



## VILLAGE OF CONSORT BYLAW A778

**Being a Bylaw of the Village of Consort in the Province of Alberta to regulate and restrain the running at large of cats.**

**WHEREAS** pursuant to the provisions of the Municipal Government Act R.S.A. 2000, c-M – 26, as amended a municipal council may pass any bylaw with respect to the regulation and restriction of wild or domestic animals and activities in relation to them.

**AND WHEREAS** the Council of the Village of Consort deems it necessary to implement fees for the carrying out its powers and duties within the corporate limits of the Village of Consort;

**NOW THEREFORE** the Council of the Village of Consort duly assembled enacts as follows:

**1. Title:**

1.1 This Bylaw may be cited as the "Cat Bylaw".

**2. Definitions**

2.1 In this Bylaw, unless the context other requires:

- a) **"Animal Control Officer"** - means a person employed from time to time by the Contractor under the contract between the Village and the Contractor to enforce the provisions of this bylaw, or a person so appointed by the Village of Consort.
- b) **"Village"** - means the Municipal Corporation of the Village of Consort or the area contained within the boundary thereof as the context requires.
- c) **"Cat"** - means either a male or female feline family.
- d) **"Owner"** - means an individual or body corporate who has legal title to the animal, and includes any person who has possession or custody of the animal, either temporarily or permanently, or suffers the animal to remain on his/her premises.
- e) **"Runs at Large"** - means off the premises of the owner and not under the control of any person.

**3. Responsibility of Animal Owner**

3.1 The owner of an animal:

- a) Shall ensure that the animal is not running at large, and
- b) Shall not allow or permit his cat to damage public property or the property of any other person.

**4. Animal Control Authority**

4.1 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.

4.2 The Animal Control Officer, A Peace Officer, or a Bylaw Enforcement Officer may seize and impound any cat running at large.

**5. Interference with Enforcement of a Bylaw**

5.1 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.

**6. Release of Impounded Cats**

- 6.1 The Village 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 Village of:
- a) the appropriate fine, where applicable; and
  - b) kennel fees for every 24 hour period or fraction thereof that the cat has been impounded.
- 6.2 At the expiry of the 72 hour period, any cat not redeemed may be destroyed or sold and the money kept by the Village.
- 6.3 The Animal Control Officer shall report any apparent illness, communicable disease, injury, or unhealthy condition of any cat to a veterinarian and act upon his/her recommendation. The owner, if known, shall be held responsible for all charges resulting therefrom.

**7. Trapping of Cats**

- 7.1 Any person who has a complaint about a cat running at large or causing damage to his or her property, may obtain a cat trap from the Village of Consort.
- 7.2 Complainants, upon receiving a cat trap, shall comply with the Procedure and Guidelines for the Trapping of Stray Cats, annexed as Schedule "A" to this Bylaw, and such other terms and conditions as the Village may require.
- 7.3 The provision of a cat trap to a Complainant shall be at the sole discretion of the Village.

**8. Fees or Penalties**

- 8.1 The fees charges to the owner, as per Schedule "B" Cat Bylaw Fees shall be payable in advance or upon receipt of invoice.

**9. Other Provisions**

- 9.1 No person shall:
- a) entice a cat to run at large; or
  - b) tease a cat caught in a cat trap; or
  - c) throw or poke any object into a cat trap when a cat is caught therein; or
  - d) fail to check a set trap on his premises hourly, or as otherwise required by the Village; or
  - e) leave a set cat trap unattended, except as authorized by the Village; or
  - f) leave a cat trap set between the hours of 11PM on one day to 6AM the following day, unless authorized by the Village; or
  - g) fail to deliver a trapped animal to the Village within 24 hours of the time it is trapped.
- 9.2 Any person who contravenes this section is guilty of an offence and upon conviction shall be liable for a fine of \$500.00.
- 9.3 The Animal Control Officer, Peace Officer or Bylaw Enforcement Officer may enforce the provisions of this bylaw and, where he/she has reasonable grounds to believe that a person has committed a breach of any provision of this Bylaw, he/she may issue an offence ticket to an Owner of a cat alleged to have committed one or more of the offences hereinbefore described designating the specific penalty for such offence.

**10 Severability**

- 10.1 Despite that any section or sections of this bylaw, or any part or parts thereof, may be found by any court of law to be invalid or illegal that section or sections or part or parts thereof shall be deemed to be severable, and all other sections of this bylaw, or parts thereof, are separate and independent there-from and enacted as such.

This Bylaw will come into force and effect on the date of successful third reading and signing in accordance with the Municipal Government Act (R.S.A. 2000, c. M-26) as amended.

Received first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012

Received second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012

Received third and final reading by unanimous consent of all members of Council present this \_\_\_\_\_ day of \_\_\_\_\_, 2012

**Village of Consort**

Original signed by the Mayor and CAO on \_\_\_\_\_, 201\_\_

\_\_\_\_\_  
Wayne Walker  
Mayor

\_\_\_\_\_  
Monique Jeffrey  
CAO



## VILLAGE OF CONSORT

### PROCEDURE AND GUIDELINES FOR TRAPPING OF STRAY CATS

#### SCHEDULE "A"

##### **1. Identification Service**

- 1.1 The Village will offer to residents of the Village, at a nominal fee, a "Cat Identification Tag Service" for a period of 30 working days prior to any cat traps being released to a Complainant of the Village of Consort. These identification tags will be available on a continuing basis once the cat traps have been released.

##### **2. Procedure and Guidelines**

- 2.1 A citizen of the Village of Consort who is annoyed with damages done to his or her property as a result of a stray cat may telephone the Village and voice a complaint, requesting a cat trap.
- 2.2 The Complainant will attend the office of the Village and, if the complaint is found to be valid, the Complainant will be requested to sign the form and an agreement provided by the Village, and the Village will then provide a cat trap to the Complainant.
- 2.3 The Complainant will be required to pay a \$20.00 deposit to the Village. 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 Village.
- 2.4 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 hour, after which time he or she will return the trap to the Village.
- 2.5 It will be the responsibility of the Complainant to check the trap hourly, or as approved by the Village and, if an animal is caught, the Complainant must bring the animal and the trap to the Village within 24 hours following the trapping.
- 2.6 The Village may enter and inspect the premises of the Complainant and ascertain if a cat trap has been properly placed or set and if a cat has been trapped.
- 2.7 The Complainant shall not leave a trap set on his or her property unattended when absent therefrom for any period of time whatsoever, except as approved by the Village.
- 2.8 The Complainant shall check the trap prior to 11:00 p.m. on each night that the trap is on the property and, if no animal is caught, he or she shall, unless otherwise approved by the Village, trip the trap and render it harmless until 6:00 a.m. the following day, when the Complainant may again set the trap. No traps are to be set from 4:00 p.m. Friday to 8:00 a.m. Sunday or Monday on a long weekend.
- 2.9 At such time as the Town takes possession of a trapped cat, the Town 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 the Village.
- 2.10 If an identification tag or tattoo cannot be found on the impounded cat, the Village will keep the cat for a period of at least 72 hours. After said 72 hour period, it shall be up to the discretion of the Village 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 Town to be wild and dangerous and/or seriously injured, it may be euthanized immediately upon being impounded.
- 2.11 At such time as a cat owner attends the Village office 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 Village will make the Owner aware of the Identification Tag Service offered by the Village.

- 2.12 It is the responsibility of the Complainant to ensure that, once a cat is trapped on his or her property, that said cat shall not be abused contrary to section 9.1(a) and 9.1(b) of this Bylaw, by anyone on his or her property or anyone coming onto his or her property.
- 2.13 Any person seeing a cat in a trap being abused is encouraged to telephone and report the abuse to the Village, at which time the Village will immediately attend at the premises where the abuse has taken place and will remove the cat and the trap forthwith.
- 2.14 The Village will not provide service after normal business hours.
- 2.15 No cat traps will be provided by the Village to a Complainant when weather conditions are, or are forecast to be, colder than 0 degrees Celsius within the 72 hour period form the time of issue.
- 2.16 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.



**VILLAGE OF CONSORT**

**CAT BYLAW FEES AND PENALTIES**

**SCHEDULE "B"**

<b>Yearly Cat License</b>	\$10.00	
Cat Running at Large	\$50.00	1 <sup>st</sup> Offence
	\$100.00	2 <sup>nd</sup> Offence
	\$200.00	3 <sup>rd</sup> Offence
Failure to Obtain Cat Tag	\$50.00	