

A4 Cat Bylaw

The Municipal Council of the Municipality of the County of Annapolis under the authority vested in it by Subsections 172-174 of the *Municipal Government Act*, enacts as follows:

Title

1. This Bylaw may be cited as *A4 Cat Bylaw*.”

Definitions

2. In this Bylaw words and phrases have the same meaning as in the *Municipal Government Act* or as provided below:
 - (1) “at large” means:
 - (a) off the premises of the owner without being on a leash or under the effective care and control at all times of a responsible person; or
 - (b) on a tether of sufficient length to permit the cat to wander beyond the property boundaries of the premises of the owner
 - (2) “CAO” means the Chief Administrative Officer of the Municipality of the County of Annapolis;
 - (3) “destroy” means kill;
 - (4) “cat” means a feral or non-feral feline of any breed of domesticated cat or crossbreed domesticated cat;
 - (5) "extraordinary expense" means any expense incurred by Municipal Staff in relation to a cat except for provision of food and shelter;
 - (6) “feral cat” means any homeless, wild or untamed cat that has never had contact with humans and that is the offspring of abandoned or unaltered free-roaming cats;
 - (7) “impound” means to seize and hold in custody;
 - (8) “Municipal Staff” means a municipal employee designated by the Chief Administrative Officer (CAO) to act on the Municipality’s behalf for the purpose of this Bylaw or a peace officer designated to act on the Municipality’s behalf for the purpose of this Bylaw;
 - (9) “owner” means a person who owns, possesses, harbours or has the custody of a cat and, where the owner is a minor, the person who has legal custody of the minor.

Administration of Bylaw

3. Municipal Staff shall be responsible for the enforcement of this Bylaw.
4. Municipal Staff shall collect on behalf of the Municipality any impounding fees, daily pound fees and any other additional charges or fees as are authorized in this Bylaw.

Contravention of Bylaw

5. The Owner or any other person having care or control of a cat shall ensure the cat:
 - (1) does not enter onto private property other than that of the Owner unless the person in charge of the private property consents to the cat being there;
 - (2) does not damage public or private property;
 - (3) does not defecate on any public or private property, other than the property of its owner, without the owner of the cat immediately removing the defecation.

Cats at Large

6. Municipal Staff may, without notice or complaint against the owner, impound any cat that is at large contrary to this Bylaw.
7. When a cat which is at large is determined to be feral, Municipal Staff may facilitate the trapping, spaying / neutering of the cat and its return if possible.
8. When a cat is impounded Municipal Staff shall check for a tag or electronic identification device. If a tag or electronic identification device is found, Municipal Staff shall make at least one attempt to contact the owner of the cat. However, it remains the responsibility of the owner of a missing cat to contact Municipal Staff to ascertain whether the cat has been impounded.

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9. Any cat which has not been redeemed by its owner at the expiry of a period of 72 hours after being impounded may be given away or euthanized.
10. Whenever the 72 hours of impounding time expires on a weekend or holiday, Municipal Staff shall hold such cat until the expiry of the first business day following the weekend or holiday to permit the owner to redeem the cat.
11. Where a cat is injured, ill or diseased before or after being impounded such that in the opinion of Municipal Staff it should be destroyed without delay for humane reasons, the cat may be destroyed in a humane manner without giving notice to the owner or permitting any person to redeem the animal or offering it for sale.
12. Where a cat is injured, ill or diseased before or after being impounded such that in the opinion of Municipal Staff it should receive veterinary treatment without delay for humane reasons, the cat may receive treatment without giving notice to the owner or permitting any person to redeem the animal prior to receiving treatment.
13. Upon verification of proof of ownership, the owner of a cat which has been impounded for being at large may redeem the cat after making payment (or satisfactory arrangements for payment) of:
 - (1) an impounding fee (as set by Municipal Council from time to time by policy or practice);
 - (2) a daily pound fee(as set by Municipal Council from time to time by policy or practice);
 - (3) all travel expenses incurred by the Municipality;
 - (4) all necessary veterinary costs incurred to care for the cat;
 - (5) reimbursement for any extraordinary expenses incurred by Municipal Staff in relation to the cat; and
 - (6) a mandatory registration fee.
14. If a cat is not released to its owner, the fees payable in Section 13 may be recovered by the Municipality from the owner as a debt.
15. In a circumstance that previous warnings or tickets have been given to the owner of a cat which has been at large, Municipal Staff may refuse to permit the owner to redeem the cat.

Penalty

16. Any person who contravenes any provision of this Bylaw is punishable on summary conviction by a fine of not less than \$100.00 and not more than \$1,000 and to imprisonment of not more than three months in default of payment thereof.

<u>Clerk 's Annotation For Official Bylaw Book</u>	
Date of First Reading	November 15, 2016
Date of Advertisement of Notice of Intent to Consider	November 23, 2016
Date of Second Reading	January 17, 2017
Date of advertisement of Adoption of Bylaw	January 25, 2017
I certify that this Bylaw was adopted by Municipal Council and published as indicated above.	
<i>Carolyn Young</i>	January 25, 2017
Municipal Clerk	Date
<i>*Effective date of the Bylaw unless otherwise specified.</i>	

Enacted April 30, 2015

Amendments:

Sept. 20, 2016

- Revised Section 7 to read “*When a cat which is at large is determined to be feral, Municipal Staff may facilitate the trapping, spaying / neutering of the cat and its return if possible,*” and
- In Section 14 changed “*Section 15*” to “*Section 13.*”

Jan. 17, 2017

- Revised Section 9 as follows:

~~Any cat which has not been redeemed by its owner at the expiry of a period of 72 hours after being impounded may be given away, sold or destroyed and, if sold, the proceeds shall belong to the Municipality.~~ **Any cat which has not been redeemed by its owner at the expiry of a period of 72 hours after being impounded may be given away or euthanized.**