



AGENDA REPORT

Meeting Date: August 18, 2009
Item Number: D-2
To: Honorable Mayor and City Council
From: George Chavez, Assistant Director of Community Development *GC*
Nestor Otazu, Code Enforcement Manager
Subject: AN ORDINANCE OF THE CITY OF BEVERLY HILLS
AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO
ADD REGULATIONS REGARDING THE FEEDING AND CARE
OF FERAL CATS
Attachments: 1. Proposed Feral Cat Ordinance
2. Proposed Trap-Neuter-Return (TNR) Program Regulations and
Guidelines

RECOMMENDATION

Staff recommends that the City Council introduce the Feral Cat Ordinance and direct staff to prepare a resolution approving the City of Beverly Hills Feral Cat Trap-Neuter-Return (TNR) Program Regulations and Guidelines.

INTRODUCTION

On July 7, 2009, the City Council provided staff direction to move forward to develop a Feral Cat Ordinance and TNR Program to address the feeding, neutering, and trapping of the feral cat population in the City. In order to better understand the concerns of the community as it relates to the feeding, neutering, and trapping of feral cats and cat colonies, a series of meetings with several recognized feral cat organizations and residents were held, the most recent being with the City Council sub-committee on July 30, 2009.

As a result of those meetings, language relating to concerns and standards of care and responsibilities was incorporated in the TNR Program which was used as the basis for preparation of a proposed ordinance and TNR Program Regulations and Guidelines.

Staff's goal is to include sufficient flexibility to permit the feeding, neutering, and trapping of feral cats by TNR Partners and their Feral Cat Caregivers, and TNR Individuals, while providing sufficient controls to adequately protect the community's public health and safety.

In addition, approval of the Feral Cat Ordinance would prohibit the feeding and trapping of feral cats unless otherwise permitted by the City and performed a manner consistent with the TNR Program Regulations and Guidelines requirements.

DISCUSSION

The purpose of the Trap-Neuter-Release (TNR) Program is to control feral cat populations in the City, and to address associated health and safety concerns and other impacts within the City of Beverly Hills. This Program is the result of a collaborative effort between community members and Feral Cat TNR professionals and City staff.

The proposed TNR Ordinance along with the Program Regulations and Guidelines allow an organization or individual that wants to operate as a TNR Partner or TNR Individual to apply for an annual permit to undertake TNR activities including the feeding and trapping of feral cats. Upon review of the information requested on an application, the City may approve and issue a "no fee" permit for a period of one year, which may be renewed annually. The renewal process requires permit holders to report the number of cats trapped, the number of cats adopted, as well as any changes in the size of the feral cat colonies.

The permit would include participant contact information and standard conditions pertaining to compliance with TNR Program requirements. Because geography, environment and neighborhood conditions vary throughout the City, permits may also include specific conditions related to the unique characteristics of a given area.

Participants in the program must abide by the permit conditions, the TNR Ordinance, and the Regulations and Guidelines. Participants are also expected to respond to complaints related to the feral cat colonies for which they are responsible. If a complaint remains unresolved, the City will take appropriate measures to resolve verified violations. Continuing violations may result in the revocation of a permit and may also be resolved through the City's Administrative Penalty process.

TNR PERMIT NOTICE

In addition to the requirements of the TNR Permit, the proposed ordinance would require a notice be mailed to residents within a 150-foot radius of each feeding and trapping location. This notice is intended to inform residents of the following:

- A feral cat colony exists in their neighborhood.
- TNR activity is being proposed.
- Feral cat caregiver and contact information.
- Location of feeding and trapping devices including feeding times, and
- Educational information related to feral cat colonies.

This is a subject on which the residents and feral cat representatives have differing opinions. The residents prefer that the notice be sent prior to the issuance of TNR Permits. Feral Cat experts expressed concern that due to a lack of an understanding of the intent of TNR, permits may become delayed or difficult, if not impossible, to obtain.

To balance these concerns, staff included a noticing requirement in the ordinance that would require the mailing of a notice prior to issuance of the permit, and providing a 10-day period during which written comments may be submitted. Any timely comments received as a result of the notice would be evaluated, and if concerns are raised that cannot be mitigated by the standard conditions imposed on all permits, additional conditions would be placed on the permit before it is issued.

COMPREHENSIVE GENERAL LIABILITY INSURANCE

Another subject on which residents and feral cat representatives have a difference of opinion is the requirement to provide comprehensive general liability insurance for the placement of a feeding station on public property.

Feral Cat experts think that imposing insurance requirements on non-profit volunteers may deter the volunteer from obtaining a permit which would promote the un-authorized feeding of feral cats without the benefit of the TNR program. Resident representatives think it is important to maintain an insurance requirement.

Staff discussed this with the City's Risk Manager who stated some insurance should be provided just as it is for all other encroachments in the public right-of-way. He suggested that a reduced amount of insurance be required for a TNR permit: \$250,000 instead of the standard \$1,000,000 normally required by the City.

FISCAL IMPACT

There will be an increase in Code Enforcement staff time to initiate and administer the TNR Program. Since the proposed TNR permit is a no-fee permit, there would be no revenue generated to cover these costs. Since staffing levels will not be adjusted, existing Code Enforcement response time will likely be extended.

Scott G. Miller, Director of
Administrative Services, CFO

George Chavez, Assistant Director of
Community Development



Finance Approval



Approved By

Attachment 1

Proposed Feral Cat Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF BEVERLY HILLS
AMENDING THE BEVERLY HILLS MUNICIPAL CODE TO ADD
REGULATIONS REGARDING THE FEEDING AND CARE OF
FERAL CATS**

**THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS ORDAINS AS
FOLLOWS:**

Section 1. A new Article 5 (Regulations Pertaining to Feral Cats) is hereby added to Chapter 2 of Title 5 of the Beverly Hills Municipal Code to read as follows:

“Article 5. Regulations Pertaining to Feral Cats

5-2-500: Trap-Neuter-Release Program Purpose and Background.

A program is hereby adopted to control feral cat populations in the city, and to address associated health and safety hazards, and other impacts in the City of Beverly Hills. The program was developed in a collaborative effort with community residents and feral cat Trap-Neuter-Release (TNR) program professionals. The program shall be known as the City of Beverly Hills Feral Cat TNR Program.

5-2-501: Definitions.

For the purposes of this Article, the words and phrases set forth in this section shall be construed as defined herein.

- A. “Cat” means a member of the species Felis Catus.
- B. “Feral Cat” means a cat that lives permanently outside of a domestic home and is not owned and cared for as a typical companion animal or pet, as a result of having been born feral, abandoned by an owner, or rendered homeless, wild or stray by any other means.
- C. “Feral Cat Caregiver” means any person who:
 - 1. feeds feral cats, humanely traps feral cats, provides care, including shelter or medical care, to the feral cats, or any combination of the foregoing activities, and works in cooperation with a TNR Partner permitted by the City; and
 - 2. is registered with a permitted TNR Partner and has proof of such registration.
- D. “Food” as well as “Feeding” includes water.

E. “Trap-Neuter-Return,” also referred to as “TNR” is the practice whereby Feral Cats are humanely trapped by Feral Cat Caregivers or TNR Individuals, taken to a veterinary hospital or spay-neuter facility where they are sterilized and vaccinated, ear tipped, de-fleaed, and adopted or returned to their Colony to be cared for until the end of their natural life.

F. “Trap-Neuter-Return Program Regulations and Guidelines” or “TNR Program Regulations and Guidelines” means the rules adopted by the City Council allowing permitted organizations or individuals to undertake TNR activities, which rules include standards of care and guidelines for implementation activities.

G. “Feral Cat Colony” or “Colony” means a group of cats and the geographic location where Feral Cats typically live or where they forage or hunt for food, or are fed and generally cared for by a TNR Partner by associated Feral Cat Caregivers or by TNR Individuals.

H. “TNR Partner” means an organization permitted by the City to engage in implementing TNR via education, training, funding spay-neuter, providing traps, holding spay-neuter clinics, providing long-term Colony care through volunteers or otherwise implementing TNR.

I. “TNR Individual” means a person who is permitted by the City to engage in implementing the TNR Program Regulations and Guidelines on the property of their primary residence without being affiliated with a TNR Partner.

5-2-502: Feeding of Feral Cats Prohibited; Exceptions.

The feeding of feral cats is prohibited in the City of Beverly Hills unless otherwise permitted pursuant to this Article and conducted in accordance with the TNR Program Regulations and Guidelines.

5-2-503: TNR Permit Application Requirements

A. An annual permit shall be required for any organization or individual that wishes to operate as a TNR Partner or TNR Individual in the City.

B. A separate permit shall be required for each feral cat colony, even if multiple colonies are cared for by the same entity or person.

C. A permit application shall be submitted in the form and with the information required by the City, including the following:

1. TNR Partner Permit Requirements.

A completed TNR Partner Permit application form shall be submitted, and accompanied with the following supplemental information:

- (a) Applicant contact and address information;

- (b) TNR Partner contact and address information;
- (c) A map of the colony location and colony details to the extent known, including but not limited to an approximate number of;
 - (i) cats in colony;
 - (ii) successful spayed-neutered, de-flead, and ear tipped cats; and
 - (iii) successful adoptions;
- (d) A map showing the location of each feeder and trapping location.
- (e) A list of all Feral Cat Caregivers providing TNR support for the colony, and contact information for each Caregiver.
- (f) Feral Cat Caregiver affidavit forms signed by each affiliated Feral Cat Caregiver confirming their receipt of a copy of the City of Beverly Hills Feral Cat TNR Program Regulations and Guidelines and stating that they have read, understand, and will comply with those regulations and guidelines.
- (g) If feeding or trapping is proposed on private property, a copy of both the property owner's and the resident's consent agreeing to allow TNR activities on the private property.
- (h) If feeding or trapping locations are proposed on public property, proof of comprehensive general liability insurance in a form acceptable to and in an amount determined by the City's Risk Management Department, with the City named as an additional insured. The insurance shall be maintained in force through the life of the permit, including any renewals, and coverage shall not be modified without the consent of the City.
- (i) A statement accepting and agreeing to abide by all of the standard conditions of approval set forth in the TNR Program Regulations and Guidelines signed by a duly authorized representative of the TNR Partner.
- (j) Envelopes addressed to each owner of property within 150 feet of each proposed feeding and trapping location, with first class postage attached.
- (k) Envelopes addressed to the occupant of each residential unit within 150 feet of each proposed feeding and trapping location, with first class postage attached.

2. TNR Individual Permit Requirements.

A completed TNR Individual Permit application form shall be submitted, and accompanied with the following supplemental information:

- (a) Applicant contact and address information;
- (b) TNR Individual's contact and address information;
- (c) A map of the colony location and colony details to the extent known, including but not limited to an approximate number of;
 - (i) cats in colony;
 - (ii) successful spayed-neutered, de-flead, and ear tipped cats; and
 - (iii) successful adoptions;
- (d) A map showing the location of each feeder and trapping location.
- (e) Feral Cat Caregiver affidavit forms signed by each TNR Individual and any Feral Cat Caregiver confirming their receipt of a copy of the City of Beverly Hills Feral Cat TNR Program Regulations and Guidelines stating that they have read, understand, and will comply with those regulations and guidelines; and
- (f) A statement accepting and agreeing to abide by all of the standard conditions of approval set forth in the TNR Program Regulations and Guidelines signed by the TNR Individual.
- (g) Envelopes addressed to each owner of property within 150 feet of each proposed feeding and trapping location, with first class postage attached.
- (h) Envelopes addressed to the occupant of each residential unit within 150 feet of each proposed feeding and trapping location, with first class postage attached.

5-2-504: Notice and Comment Period.

A. Upon determination that an application for a TNR permit is complete for processing, the Director of Community Development shall provide notice of the application and a ten (10) day comment period by first class mail to the owners of all property and residents within a 150 foot radius of each proposed feeding or trapping location.

B. The notice shall include, but is not limited to, the following:

- 1. The locations of feeding and trapping devices;
- 2. The feeding and trapping hours; and

3. Contact information for the TNR Partner and all affiliated Feral Cat Caregivers, or the TNR Individual

C. Notice for feeding and trapping devices that are not separated by more than twenty-five (25) feet from another feeding or trapping device may use a single notice, but which shall be mailed to all owners of properties and residents within the 150 foot radius of any device.

D. Interested parties may submit comments regarding the proposed permit in writing to the Director of Community Development during the ten (10) day comment period, and timely comments will be considered when making a decision regarding the permit and conditions of approval that may be appropriate.

5-2-505: Determination on Permit.

The City shall review permit applications deemed to be in compliance with the TNR Program and Guidelines requirements. Permit applications that do not comply with TNR Program and Guidelines requirements or do not include all of the required information will be denied. The location of a feeding device and traps on public property shall be subject to approval by Public Works Department in conjunction with Community Preservation.

5-2-506: TNR Permit Conditions.

As a prerequisite to receiving approval of a permit for a TNR Partner or a TNR Individual, the TNR Partner or Individual shall agree to comply with the standard conditions of approval set forth in the adopted TNR Program Requirements and Guidelines. Additional conditions may also be imposed as necessary based on specific features of a colony.

5-2-507: Standards of Care and Responsibilities of TNR Partners, Feral Cat Caregivers, and TNR Individuals.

TNR Partners, Feral Cat Caregivers, and TNR Individuals shall comply with and fulfill the responsibilities and minimum standards of care as set forth in the TNR Program Regulations and Guidelines.

5-5-508: Return of Feral Cats. The release or return of feral cats as part of a TNR program is exempt from any abandonment laws because the feral cat is trapped solely for the purpose of neutering or adopting.

5-2-509: TNR Programs on Public Property; Restrictions.

A. Feeding and Trapping Times. Food shall not be provided, and traps shall not be placed at any time between 10:00 pm – 6:00 am.

B. Feeding locations shall be maintained in accordance with the adopted TNR Program Regulations and Guidelines.

C. Recipients of a TNR Individual permit shall not be allowed to feed feral cats on public property.

D. Feeding and trapping of feral cats in public parks shall not be permitted.

5-2-510: Annual Permit Renewals.

A. Permits shall be renewed annually, and requests for renewal shall be submitted at least thirty (30) days prior to expiration of the existing permit to provide the city with sufficient processing and review time.

B. Notice pursuant to Section 5-2-505 of this Article is not required unless changes in feeder or trap locations are requested in conjunction with a renewal.

5-2-511: Permit Modifications.

A. A permittee may request modifications to an existing permit to add or otherwise change the approved locations for feeding, trapping or combination thereof.

B. Removal of feeding or trapping locations shall not require permit modification but the permittee shall inform the city of the removal of the location.

C. Permit modifications shall be accompanied with the same documentation required for an initial permit application.

D. Noticing shall be required if a new location is requested for a feeder, trap, or combination thereof. Relocation of any feeder, trap, or combination thereof shall require a new notice to be sent as required by Section 5-2-504.

5-2-512: Enforcement.

A. The City may enforce the standards of care applicable to TNR Partners, Feral Cat Caregivers and TNR Individuals in accordance with the City's Administrative Penalty Process or may refer to violations of the standards of care to the appropriate TNR Partner or TNR Individual for assistance in correcting the violations.

B. In addition to any other remedy available to the City, the City may revoke a permit of a TNR Partner or TNR Individual if violations of this program or permit conditions are observed or verified, including violations committed by a Feral Cat Caretaker, whether listed on the permit or not.

C. Complaints. Any person may file a complaint with Community Preservation pertaining to a specific Feral Cat Colony. The complaint shall be in writing and shall set forth sufficient facts to describe the location of the colony, and the problems being caused by the Colony. Upon receipt of such a complaint, an investigation will be initiated by the City to verify allegations in the complaint.”

Section 2. The City Council has considered the TNR Program and Ordinance and finds that this project is exempt from the requirements of the California Environmental Quality Act (“CEQA”). The project is exempt pursuant to State CEQA Guidelines, 14 Cal. Code Regs Sec. 15307 as an action taken to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. The project is also exempt pursuant to Guidelines Section 15308 as an action to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. The project qualifies for these exemptions for the following reasons:

A. Stabilizing feral cat populations through the Trap-Neuter-Release Program will ensure that current impacts that the cats may have on natural resources, including birds, animals, and water quality (from the fecal matter) will not worsen and will, over time, be reduced as colony populations decline.

B. Adopting standards applicable to feral cat caregivers and their activities will require use of best practices to eliminate nuisance or unsanitary conditions that might otherwise exist if the activities were not regulated.

C. Feeding stations will be managed to minimize the attraction of other animals and pests.

D. The Trap Neuter Return Program will result in vaccinations of feral cats to reduce the spread of fleas and disease and the risks associated therewith.

Section 3. Persons and organizations currently feeding or otherwise caring for Feral Cats shall obtain permits within sixty (60) days of the effective date of this ordinance, but may continue to feed or otherwise care for feral cats during this sixty-day period. If a permit is not obtained within that period of time, feeding and other care activities must cease. Failure to cease activities will be deemed a violation of the City's ordinances and TNR Program.

Section 4. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 5. The City Clerk is directed to forward a certified copy of this ordinance to the Director of the City of Los Angeles Department of Animal Services.

Section 6. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

PASSED, APPROVED and ADOPTED this ___ day of _____, 2009.

NANCY KRASNE
Mayor of the City of
Beverly Hills, California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

RODERICK J. WOOD, CCM
Interim City Manager

 For SHK

SUSAN HEALY-KEENE, AICP
Director of Community Development

Attachment 2

Proposed Trap-Neuter-Return (TNR) Program Regulations and Guidelines

City of Beverly Hills Feral Cat
Trap-Neuter-Return (TNR) Program
Regulations and Guidelines
(August 2009)

I. Introduction

Pursuant to the Provisions of Article 5 of Chapter 2 of Title 5 of the Beverly Hills Municipal Code, the City Council has adopted the following regulations and guidelines applicable to the conduct of feral cat TNR Programs.

II. Permit Required

TNR Partners and TNR Individuals shall obtain permits pursuant to Article 5 of Chapter 2 of Title 5 of the Beverly Hills Municipal Code, prior to commencing feeding or other TNR activities.

III. Application Requirements

Applicants for TNR permits shall complete the standard application form set forth in Attachment A to these Regulations and Guidelines. The City does not charge a fee for processing these applications.

IV. Standard Conditions of Approval

Applicants for TNR Permits shall agree to comply with and implement the following standard conditions of approval.

A. TNR Individual Permit Conditions

1. Feeding and trapping in alleys or on public property by a TNR Individual is prohibited.
2. TNR Individual shall
 - a) Comply with the TNR Program and Guidelines Acceptable Standards of Care and Responsibilities
 - b) Utilize humane TNR Program procedures of feeding and trapping techniques.
3. Maintains records of colony information and shall make such records available to the City upon request. Colony information shall include feeder and trap locations and cat colony details to the

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extent known, including but not limited to an approximate number of:

- a) Cats in colony;
 - b) Successful spayed-neutered, de-fleaed, and ear tipped cats; and
 - c) Successful adoptions.
4. The TNR Individual shall keep and maintain records for each colony cat, including each cat's rabies vaccination record/certificate, and shall be available and submitted to the City upon request.
 5. The TNR Individual shall assist the City in resolving feral cat issues and respond to complaints involving feral cat colonies served.
 6. A current and valid permit must be maintained and renewed prior to expiration.
 7. Any changes to permit feeding, trapping, or TNR Individual information must be immediately updated on existing valid permits with City and may require permit modifications.
 8. Feral cats that have been spayed-neutered shall be ear-tipped for identification and be vaccinated, de-fleaed and returned after surgery, if they cannot be adopted.
 9. Unless all known cats in a colony are neutered, the TNR Individual shall set humane traps regularly for the purpose of capturing feral cats to be spayed-neutered, and released if they cannot be adopted.
 10. The TNR Individual shall trap kittens and make every effort to have the kittens adopted and not returned to the colony.
 11. The TNR Individual shall provide food and water to the colony cats on a regular basis, year round, using best practices to eliminate nuisance and unsanitary conditions.
 12. The TNR Individual shall make reasonable, good faith efforts to provide needed veterinary care to colony cats that are visibly ill or injured.
 13. TNR Individuals shall address and respond to complaints regarding colony cats.

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14. Feedings on private property may only be done within an area that is enclosed by a minimum six foot (6') barrier to prevent the food from luring unintended animals into the area.
15. The TNR Individual shall ensure that any associated Feral Cat Caregivers comply with all sanitation requirements and guidelines as provided in the TNR Program.
16. Sanitation of feeding and trapping areas, removal of food from containers, clean up, and maintenance of the feeding area is the responsibility of the TNR Individual.
17. No food shall be placed in the feeders, and no traps shall be placed, between 10:00 p.m. and 6:00 a.m.
18. All feeding and trapping locations shall be kept free of excess food, debris and other materials used to maintain the colony. Cleanup and maintenance is the responsibility of the TNR Individual.
19. The TNR Individual must comply with all applicable City, State, and Federal laws.

B. TNR Partner Permit Conditions

1. TNR Partners and Feral Cat Caregivers shall make reasonable, good faith efforts to have all cats in a colony neutered with the intention of reducing the size of the colony.
2. Feral cats that have been spayed-neutered shall be ear-tipped for identification and be vaccinated, de-fleaed and returned after surgery, if they cannot be adopted.
3. Unless all known cats in a colony are neutered, TNR Partners and affiliated Feral Cat Caregivers shall set humane traps regularly for the purpose of capturing feral cats to be spayed-neutered, and released if they cannot be adopted.
4. TNR Partners and affiliated Feral Cat Caregivers shall trap kittens and make every effort to have the kittens adopted and not returned to the colony.
5. TNR Partners and affiliated Feral Cat Caregivers shall provide food and water to the colony cats on a regular basis, year round, using best practices to eliminate nuisance and unsanitary conditions.

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6. TNR Partners and affiliated Feral Cat Caregivers shall make reasonable, good faith efforts to provide needed veterinary care to colony cats that are visibly ill or injured.
7. TNR Partners and affiliated Feral Cat Caregivers shall keep and maintain records for each colony cat, including each cat's rabies vaccination record/certificate, which shall be made available to the City upon request. Feral Cat Caregivers' records must be submitted to the TNR Partner.
8. Before engaging in any feeding and trapping activities on private property, TNR Partners shall obtain the written and signed authorizations of the resident(s) and property owner(s), delineating the specific location(s) of feeding and trapping. Feedings on private property may only be done within an area that is enclosed by a minimum six foot (6') barrier to prevent the food from luring unintended animals into the area.
9. Feeding and trapping in alleys or on public property is prohibited, unless allowed by a TNR Partner permit issued by the City on an annual basis.
10. Types and Locations of Containers. The location and types of feeding containers must be pre-approved by the City and TNR Partners. Submittal of proposed feeding container information shall include but not be limited to photos, specifications, dimensions, and other pertinent information, shall be provided to the City for approval prior to use.
11. TNR Partners shall ensure that associated Feral Cat Caregivers comply with all sanitation requirements and guidelines as provided in the TNR Program.
12. TNR Partners and Feral Cat Caregivers shall:
 - a) Comply with the TNR Program and Guidelines Acceptable Standards of Care and Responsibilities (as defined within).
 - b) Utilize humane TNR Program procedures of feeding and trapping techniques.
13. TNR Partners shall provide training, guidance, and maintain records for Feral Cat Caregivers and Colony information under the TNR Partner Permit and shall make such records available to the City upon request. Colony information shall include feeder and trap locations and Colony details to the extent known, including but not limited to an approximate number of:

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- a) Cats in colony;
 - b) Successful spayed-neutered, de-flead, and ear tipped cats;
and
 - c) Successful adoptions.
14. TNR Partners and affiliated Feral Cat Caregivers shall assist the City in resolving feral cat issues and respond to complaints involving permitted feral cat colonies served.
 15. A current and valid permit must be maintained and renewed prior to expiration; renewal requests shall be submitted at least thirty (30) days prior to expiration of the permit.
 16. Any changes to permit feeding, trapping, and Feral Cat Caregiver information must be immediately updated for existing valid permits with the City.
 17. TNR Partners are encouraged to participate in public outreach and education programs in coordination with City staff at events such as the Farmers' Market, Health and Safety Expo and Team Beverly Hills and other means of outreach.
 18. Other conditions of approval that may be necessary or desirable to address specific issues unique to the Feral Cat Colony to be served.
 19. Feral Cat Caregivers associated with the TNR Partner may not add new feeding or trapping devices, and shall not relocate any approved trapping or feeding device without prior approval of a modification to a TNR Partner permit. Feeding devices may only be temporarily removed to service, maintain, or remedy any complaint situation.
 20. Sanitation of feeding and trapping areas, removal of food from containers, clean up, and maintenance of the feeding area is the responsibility of the Feral Cat Caregiver or TNR Individual.
 21. No food shall be placed in the feeders between 10:00 p.m. and 6:00 a.m.
 22. All feeding and trapping locations shall be kept free of excess food, debris and other materials used to maintain the colony. Cleanup and maintenance is the responsibility of the Feral Cat Caregivers or TNR Individuals.

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23. Permittee shall inform the City of any changes in Feral Cat Caregivers or their contact information within 10 days of such changes.
24. The TNR Partners and Feral Cat Caregivers must comply with all applicable City, State, and Federal laws.
25. TNR Partner shall provide and maintain insurance as required in Article 5 of Chapter 2 of Title 5 of the Municipal Code, throughout the term of the permit.

V. Revisions to TNR Program Regulations and Guidelines.

The City Manager, or his or her designee, shall have the authority to revise these TNR Regulations and Guidelines from time to time, in order to further the purpose of the City of Beverly Hills Feral Cat TNR Program. Any revisions to these Regulations and Guidelines shall apply prospectively, and may be made applicable to previously issued permits upon a request for renewal or modification.

Attachments:

[Please note that these forms will be developed based on the provisions in the ordinance regarding feral cats, and will be incorporated before these Regulations and Guidelines are presented to the City Council for formal adoption.]

- A. TNR Permit Application Form
- B. TNR Permit Notice Form
- C. Affidavit of Receipt of Regulations and Guidelines