

**ORDINANCE NO. 19-799**

**AN ORDINANCE AMENDING THE GENTRY MUNICIPAL CODE  
TO PROHIBIT THE FEEDING OF FERAL CATS WITHIN CITY LIMITS;  
REPEALING ALL ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY;  
AND FOR OTHER PURPOSES.**

WHEREAS, the City of Gentry finds that there is an overabundant population of feral cats within the City; and

WHEREAS, the feeding of feral cats within the City increases the population of said cats, thereby increasing the likelihood of harm to birds and other wildlife, damage to personal property, and spread of disease; and decreasing the general aesthetic appeal of the City; and

WHEREAS, the City finds that discouraging and prohibiting the feeding of feral cats is in the best interest of the health, safety, and welfare of the community;

NOW, therefore, be it ordained by the City Council of the City of Gentry, Arkansas:

**Section 1**

Chapter 6.12 of the Gentry Municipal Code as it currently exists is hereby amended by creating sections 6.12.06 through 6.12.09, to read as follows:

**6.12.06 Definitions.**

For the purposes of this Chapter:

“**Cat**” means a domestic animal of the species *Felis catus*

“**Feed**” means to intentionally make food available for animal consumption, such as by placing it on or near the ground within reach of said animal.

“**Feral cat**” means a free-roaming cat that is not owned.

**6.12.07 Feeding of feral cats prohibited.**

Except as provided in Section 6.12.7, no person shall feed feral cats within the city limits of the City of Gentry.

**6.12.08 Exceptions; Affirmative Defenses.**

The prohibition in Section 6.12.07 does not apply to a City employee, veterinarian, or federal or state official who is acting pursuant to a lawfully authorized program to treat, manage, capture, trap, or remove animals.

It is an affirmative defense to prosecution under Section 6.12.07 if a person, in good faith, places food on residential property in which said person has a possessory

interest for the purpose of feeding domestic pets, livestock, birds, or squirrels, or for legitimate gardening or agricultural purposes.

#### 6.12.09 Penalties

A person who violates Section 6.12.07 shall be guilty of a misdemeanor and subject to a fine of \$25. Each subsequent offense shall be punished by a fine of not less than \$50 nor more than \$500.

### Section 2

All ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict.

### Section 3

**Emergency Clause.** Because the population of feral cats is increasing, along with the burden, nuisance, and health issues they create for the citizens of Gentry, an emergency is declared to exist. Accordingly, this ordinance, being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor.

PASSED and APPROVED this 6th day of May, 2019.

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Kevin D. Johnston, Mayor

ATTEST:

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Tonya Carney, Director of Finance