

CAT BYLAW

BEING A BYLAW OF THE TOWN OF ECKVILLE, IN THE PROVINCE OF ALBERTA, TO REGULATE AND RESTRAIN THE RUNNING AT LARGE OF CATS.

WHEREAS the Municipal Government Act, R.S.A., 1994, enables a Council for the Town to pass bylaws respecting wild and domestic animals, and activities in relation to them;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF ECKVILLE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This bylaw may be called the "Cat Bylaw".

DEFINITIONS

2. For the purposes of this bylaw;

"Animal Control Officer" means a person employed from time to time by the Contractor under the contract between the Town and the Contractor to enforce the provisions of this bylaw, or a person so appointed by the Town;

"Cat" means either male or female of the feline family;

"Contractor" means a person employed or under contract by the Town to enforce the provisions of this bylaw and maintain and administer an impound facility for cats;

"License" means a yearly dated sequentially numbered tag designed to be affixed to a collar that may be worn by a cat,

"Owner" means any person:

- a) owning or possessing or having charge of or control over any cat; or
- b) harboring any cat; or
- c) suffering or permitting any cat to remain about his house or premises.

"Runs at Large" means off the premises of the owner and not under the control of any person.

LICENSING

3. The owner of a cat which is three (3) months or older in the Town shall, each year, register each such cat at the office of the Town and for such registration, shall pay an annual license fee, which shall be determined and amended from time to time by Resolution of Council. In any prosecution or proceedings for a contravention of this section, the burden of proof that the cat is not the property of the owner shall rest upon the owner .
4. Upon receipt of payment of the license fee for each cat, a tag indicating a number corresponding to the number in the master register book, shall be issued to the owner; to be renewed annually.

5. Every owner shall provide the cat with a collar to which the owner shall affix the tag for such cat and the owner shall ensure that the collar and tag are worn during those occasions when the cat is not on the owner's premises.
6. In case a cat license tag is lost or destroyed, a duplicate or replacement will be issued by the Town upon payment of the sum indicated in Schedule "A" of this Bylaw by the owner and provided the owner can present a receipt of payment of the license fee for the current dog license year or the Town administrative records indicate such payment was made.
7. Tags are not transferable from one cat to another and no refund shall be made on any paid up cat license fee because of the death or sale of the cat or upon the owner's leaving the Town before expiration of the license period.
8. The period of validity of a registration shall be from January 1 to December 31, of any year. See Schedule "A" for registration rates. If any Owner is new to the Town or is a first time cat owner, they shall pay the same rate as anyone paying prior to January 31.

RESPONSIBILITIES OF THE OWNER

9. a) No person shall allow or permit his cat to run at large.
b) No owner shall allow or permit his cat to damage public property or the property of any other person

RESPONSIBILITIES OF AN ANIMAL CONTROL OFFICER

10. The Animal Control Officer shall keep an up to date record of all complaints, notices, and reports regarding cats and a similar record of their disposition.
11. The Animal Control Officer, a Peace Officer, or a Bylaw Enforcement Officer may seize and impound any cat running at large.

INTERFERENCE WITH ENFORCEMENT OF A BYLAW

12. No person, whether or not he is the Owner of a cat which is being or has been pursued or captured shall:
 - (a) Interfere with or attempt to obstruct an Animal Control Officer, Peace Officer, or Bylaw Enforcement Officer who is attempting to capture or who has captured any cat in accordance with the provisions of this bylaw; or
 - (b) Open the van or vehicle in which cats captured for impoundment have been placed, so as to allow or attempt to allow any cat to escape therefrom; or
 - (c) Remove or attempt to remove any cat from the possession of the Animal Control Officer, Peace Officer, or Bylaw Enforcement Officer.

RELEASE OF IMPOUNDED CATS

13. The Contractor shall keep all impounded cats for a period of at least 72 hours, including the day of impounding. Sundays and statutory Holidays shall not be included in the computation of the 72-

Hour period. During this period, any cat may be redeemed by its Owner upon payment to the Contractor of:

- (a) The appropriate fine, where applicable; and
- (b) Kennel fees as specified from time to time in the contract between the Town and the Contractor for every 24-hour period or fraction thereof that the cat has been impounded.

14. At the expiry of the 72-hour period, any cat not redeemed may be destroyed or sold and the money kept by the contractor.
15. The contractor or Animal Control Officer shall report any apparent illness, communicable disease, injury, or unhealthy condition of any cat to a veterinarian and act upon his recommendation. The owner, if known, shall be held responsible for all charges resulting therefrom.

TRAPPING OF CATS

16. Any person, who has a complaint about a cat running at large or causing damage to his property, may obtain a cat trap from the Town of Eckville.
17. The Complainant, upon receiving a cat trap, shall comply with the *Procedure and Guidelines for the Trapping of Stray Cats*, annexed as Schedule "B" to this bylaw, and such other terms and conditions as the Contractor may require.
18. The provision of a cat trap to a Complainant shall be at the sole discretion of the Town of Eckville.

PENALTIES

19. Every owner of a cat:
- (a) Whose cat runs at large is guilty of an offence and, upon conviction, shall be liable for a fine of \$50;
 - (b) Whose cat damages public or private property is guilty of an offence and liable, upon conviction, to a fine of \$50;
 - (c) Who contravenes any provision of Section 12 of this bylaw is guilty of offence and, upon conviction shall be liable to a fine of \$100;
 - (d) Who commits for a second time any of the offences listed in paragraphs (a), (b) and (c) herein, within six (6) months of committing such offence the first time, shall be liable, upon conviction for such second offence, to a fine of \$100.
20. (a) No person shall:
- i) entice a cat to run at large; or
 - ii) tease a cat caught in a cat trap; or
 - iii) throw or poke any object into a cat trap when a cat is caught therein; or
 - iv) fail to check a set cat trap on his premises every two to three hours, or as otherwise required by the Contractor; or

- v) leave a set cat trap unattended, except as authorized by the Contractor; or
- vi) leave a cat trap set between the hours of 11:00 p.m. on one day to 6:00 a.m. the following day, unless authorized by the Contractor; or
- vii) fail to deliver a trapped animal to the Contractor within 24 hours of the time it is trapped.

(b) Any person who contravenes this section is guilty of an offence and, upon conviction, shall be liable for a fine of \$500.

21. The Animal Control Officer, Peace Officer, or Bylaw Enforcement Officer may enforce the provisions of this bylaw and, where he has reasonable grounds to believe that a person has committed a breach of any provision of this bylaw, he may issue an offence ticket to an Owner of a cat alleged to have committed one or more of the offences herein before described designating the specified penalty for such offence.

SEVERABILITY OF BYLAW PROVISIONS

22. It is the intention of Council that:

- a) Each separate provision of this bylaw shall be deemed independent of all other provisions; and
- b) If any provisions of this bylaw be declared invalid, all other provisions shall remain valid and enforceable.

READ A FIRST TIME IN COUNCIL this 9th day of July, 2001.

READ A SECOND TIME IN COUNCIL this 9th day of July, 2001.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS _____ day of July, 2001.

Mayor

Administrator

TOWN OF ECKVILLE
AMENDMENT - CAT BYLAW**BYLAW 636/01**

A bylaw of the Town of Eckville in the Province of Alberta to amend the Cat Bylaw of the Town of Eckville known as Bylaw 633/01.

WHEREAS it is deemed necessary and expedient to amend the present Cat Bylaw 633/01, and,

Pursuant to the provisions of the Municipal Government Act, being Chapter M-26.1 of the Revised Statutes of Alberta, 1994, and amendments thereto, the Council of the Town of Eckville, duly assembled, enacts that the Cat Bylaw 633/01 be amended as follows:

1. By deleting Section 19 and replacing it with the following:

Every owner of a cat:

- (a) Whose cat is not licensed is guilty of an offence and, upon conviction, shall be liable for a fine of \$50.00;
- (b) Whose cat runs at large is guilty of an offence and, upon conviction, shall be liable for a fine of \$50.00;
- (c) Whose cat damages public or private property is guilty of an offence and liable, upon conviction, to a fine of \$50.00;
- (d) Who contravenes any provision of Section 12 of this bylaw is guilty of offence and, upon conviction, shall be liable for a fine of \$50.00;
- (e) Who commits for a second time any of the offences listed in paragraphs (a), (b), (c), and (d) herein, within 6 months of committing such offence the first time, shall be liable, upon conviction for such second offence, to a fine of \$100.00.

Read a first time this 12th day of November, 2001.

Read a second time this 12th day of November, 2001.

Read a third and final time this _____ day of November, 2001.

Mayor

Administrator

SCHEDULE "A"
ANNUAL CAT LICENSE FEES

1. Annual Cat License Fees:

Male or Female	\$40
Neutered or Spayed Male or Female	\$20

If the fee is paid prior to January 31st of the year, it shall be reduced to:

Male or Female	\$30
Neutered or Spayed Male or Female	\$15

It shall be the responsibility of the owner of any animal to provide a certificate from a veterinarian indicating an animal has been spayed or neutered.

2. If the license is being purchased in the month of December, the amount paid shall be for the next year.
3. If the license tag is lost, it can be replaced by the town for \$2.
4. If any resident is new to the Town of Eckville or is a first time cat owner, they shall pay the same rate as anyone paying prior to January 31.
5. Cat licenses are not transferable.
6. No person shall be entitled to a license rebate.

SCHEDULE "B"**PROCEDURES AND GUIDELINES FOR TRAPPING OF STRAY CATS**

1. A citizen of the Town of Eckville, who is annoyed with damages done to his property as a result of stray cat, may telephone the Town and voice a complaint, requesting a cat trap.
2. The Complainant will attend at the town office and, if the complaint is found to be valid, the Complainant will be requested to sign the form and an agreement provided by the town and the town will then provide a cat trap to the Complainant.
3. The Complainant will be required to pay a \$20.00 deposit to the town. This deposit will be returned to the Complainant at such time as the trap is returned and is found to be in the same condition it was at the time it was obtained from the Town.
4. The Complainant will set the cat trap in a place shaded from the hot sun, on the premises of the Complainant for a period of not more than 72 hours, after which time he will return the trap to the Town.
5. It will be the responsibility of the Complainant to check the trap regularly every 2 - 3 hours, or as approved by the Town and, if an animal is caught, the Complainant must bring the animal and the trap to the Contractor within 24 hours following the trapping.
6. The Contractor may enter and inspect the premises of the Complainant and ascertain if a cat trap has been placed or set and if a cat has been trapped.
7. The Complainant shall not leave a trap set on his property unattended when absent for any period of time whatsoever, except as approved by the Contractor.
8. The Complainant shall check the trap prior to 11.00 p.m. on each night that the trap is on his property and, if no animal is caught, he shall, unless otherwise approved by the by the Contractor, trip the trap and render it harmless until 6:00 a.m. the following day, then the Complainant may again set the trap.
9. At such time as the Contractor takes possession of a trapped cat, the contractor will try to locate an identifying tag or tattoo on the cat and, if found, will make every effort to contact the Owner of the cat in order to report that it has been impounded by Animal Services.
10. If an identification tag or tattoo cannot be found on the impounded cat, the Contractor will keep the cat for a period of at least 72 hours and, after that time, as space permits. After said 72 hour period, it shall be at the discretion of the Contractor as to whether or not the trapped cat shall be kept, sold to a new owner, or be euthanized. However, notwithstanding the care taken to ensure return of an Owner's cat, if a trapped cat shall be found by the Contractor to be wild and dangerous and /or seriously injured, it may be euthanized immediately upon being impounded by Animal Services.
11. At such time as a cat owner attends at Animal Services for the purpose of picking up his or her cat, which was running at large, an offence ticket will be issued in accordance with this bylaw. At the time of returning a cat to its owner, the Contractor will sell to the owner, a cat identification tag.
12. It is the responsibility of the Complainant to ensure that, once a cat is trapped on his property, that said cat shall not be abused contrary to Section 14(a)(ii) and 14(a)(iii) of this bylaw, by anyone on his property or anyone coming onto his property.

13. Any person seeing a cat in a trap being abused is encouraged to telephone and report the abuse to the Contractor, at which time the Contractor will immediately attend at the premises where the abuse has taken place and will remove the cat and the trap forthwith.
14. The Contractor will not provide service after normal business hours.
15. No cat traps will be provided by the town to a Complainant when weather conditions are, or are forecast to be, colder than 0 degrees Celsius within the 72 hour period from the time of issue.
16. Any person who abuses, teases, or pokes an animal in a cat trap or is causing pain, suffering, or injury to any animal may be charged with an offence under Section 446 of the Criminal Code of Canada.
17. If a Complainant is disabled and therefore unable to pick up the cat trap, the Contractor will deliver the trap to the Complainant's property, and pick up the trap 72 hours later. No fee shall be charged to the Complainant.



TOWN OF ECKVILLE CAT TRAP AGREEMENT

Name	Home Phone #
Address	Work Phone #

The undersigned Complainant agrees:

1. To accept responsibility for cat trap number _____ and any other equipment provided to me by Town of Eckville.
2. To pay a deposit of \$20.00 as security for the return of the cat trap in good condition.
3. Upon return of the trap in good condition, the deposit will be refunded to me. If the trap is damaged, I will pay all costs of repair and the deposit may be applied on those costs. If the trap is not returned, the deposit shall be forfeited to Town of Eckville.
4. To comply with the procedures and guidelines below respecting the trapping of cat as set out below:
 - a) To place the trap on my property and in sheltered shady area:
 - b) Not to set the trap when the temperature is, or is forecast to drop below 0 degrees Celsius:
 - c) To feed, water and care for any trapped animal in a humane manner until delivered to Alberta Animal Services at 4640 61 Street Red Deer, Alberta T4N 2R2 or the Town of Eckville. *(please contact Town of Eckville Prior to delivery to Alberta Animal Services)*
 - d) To deliver any trapped animal to the Town of Eckville or Alberta Animal Services as soon as possible after trapping, and in any event, **within 24 hours** of the animal being trapped:
 - e) To check the cat trap regularly **EVERY 2 – 3 HOURS**.
 - f) To return the trap to Town of Eckville by _____.
 - g) A designate of the Town or Animal Control Officer may enter my property to ensure the agreement is complied with.

In signing this agreement, I promise to abide by all the above terms.

Signature	Date YY/MM/DD
Witness	Date YY/MM/DD

DEPOSIT MADE BY: _____ CASH _____ CHEQUE

TRAP RETURNED:

Date YY/MM/DD	Deposit received (Signature of Complainant)	Witness's Signature:
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Alberta Animal Services, Phone: 347-2388 Website: albertaanimalservices.ca
Town of Eckville, Box 578, T0M 0X0 Phone: 746-2171 Fax: 746-2900
 HOURS OF OPERATION MONDAY TO FRIDAY 9:00 AM – 4:30 PM