

## ORDINANCE 2023-3-2

WHEREAS, the Town of Eaton, from time to time has issues with feral animals, namely cats running loose throughout the Town causing health and welfare issues for the residents; and

WHEREAS, the Town Board considers animal control an issue that needs to be regulated to protect the lives and property of the residents of Eaton; and

WHEREAS, the Town Board considers the following ordinance to be the least restrictive means in which to regulate domestic animals that are not leashed or under the control of their owner from running in or about the Town.

NOW THEREFORE BE IT ORDAINED BY THE TOWN BOARD OF THE  
TOWN OF EATON, DELAWARE COUNTY, INDIANA that:

Section 1. Cats shall be subject to all the remaining sections of this chapter, including impounding and humane euthanasia provisions.

Section 2. *Feral cats. General requirements.*

- A. "Feral Cat Colony" shall mean a population of feral/unsocialized cats. Feral cats live together in a specific location and utilize a common food source. Usually, this food source is scavenged from trash and dumpsters, or from caregivers who provide food for the colony.
- B. All feral cat colonies shall:
  - i. Operate in such a manner as to not constitute a public nuisance; and
  - ii. Comply with all of the provisions of Town of Eaton Animal Control Ordinances for animal care which provides standards for the general care of animals.
- C. Any person who provides food, water or shelter to a colony of feral cats shall be registered with the Town of Eaton.
- D. The registration fee shall be annual in the sum of \$25. All registrations expire on the 31<sup>st</sup> of December of each year.
- E. A person who violates any provision of this chapter shall be subject to a fine of \$25.00 for the first offense, with the fine for each subsequent offense increasing by an increasing increment of \$50.00 for each and every subsequent violation.

### Section 3. *Managed feral cats.*

- A. The Town of Eaton in order to encourage the stabilization and reduction of the feral cat population in the Town, may:
- i. Trap any feral cat in a humane manner;
  - ii. Have the feral cat surgically sterilized and ear-tipped or tattooed and vaccinated against rabies by a licensed veterinarian; and
  - iii. Release the feral cat for adoption or other disposition in accordance with the law or to a colony caretaker who will maintain the feral cat as part of a managed colony of feral cats.

Section 3. The Town of Eaton may impound feral cats in violation of this chapter and humanely euthanize the feral cats in accordance with applicable law. Any feral cat impounded by the Town of Eaton that bears an appropriate ear-tipping or tattoo indicating it belongs to a managed colony shall be returned to its managed colony, if said colony can be determined, unless illness or injury present an imminent danger to public health or safety. Seriously ill or injured feral cats with no reasonable prognosis for humane rehabilitation for survival outdoors may be humanely euthanized.

### Section 4. *Colony caretaker responsibilities.*

- A. Colony caretakers shall abide by standard trap-neuter-return guidelines devised by the animal care and services department or its designee regarding the provision of food, water, shelter and veterinary care within the managed colony.
- B. A colony caretaker shall not have ever been convicted of animal cruelty.
- C. A colony caretaker shall not allow a cat(s), which is part of his/her colony to become a public nuisance.
- D. Colony caretakers shall have a licensed veterinarian evaluate the health of all trapped free-roaming cats. Seriously ill or injured cats with no reasonable prognosis for humane rehabilitation for survival outdoors will be humanely euthanized.
- E. Colony caretakers shall be registered with the Town of Eaton.

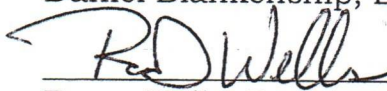


Section 5. A person who violates any provision of this chapter shall be subject to a fine of \$25.00 for the first offense, with the fine for each subsequent offense increasing by an increasing increment of \$50.00 for subsequent violations. In addition, subsequent or continued violations will cause the caretaker's removal from management of the managed colony, or the designee's removal from the program.

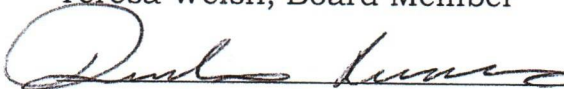
Section 6. Costs: In the event that the Town shall be required to enforce this Ordinance against any person or animal owner, the person or animal owner shall be responsible for any and all court costs, including attorney fees, incurred by the Town.

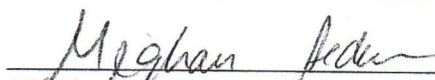
Duly passed and adopted this 11th day of April, 2023.

  
\_\_\_\_\_  
Daniel Blankenship, Board Member


  
\_\_\_\_\_  
Roger Wells, Board Member

\_\_\_\_\_  
Teresa Welsh, Board Member

  
\_\_\_\_\_  
Dustin Reese, Board Member

  
\_\_\_\_\_  
Meghan Deckman, Board Member

ATTEST:

  
\_\_\_\_\_  
Bridgett DeWees, Clerk-Treasurer