

TOWN OF SOUTHEY

BYLAW NO. 2021-01

A BYLAW TO REGULATE AND CONTROL THE OWNERSHIP AND POSSESSION OF CATS

The Council of the Town of Southey in the Province of Saskatchewan enact as follows:

In this bylaw:

- a) "Administrator" means the clerk or administrator of the municipality.
- b) "Bylaw Enforcement Officer" means the person or persons appointed or contracted by the council of The Town of Southey for the purpose of enforcing the provisions of this bylaw.
- c) "Cats" includes all species of the animals commonly known as cats, family felis catus, a male or female cat, or male and female kitten over eight weeks of age.
- d) "Council" means the council of the Town of Southey.
- e) "Kennel" means any structure used by any person for boarding or otherwise caring for cats.
- f) "Nuisance" includes fighting with other cats, defecating or spraying on private property without the permission of the owner or occupant of the property, howling or hissing at night, digging in the flower beds or garbage containers and trespassing on private property.
- g) "Owner" means any person, partnership, association, or corporation owning, possessing, harbouring, having charge of or control over any cat, and includes keeper of cat.
- h) "Running at large" shall mean when the cat is beyond the boundaries of the land occupied by the owner, possessor, or harbourer of the said cat, or beyond the boundaries of any lands where it may be with the permission of the owner or occupant of the said land and when it is not under control by being:
 - i. in the direct and continuous charge of a person competent to control it; or
 - ii. securely confined within an enclosure; or
 - iii. securely fastened so that it cannot roam at will.

1. RUNNING AT LARGE

- 1.1 The owner of the cat shall not at any time allow the cat to run at large within the municipality.
- 1.2 When the cat is found to be running at large, its owner is deemed to have failed or refused to comply with the provisions of this section, unless the owner proves to the satisfaction of the court that at the time of offence, the owner did all that was reasonable to prevent the animal from being at large.
- 1.3 Any person who sees an animal at large, and can positively identify the animal, can file a written complaint at the Administration Office.
- 1.4 The Bylaw Enforcement Officer or any other person designated by the Municipality will attempt to capture any animals found running at large and place them in the cat trap.

2. SEIZURE AND IMPOUNDING

- 2.1 A Bylaw Enforcement Officer may seize and impound any cat observed to be at large:
 - (a) Seize and impound any cat found causing a nuisance
 - (b) Issue a trap to the complainant upon execution by the complainant if an agreement as set out in this Bylaw
- 2.2 A Bylaw Enforcement Officer may enter into the land surrounding any building in pursuit of any cat which has been observed at large.

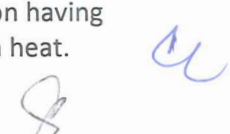


- 2.3 The Bylaw Enforcement Officer is hereby authorized to seize and capture by any method authorized by the resolution of council, and impound any cat running at large contrary to the provisions of this Bylaw.
- 2.4 Any person may issue a cat trap upon execution of an agreement as set out by the Cat Trap Permit. And such person shall abide by the terms of the Cat Trap Permit Agreement. Where a trap is issue, the complainant shall:
- (a) Personally, check the trap each hour while the trap is set.
 - (b) In the event the cat is trapped, immediately contact the Town of Southey Administration.
- 2.5 No person, whether or not they are the owner of the cat which is being or had been pursued or seized, shall;
- (a) Interfere with or attempt to obstruct a Bylaw Enforcement Officer who is attempting to seize or has seized any dog or cat in accordance with the provisions of this Bylaw.
 - (b) Unlock or unlatch or otherwise open the vehicle in which the cats seized under this Bylaw have been placed so as to allow or attempt to allow any cats to escape.
 - (c) Remove or attempt to remove any cat from the possession of the Bylaw Enforcement Officer.
 - (d) Any person who tampers in any way with an apparatus belonging to the Town for the purpose of apprehending cats; or any person who shall break open or assist in breaking open area where cat is impounded; or any person who hinders or obstructs any person in the performance of his duties hereunder shall be guilty of an offence and shall be liable of a fine of not less the \$100.00 and not more than \$500.00.
- 2.6 Where the cat is impounded the Administrator shall:
- (a) Hold the cat for 48 hours, unless earlier claimed by owner of the cat.
 - (b) Attempt to notify the owner of the cat, if known of the impoundment.
 - (c) Administration shall post a notice on the Notice Board at the Post Office giving description of the said cat, the date when it was impounded and the date that it will be disposed of;
 - i. by humane destruction; or
 - ii. put up for public adoption.
 - (d) Hours used in this section shall not include the hours between 4:00 p.m. of any Friday, until 9:00a.m. of the following Monday nor the twenty-four hours of any other day celebrated in the Town of Southey as a holiday.
- 2.7 Where the cat is not claimed by the owner within 48 hours of impoundment, the Administrator may dispose of the cat:
- i. by humane destruction; or
 - ii. put up for public adoption.
- 2.8 Notwithstanding the above, any cat suspected of having rabies or other life-threatening disease shall be isolated and may not be claimed, destroyed, or otherwise disposed of except after notice to the Medical Health Officer and then only in compliance with the direction of the Medical Health Officer.

3. CAT RUNS

- 3.1 Where cats are housed or kept in a cat run, the owner of the cat shall:
- (a) Daily cause all defecation to be removed from the cat run and disposed of in a sanitary manner.
 - (b) No cat owner shall fail to immediately remove any exposed defecation of the cat from private property, other than property owned or occupied by the owner, and dispose of the defecation in a sanitary matter.
 - (c) Ensure that the cat run meets the following minimum requirements:
 - (i) Base and flooring constructed or composed of impervious material or wood.
 - (ii) Located no closer than five meters of any neighbouring dwelling unit.
- 3.2 The Bylaw Officer may order the owner of any cat housed or kept in a cat run and the owner or occupant of any property upon which a cat run is located to remedy any contravention of the duties or minimum requirements set out in this section within the period of time specified in the order.

4. Duties of Cat Owner

- 4.1 A female cat in heat shall be confined and housed in the residence of the owner or person having control of the cat, or taken to a licensed kennel during the whole period that the cat is in heat.
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- 4.2 If a cat defecated on any public or private property other than the property of its owner, the owner or keeper shall cause such feces to be removed immediately. If the owner of the cat fails to remove such feces immediately, the owner shall be in violation of this Bylaw.
- 4.3 No owner or keeper shall permit their cat or cats to damage public or private property other than that of the owner or keeper.
- 4.4 No owner shall have a kennel meant for breeding, or boarding establishment for cats at any time within the limits of the Municipality.

5. Penalties

- 5.1 A person who contravenes any of the provisions of this Bylaw, shall be guilty of an offence and upon conviction by a fine in the amount not exceeding five hundred dollars (\$500.00) or in default:
- (a) A violator of this Bylaw, upon being served with a Notice of Violation, may during office hours, voluntarily pay the penalty at the Municipal Office, and upon payment as so provided, that person shall not be liable to prosecution of the offence.
 - (b) The Notice of Violation shall be a letter from the Town of Southey stating the contravention and applicable details.
- 5.2 Charges for impounding and housing cats are as follows:
- (i) Impound Charge- \$30.00
 - (i) Housing Charge- \$ 10.00 / day or portion thereof for every day held

6. Repeal of Former Bylaws

- (a) That Bylaw No. 3-1990 is hereby repealed.

7. This bylaw shall come into force and take effect upon final approval of Council.

Readings:

Read a first time this 26th day of January, 2021.

Read a second time this 26th day of January, 2021.

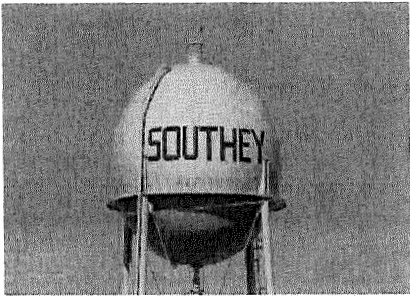
Read a third time this 9th day of February, 2021.



Leigh Bishop
Mayor



Chris Lamontagne
Acting Administrator



Town of Southey

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Website: www.southey.ca

TOWN OF SOUTHEY
SCHEDULE "A" – As provided by clause 2.1(b)

CAT TRAP PERMIT

Date _____
Trap _____

I, the undersigned, agree to the following terms and conditions:

- The cat trap will be placed only on my property within the Town of Southey.
- I will personally check the trap at least once every hour while the trap is set.
- In the event the cat is trapped I will contact the Town Office at 726-2202. In the event the office is closed, the cat may be held until the office reopens.
- I will also provide shelter, food and dry secure area (such as a shed, garage or basement) with a blanket placed over the trap to pacify the cat. If I cannot comply with these conditions, I will free the trapped cat unharmed.
- I will ensure that no harm comes to any trapped cat while in my possession including exposure to inclement weather. I will not use the cat trap when the temperature falls below -1 Celsius or rises above +28 Celsius.
- I give permission to the Bylaw Enforcement Officer to enter my property to ensure the cat trap is being used properly.
- I will advise the Bylaw Enforcement Officer, or Town Office of the name and address of the owner of the cat trapped.
- I will pay the cost to repair or replace the cat trap if the cat trap is damaged, lost, or stolen while in my possession.
- I will not set trap on statutory holidays or days when the town office is closed.
- I will return the cat trap to the Town Office within three (3) days after the cat trap was issued, unless other arrangements are made with the Administration.

IT IS A SERIOUS OFFENCE TO HARM ANY DOMESTIC ANIMAL

I understand and accept all liability that may arise in connection with the use of this cat trap while it is in my possession and will save and indemnify the Town of Southey for all such liability.

Name :	_____	Signature:	_____
Address:	_____		
Trap	_____		
Returned:	_____	Received By:	_____
Comments:	_____		

21