

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GUTHRIE, OKLAHOMA, CREATING ARTICLE 10 OF CHAPTER 3: COMMUNITY CAT MANAGEMENT AND TRAP-NEUTER-RELEASE OF THE GUTHRIE MUNICIPAL CODE, PROVIDING DEFINITIONS, AUTHORIZATION OF TNR ACTIVITIES, CAREGIVER RESPONSIBILITIES, PROTECTIONS FOR EAR-TIPPED CATS, ENFORCEMENT AND PROCEDURES, AMENDING SECTIONS 3-1, 3-15, 3-31, 3-46, AND 3-48 OF THE GUTHRIE MUNICIPAL CODE TO CONFORM WITH ARTICLE 10, PROVIDING FOR CODIFICATION, REPEALER AND SEVERABILITY.

WHEREAS, Chapter 3 of the Guthrie Municipal Code regulates animals in order to protect public health, safety, and welfare; and

WHEREAS, the City Council finds that a structured Trap-Neuter-Release program for community cats improves public health outcomes by facilitating rabies vaccination and reduces nuisance behaviors associated with intact cats; and

WHEREAS, managed TNR programs provide a humane and effective method to stabilize and reduce free-roaming cat populations over time; and

WHEREAS, the City Council desires to establish clear rules for community cat caregivers, clarify shelter intake and return-to-field procedures for ear-tipped cats, and set a fair complaint and mitigation process; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GUTHRIE, OKLAHOMA:

SECTION 1. Chapter 3: Animals of the Guthrie Municipal Code is amended by the creation of Article 10, to read as follows:

ARTICLE 10. COMMUNITY CAT MANAGEMENT AND TRAP-NEUTER-RELEASE

§ 3-130 Purpose and intent.

The City finds that a well-managed Trap-Neuter-Return program is a humane and effective method to stabilize and reduce free-roaming community cat populations, improve public health through rabies vaccination, and reduce nuisance behaviors. This article establishes a legal framework for TNR in the City of Guthrie.

§ 3-131 Definitions.

For purposes of Article 10:

- A. Community cat means a free-roaming cat, with no identifiable owner, that may be feral or socialized and is cared for by one or more residents.

- B. TNR program means the process by which community cats are humanely trapped, sterilized, vaccinated against rabies, ear-tipped, and returned to their original outdoor location.
- C. Ear-tip means the removal of the distal one-quarter of a cat's left ear while the cat is under anesthesia, signifying sterilization and rabies vaccination.
- D. Caregiver means an individual or organization that provides food, water, shelter, or medical care to community cats and that manages cats through TNR consistent with this article.

§ 3-132 Authorization of TNR.

- A. TNR activities, including humane trapping, transport, sterilization, rabies vaccination, ear-tipping, and return to field, are lawful in the City of Guthrie when conducted in accordance with this article.
- B. Animal Welfare personnel may partner with veterinarians, caregivers, and organizations to conduct or support TNR.

§ 3-133 Caregiver responsibilities.

- A. Veterinary requirements. Cats handled under TNR must be sterilized, vaccinated against rabies by a licensed veterinarian, and ear-tipped.
- B. Site practices. Caregivers should maintain clean feeding areas, remove food remnants after feeding, and use reasonable measures to minimize nuisance behaviors.
- C. Property permission. Feeding, trapping, or sheltering on private property requires the permission of the property owner or person in control of the property.
- D. Records. Caregivers should keep reasonable records of sterilization and rabies vaccination status for cats they manage and make such records available to Animal Welfare upon request.

§ 3-134 Protections for ear-tipped cats.

- A. Not deemed stray solely by presence outdoors. An ear-tipped community cat is not considered stray or at large solely by reason of being unconfined outdoors.
- B. Return requirement. After recovery from surgery and vaccination, an ear-tipped cat shall be returned to its original location unless veterinary care is still required, the location is demonstrably unsafe, or relocation is approved under § 3-135.

- C. Impoundment. Animal Welfare shall not impound an ear-tipped cat solely for roaming. An ear-tipped cat may be impounded if it is injured, ill, presents a public safety risk, or is the subject of a sustained nuisance finding under § 3-135.

§ 3-135 Complaint and mitigation process for nuisances involving community cats.

- A. Complaint. A person may file a written complaint alleging that specific community cats create a nuisance as defined in § 3-48.
- B. Evaluation. Animal Welfare shall evaluate the complaint and, when feasible, contact any known caregiver to implement reasonable mitigation, which may include prompt sterilization, targeted return, relocation of feeding stations, use of deterrents, removal of attractants, or short-term confinement for medical care.
- C. Relocation. If mitigation fails or the site is demonstrably unsafe, Animal Welfare may authorize relocation. Relocation shall include reasonable re-acclimation practices.
- D. Enforcement. If a caregiver refuses to implement reasonable mitigation after notice, the City may seek enforcement under § 3-139.

§ 3-136 Shelter protocols for community cats.

- A. Intake screening. Upon intake, the shelter shall scan for a microchip and visually inspect for an ear-tip.
- B. Ear-tipped cats. Ear-tipped cats that are healthy shall be returned to field as soon as practicable, consistent with veterinary guidance and § 3-134.
- C. Medical exceptions. Cats requiring medical treatment may be held or transferred for treatment. When recovered, the cat shall be returned to field unless relocation is approved under § 3-135.
- D. Hold periods. Ear-tipped community cats are exempt from standard hold periods that apply to owned animals, except as otherwise required by state law for rabies observation or public health reasons.

§ 3-137 Licensing, at-large, and kennel exemptions for community cats.

- A. Licensing. Community cats managed under this article are exempt from the licensing requirement in § 3-15, provided they are sterilized, vaccinated against rabies, and ear-tipped. This exemption does not apply to owned cats.
- B. At large. An ear-tipped community cat managed under this article shall not be deemed at large solely because it is unconfined outdoors.

- C. Kennel. A caregiver maintaining a community cat colony under this article is not operating a kennel for purposes of § 3-46.

§ 3-138 Public health and rabies control.

Nothing in this article alters the City's authority to enforce state or local rabies control requirements in §§ 3-30 and 3-33. Community cats suspected of rabies exposure shall be handled in accordance with applicable law.

§ 3-139 Enforcement.

- A. Violations. Failure to comply with caregiver responsibilities in § 3-133 after written notice is a violation of this article.
- B. Remedies. The City may use education, written warnings, corrective orders, administrative remedies where authorized, and citations under § 3-120.
- C. Conflicts. If a conflict arises between Article 10 and any other provision of Chapter 3 as applied to community cats, Article 10 controls.

§ 3-140 No private right created.

This article does not create a private right of action or City liability regarding the behavior of free-roaming animals.

SECTION 2. Section 3-1: Definitions of Chapter 3: Animals is amended to add the following definitions in alphabetical order and to modify the definitions of At large or running at large and Keeper or owner as indicated.

- A. Add: Community cat. See § 3-131.
- B. Add: Ear-tip. See § 3-131.
- D. Add: Caregiver. See § 3-131.
- D. Amend At large or running at large by adding: For purposes of Article 10, an ear-tipped community cat managed under Article 10 is not deemed at large solely because it is unconfined outdoors.
- E. Amend Keeper or owner by adding: For purposes of Article 10, a caregiver who manages a community cat in compliance with Article 10 is not deemed the owner of that cat.

SECTION 3. 3-15: License and Registration Required is amended to add a new subsection (L) to read:

- (L) Exemption for community cats. Community cats managed under Article 10 are exempt from licensing, provided the cat is sterilized, rabies vaccinated, and ear-tipped. This exemption does not apply to owned cats.

SECTION 4. Section 3-31: Impoundment or destruction is amended to add new subsections (F) through (I) to read:

- (F) Intake screening. Upon intake, the shelter shall scan all cats for a microchip and inspect for an ear-tip.
- (G) Ear-tipped community cats. Healthy ear-tipped community cats shall be returned to field as soon as practicable consistent with Article 10 and veterinary guidance. Standard hold periods do not apply to ear-tipped community cats, except as required by law for rabies observation or public health reasons.
- (H) Medical care. Ear-tipped cats requiring medical treatment may be held, transferred, or treated. After recovery, return to field shall occur unless relocation is approved under Article 10.
- (I) Nothing in this section limits the City's authority to humanely euthanize an animal that is irremediably suffering, presents a significant public safety risk, or is required to be euthanized under state law.

SECTION 5. Section 3-46: Kennel Operation Prohibited is amended to add a new subsection (C) to read:

- (C) Exemption. A caregiver managing community cats in accordance with Article 10 is not operating a kennel under this section.

Section 6. Amend § 3-48 Nuisance animals. Section 3-48 is amended to add a new subsection (E) to read:

- (E) Community cats. The mere presence of an ear-tipped community cat outdoors is not a nuisance. Nuisance determinations involving community cats shall be addressed first through the mitigation process in Article 10 unless there is an immediate public safety or public health concern.

SECTION 7. Codification. This ordinance shall be codified in Chapter 3 of the Guthrie Municipal Code as Article 10 beginning at § 3-130. The City Clerk is authorized to correct section numbering and non-substantive formatting as needed.

SECTION 8. That all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict or inconsistency and all other ordinances not in conflict herewith shall remain in full force and effect.

SECTION 9. The provisions of this Ordinance are severable, and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

ADOPTED AND APPROVED on this _____ day of _____ 2025.

CITY OF GUTHRIE, OKLAHOMA
A Municipal Corporation

ATTEST: (Seal)

Adam G. Ropp, Mayor

Kim Biggs, City Clerk

Approved as to Form and Legality:

William W. Wheeler, City Attorney