CITY OF BLUFFTON, INDIANA
ORDINANCE NO. 1689

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF BLUFFTON, INDIANA, AMENDING "TITLE 6 ANIMAL" OF THE BLUFFTON CODE OF ORDINANCES TO ADD A NEW "CHAPTER 6.10 COMMUNITY CAT (TRAP-NEUTER-VACCINATE-RETURN)"

WHEREAS, residents of the City of Bluffton have expressed concern regarding the population of free-roaming, unowned cats within the City, and the associated nuisance, public health, and animal welfare issues; and

WHEREAS, unaltered free-roaming cats reproduce rapidly, and the traditional approach of trapping and impounding such cats has proven costly, has burdened shelter capacity, and has not produced a lasting reduction in the free-roaming cat population due to the well-documented "vacuum effect," in which new unaltered cats move into vacated territory; and

WHEREAS, Trap-Neuter-Vaccinate-Return ("**TNVR**"), in which free-roaming cats are humanely trapped, surgically sterilized, vaccinated against rabies, ear-tipped for visual identification, and returned to the location where they were trapped, is widely recognized as an effective and humane method of stabilizing and reducing free-roaming cat populations over time; and

WHEREAS, neighboring and peer Indiana communities, including the City of Fort Wayne (Ordinance G-23-18, codified at § 91.041 of the Fort Wayne Code of Ordinances), Allen County, Porter County, and the City of Anderson (Ordinance 30-25), have adopted community cat programs based on the same trap, vaccinate, sterilize, and return model; and

WHEREAS, sterilization substantially reduces the nuisance behaviors most commonly reported by residents, including yowling, fighting, spraying, and roaming, and vaccination reduces the risk of rabies transmission, thereby promoting public health and neighborhood quality of life; and

WHEREAS, the Bluffton Animal Control Authority is willing and prepared to administer a community cat program in cooperation with animal welfare organizations and licensed veterinarians serving Wells County and the surrounding region; and

WHEREAS, this ordinance does not obligate the City to appropriate funds, but enables the City, its Animal Control Authority, and partnering animal welfare organizations to conduct, support, and seek grant funding for TNVR activities

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLUFFTON, INDIANA, AS FOLLOWS:

SECTION 1: Title 6 is amended to add Chapter 6.10, titled "**COMMUNITY CAT (TRAP-NEUTER-VACCINATE-RETURN)**, to the Code of Ordinances of the City of Bluffton, Indiana in the form as set forth in "**Exhibit A**" attached hereto and is to be enforced as an ordinance of the City of Bluffton, Indiana.

SECTION 2: Conflicting Provisions. This Ordinance shall control any provision of the City of Bluffton Municipal Code of Ordinances which is in conflict with this Ordinance, including any provision that would prohibit the return of a sterilized, vaccinated, ear-tipped community cat or that would classify a community cat provider as the owner of a community cat.

SECTION 3: Severability. Any provision, sentence, clause, phrase, or application of this Ordinance held invalid or unenforceable by a court of competent jurisdiction shall not affect the remaining provisions and applications, which will remain in full force and effect.

SECTION 4: Administrative Rules. The Animal Control Authority, with the approval of the Board of Public Works and Safety, may adopt administrative rules consistent with this Ordinance governing Community Cat Provider practices, record-keeping, program partnerships, and nuisance resolution procedures.

SECTION 5: This Ordinance shall be in full force and effect from and after passage by the Common Council of the City of Bluffton, approval of the Mayor and published in the Code of Ordinances of the City of Bluffton, Indiana.

Adopted by the Common Council of the City of Bluffton, Indiana, this 18 day of August 2026, by the following vote:

Councilperson	AYES 6	NAYS 0	ABSENT 1
Rickey D. Elwell			
Janella J. Stronczek	Absent		Absent
Joshua D. Hunt			
Ronald J. Neuenschwander			
Blake A. Fiechter			
Sarah J. Reed			
David P. Teeple			

Mayor Scott Mentzer, Presiding Officer

ATTEST:

Bri Lautzenheiser, City Clerk-Treasurer

Presented by me to the Mayor of the City of Bluffton, Indiana, at 5:30 o'clock p.m. this 18 day of August, 2026.

Bri Lautzenheiser

Bri Lautzenheiser, City Clerk-Treasurer

Approved by me this 18 day of August, 2026.

Mayor Scott Mentzer

CHAPTER 6.10 COMMUNITY CAT (TRAP-NEUTER-VACCINATE-RETURN)

6.10.010 DEFINITIONS - For purposes of this Chapter, the following definitions shall apply:

A. **COMMUNITY CAT.** Any free-roaming cat without an identifiable owner that has been evaluated and surgically sterilized by a licensed veterinarian, vaccinated against rabies, ear-tipped, and, where practicable, microchipped, and returned to the outdoor location from which it was trapped. A community cat is not the property of, nor the responsibility of, the City of Bluffton.

B. **COMMUNITY CAT PROVIDER (CARETAKER).** A person who provides food, water, shelter, or other care to one or more Community Cats and who complies with the requirements of this Chapter 6.10 and any administrative rules issued by the Animal Control Authority. A Community Cat Provider shall not be deemed the owner, keeper, or harborer of a Community Cat by reason of providing such care.

C. **EAR-TIPPING.** The straight-line surgical removal of approximately the top one-quarter (¼) inch to one-third (⅓) of a cat's left ear, performed by or under the supervision of a licensed veterinarian while the cat is anesthetized for the purpose of visually identifying the cat as a Community Cat.

D. **FREE-ROAMING CAT.** Any cat found off the premises of its owner and not under restraint, and lacking acceptable identification such as a collar tag, microchip, or ear-tip.

E. **TRAP-NEUTER-VACCINATE-RETURN (TNVR).** The process of humanely trapping a free-roaming cat, having it surgically sterilized, vaccinated against rabies, and ear-tipped by a licensed veterinarian, and returning it to the location from which it was trapped. Also known in national practice as Trap-Neuter-Return (TNR) or Trap-Vaccinate-Neuter-Return (TVNR); all such references shall be construed as equivalent to TNVR under this Chapter 6.10.

F. **ANIMAL WELFARE ORGANIZATION.** Any nonprofit organization, humane society, spay/neuter clinic, or rescue organization engaged in animal sterilization, vaccination, sheltering, or placement, recognized by the Animal Control Department as a program partner.

6.10.020 COMMUNITY CAT PROGRAM ESTABLISHED.

A. The Bluffton Animal Control Department (the "**Department**") is authorized to establish and administer a Community Cat Program based on the Trap-Neuter-Vaccinate-Return (TNVR) model, in order to stabilize and reduce the free-roaming cat population, reduce shelter intake and euthanasia, reduce nuisance complaints, and protect public health.

B. The Department, or its designee, may: (a) humanely trap any free-roaming cat; (b) cause the cat to be surgically sterilized, ear-tipped, and vaccinated against rabies by a licensed veterinarian; and (c) return the cat to the location from which it was trapped, transfer it to an animal welfare organization for adoption or barn-cat placement, or otherwise dispose of the cat in accordance with applicable law.

C. The Department may coordinate with partnering animal welfare organizations and licensed veterinarians to provide resource information regarding the Community Cat Program, Community Cat Providers, humane deterrents, and resolution of Community Cat nuisances.

D. The Department and partnering animal welfare organizations are authorized to apply for and accept grant funds, donations, and other non-City funding to support sterilization, vaccination, and related program services. Nothing in this Chapter shall be construed to require the appropriation of City funds.

6.10.030 RETURN OF COMMUNITY CATS; EXEMPTION FROM HOLD PERIOD.

A. Any cat bearing an ear-tip that is trapped or impounded by the Department may, at the discretion of the Department, be immediately returned to the location from which it was trapped and shall be exempt from any stray hold period otherwise applicable under Title 6 of the City Code, unless the cat is injured, ill, or presents an imminent danger to public health or safety.

B. Free-roaming cats without acceptable identification that are trapped or impounded may be deemed potential Community Cats by the Department based on age, health, and behavior, and may be processed through the Community Cat Program or transferred to a partnering animal welfare organization.

C. The Department may impound and dispose of, in accordance with Title 6 of the City Code, any Community Cat that is a public nuisance, is diseased, or is not thriving due to loss of resources.

6.10.040 COMMUNITY CAT PROVIDER REQUIREMENTS.

A Community Cat Provider shall:

A. Make reasonable, ongoing efforts to trap, or arrange for the trapping of, all unaltered free-roaming cats receiving care from the provider, and to have each such cat surgically sterilized, ear-tipped, and vaccinated against rabies by a licensed veterinarian prior to return;

B. Provide food and water on a regular basis, in a sanitary manner that does not create a nuisance, attract wildlife or vermin, or accumulate on neighboring property without permission;

C. Maintain records of sterilization, vaccination, and veterinary treatment for cats under the provider's care, and make such records available to the Department upon request;

D. Seek veterinary care, or assistance from the Department or an animal welfare organization, for any Community Cat that appears to require medical attention for serious illness or injury;

E. Make reasonable efforts to remove kittens young enough to be socialized, and friendly adoptable cats, from the community for placement in adoption programs; and

F. Cooperate with the Department to resolve nuisance complaints through humane deterrents and, where necessary, removal or relocation of a Community Cat identified as a public nuisance.

A Community Cat Provider found in violation of this Chapter 6.10 shall first be issued a written warning and afforded a reasonable period, not less than thirty (30) days, to come into compliance or to demonstrate a good-faith effort toward compliance. Continued noncompliance shall constitute a violation of the City Code, and the Department may revoke the person's Community Cat Provider designation.

6.10.050 FEEDING OF FREE-ROAMING CATS

It shall be unlawful for any person to provide food, water, or shelter to free-roaming cats for a period exceeding sixty (60) days unless the person complies with the Community Cat Provider requirements of Section 6.10.040 or presents acceptable documentation demonstrating implementation of those requirements.

6.10.060 NO OWNERSHIP OR LIABILITY CREATED

A. Neither the City of Bluffton, the Department, a partnering animal welfare organization, a participating veterinarian, nor a Community Cat Provider shall be deemed the owner, keeper, or harborer of any Community Cat, nor liable for the acts of any Community Cat, by reason of participation in the Community Cat Program in good faith and in compliance with this Chapter 6.10.

B. Nothing in this Chapter 6.10 limits the rights of a property owner to exclude cats from the owner's property through lawful and humane means, or to request the Department's assistance regarding nuisance cats.

6.10.070 PENALTY

Any person who continues to violate this Chapter 6.10 after written warning and an opportunity to comply as provided in Section 6.10.040 shall be subject to a fine of not less than Twenty-Five Dollars ($25.00) nor more than Two Hundred Fifty Dollars ($250.00) for each violation, with each day a violation continues constituting a separate offense, enforceable in accordance with Section 1.08.010, the general penalty provisions of the Municipal Code of the City of Bluffton, Indiana.