means a comprehensive process whereby unowned free-roaming cats are captured humanely, transported to a veterinarian for evaluation, spay/neuter surgery, rabies vaccination and marking by surgical ear-tip, and returned to the area or location where the cat was captured.*

*Feral cat means an abandoned, lost or unowned cat, other than a community cat, left to fend for itself and the offspring of such cat.*

*Free roaming cat means any feral, stray or unowned cat.*

*Stray cat means any cat at large, other than a community cat, whether lost by its owner or otherwise, that may be in or on the common areas of apartments, condominiums, trailer parks or other multi-residential premises, any single-family residential property, or any other property or public area without being controlled by its owner, and that does not have an identification tag or microchip, or otherwise has no identifiable owner.*

*Unowned cat means a cat, other than a community cat, that is found on the property of a natural person or legal entity disclaiming ownership of the cat, and the cat has no microchip or other traceable form of identification.*

*Sec. 14-352. – Community cat program*

*(a) Any healthy free roaming cat that is impounded or surrendered to animal control, may be placed into the community cat program.*

*(b) Cats selected for the program shall be taken to a designated veterinarian to be spay/neutered, vaccinated for rabies, and ear-tipped for identification. The community cat shall then be returned to the neighborhood where it was trapped.*

*(c) A community cat may be impounded and released to any qualified rescue or euthanized as provided by law for any of the following conditions:*

*(1) the community cat is found to be un-healthy; or*

*(2) the community cat damages the personal or private property of a person or legal entity that seeks its impoundment; or*

*(3) the community cat creates unsanitary conditions, or offensive or objectionable odors and a citizen has complained to the county and seeks its impoundment; or*

*(4) any other condition that in the opinion of the Animal Control Unit commander warrants removal of the community cat from the program.*

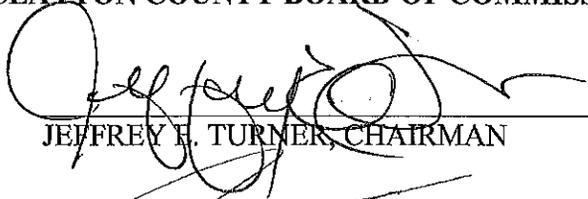
**Section 2.** All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

**Section 3.** If any part of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

**Section 4.** This Ordinance shall become effective upon its approval by the Board of Commissioners.

SO ORDAINED, this the 2 day of April, 2019.

**CLAYTON COUNTY BOARD OF COMMISSIONERS**

  
JEFFREY E. TURNER, CHAIRMAN

  
FELICIA FRANKLIN WARNER, VICE CHAIRMAN

  
SONNA GREGORY, COMMISSIONER

  
GAIL HAMBRICK, COMMISSIONER

  
DEMONT DAVIS, COMMISSIONER

ATTEST:

  
BRENDA B. JAMES, CLERK