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## ARTICLE III. CATS

### Sec. 6-26 Definitions. For purposes of this article:

**Attack** means aggressive behavior by an animal that involves repeatedly biting or scratching its victim.

**Dangerous Cat** means a cat that has been designated as dangerous pursuant to the standards and administrative procedures identified in this article or that has been given another designation pursuant to similar standards and procedures in another jurisdiction.

**Free-Roaming Cat** means a cat that is not kept inside of a house, business or other livable space structure or kept in a fenced area enclosed with a top and containing a shelter as described in this article. A cat that is allowed to go outside of such structure or fenced area at will is considered a free-roaming cat.

**Cattery** means an establishment for the breeding or boarding of cats.

### Sec. 6-27 Maximum number.

(a) **Maximum number.** Except as provided in subsection (b), it shall be unlawful for more than four (4) cats to be kept or harbored at a household or business within the city limits.

(b) **Exceptions.** Subsection (a) of this section does not apply to:

- (1) The normal place of business for animal hospitals or veterinary clinics;
- (2) Cat breeders or catteries, if the operator of the breeding or cattery facility holds a Little Rock privilege license for the cat breeding or cattery business;
- (3) Specific cats kept or harbored at the owner's residence pursuant to an over-limit permit issued by the animal services division where:
  - i. the cat owner submits an application for over-limit permit to the animal services division on a form to be approved by the animal services division manager;
  - ii. the cat owner submits to an on-site inspection and provides proof of current rabies vaccination and city license for each cat identified in the over-limit permit application; and
  - iii. the cat owner has no record of convictions for Little Rock Animal Code violations for failure to vaccinate or license, or for animal cruelty, abuse or neglect. Any conviction that is overturned by a court of competent jurisdiction shall not serve as the basis for denial of an over-limit permit.

(c) **Revocation of over-limit permit.** An over-limit permit may be revoked if the cat owner is subsequently convicted for any Little Rock Animal Code violation, provided that a conviction that is overturned by a court of competent jurisdiction shall not serve as the basis for revocation of an over-limit permit.

### Sec. 6-28. Confinement.

(a) **Identification.** Cat owners shall identify their free-roaming cats by means of a microchip that registers the owner with the National Computer Recovery Network.

(b) **Sterilization.** All free-roaming cats shall be sterilized.

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(c) *Chaining.* Direct-point chaining or tethering of cats to a stationary object is prohibited.

## **Sec. 6-29. Minimum care.**

### (a) *Shelter.*

- (1) All cat owners shall provide their cats with continuous access to a structurally sound, moisture-proof and windproof shelter large enough to keep the cat reasonably clean and dry.
- (2) A shelter which does not protect the cat from temperature extremes or precipitation, or which does not provide adequate ventilation or drainage, shall not comply with section.
- (3) A cat's shelter and bedding shall be maintained in a manner which minimizes the risk of the cat contracting disease, being injured or becoming infested with parasites.

### (b) *Nutrition.*

- (1) It shall be unlawful for any person keeping or harboring any cat to fail, refuse or neglect to provide such cat with clean, fresh, potable water adequate for the cat's size, age, and physical condition. This water supply shall be either free flowing or provided in a removable receptacle that is weighted or secured to prevent tipping.
- (2) It shall be unlawful for any person keeping or harboring any cat to fail, refuse or neglect to provide such cat with wholesome foodstuff suitable for the cat's physical condition and age and in sufficient quantities to maintain an adequate level of nutrition for the cat.

### (c) *Exercise.*

- (1) Any enclosure or area of confinement for a cat shall encompass sufficient usable space to keep the animal in good condition.

## **Sec. 6-30. Dangerous cat designation.**

(a) *General.* It shall be unlawful for any person to keep within the city limits any dangerous cat, except in compliance with the provisions of this section.

(b) *Ground for dangerous cat designation.* A cat is considered dangerous for purposes of this section if:

- (1) Without provocation, it attacks or bites a person;
- (2) Acts in a manner which the owner knows, or reasonably should know, is an indication that the cat is dangerous and is not merely acting in self defense under a particular set of circumstances; or
- (3) Has been declared dangerous, or has been given some other designation by another governmental body under circumstances that would meet the grounds for dangerous cat designation under the provisions of this ordinance.

### (c) *Dangerous cat designation.*

- (1) *Designation.* If the animal services division manager has cause to believe that a cat is dangerous, the division manager may find and declare such cat a dangerous cat.
- (2) *Notice.* Within three (3) days of declaring a cat dangerous, the animal services division manager shall give notice of the declaration and the reasons for it in

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writing to the person who owns, keeps, or otherwise maintains the cat. The notice shall inform the owner or custodian that a permit is required to keep such dangerous cat within the city limits.

(3) *Opportunity to contest designation.* The notice shall inform the owner or custodian of the cat that a hearing to contest the declaration shall be held before the city manager, or appointed designee, if a request for a hearing is submitted in writing to the animal services division manager within five (5) week days from receipt of the notice of dangerous cat declaration.

(4) *Status pending hearing.* Once notice of dangerous cat designation has been given, the cat shall be considered dangerous unless, and until such time as, the declaration is overruled by the city manager or appointed designee. If a hearing is requested, the owner shall not be required to obtain a dangerous cat permit unless, and until such time as, the declaration is upheld by the city manager or appointed designee.

(5) *Hearing.* The hearing required pursuant to this subsection shall be held no more than five (5) week days from the date of receipt of the request. The city manager, or appointed designee, shall act as the appeal hearing officer and shall make his ruling on the basis of a preponderance of the evidence presented at the hearing. The hearing shall be an informal proceeding, and each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination, to impeach any witness regardless of which party first called the witness to testify, and to rebut the evidence against the party. Either party may call the owner/custodian as a witness. The decision of the hearing officer is final.

(6) *Compliance.* If the person owning, keeping, possessing or otherwise maintaining the cat fails to request a hearing, or if the hearing officer determines that the dangerous declaration stands, the owner or custodian shall comply with the requirements of this section in order to keep such cat within the city limits.

(d) *Permit required.*

(1) A dangerous cat may be kept within the city limits only so long as the owner or custodian complies with the requirements and conditions in accordance with the dangerous cat permit.

(2) The owner or custodian shall pay an annual permit fee of twenty five dollars (\$25.00) for possession of a dangerous cat, in addition to all other required fees.

(e) *Conditions for keeping a dangerous cat.*

(1) The owner or custodian shall not allow a dangerous cat to be a free-roaming cat.

(f) *Failure to comply.* It shall be unlawful for the owner or custodian of a dangerous cat to fail to comply with the requirements and conditions set forth in this section. Any cat found to be kept in violation of this section shall be subject to seizure and impoundment. In addition, failure to comply shall result in the revocation of the dangerous cat permit for such cat. In the event of permit revocation, the owner or custodian shall find a new home for the cat outside of the city limits within twenty-four (24) hours of receipt of the notice of revocation, or the cat shall be humanely destroyed.

**Secs. 6-31 -- 6-40. Reserved.**