



**VILLAGE OF STIRLING
IN THE PROVINCE OF ALBERTA
Bylaw No. 476-18
Responsible Cat Ownership Bylaw**

**A BYLAW OF THE VILLAGE OF STIRLING IN THE PROVINCE OF ALBERTA
FOR THE PURPOSE OF REGULATING AND CONTROLLING CATS IN THE
VILLAGE OF STIRLING**

WHEREAS, the Municipal Government Act RSA 2000, Chapter M-26 and amendments thereto, authorize a Council pass bylaws to regulate and control wild and domestic animals and activities in relation to them within the Village of Stirling;

AND WHEREAS the Municipal Government Act RSA 2000, Chapter M-26 and amendments thereto, authorize a Council pass bylaws in regards to safety, health and welfare of people and the protection of people and property;

AND WHEREAS the keeping of any species of animals within the Village of Stirling may constitute a nuisance or public health risk;

AND WHEREAS it is deemed expedient to enact a Bylaw for the regulation and control of cats within the boundaries of the Village of Stirling;

NOW THEREFORE the Council of the Village of Stirling, in the Province of Alberta, duly assembled, thereby enacts as follows:

TITLE

1. This Bylaw may be cited as the "Responsible Cat Ownership Bylaw".

DEFINITIONS

2. In this Bylaw, the following words mean:

- a) "Administrator" means the Chief Administrative Officer of the Village of Stirling.
- b) "Animal Control Officer" means a person employed from time to time to enforce the provisions of this bylaw, or a Designated Officer or person so appointed by the Village of Stirling.
- c) "Cat" means a domestic animal of the feline family.
- d) "Designated Officer" means the Chief Administrative Officer, Bylaw Enforcement Officer, R.C.M.P. Officer, Development Officer and or a Peace Officer.
- e) "Owner" means any natural person or body corporate:
 - (i) Who has legal title of the animal;
 - (ii) Who has legal control, possession or custody of the animal, either temporarily or permanently; or

- (iii) who harbours the animal, or allows the animal to remain on his premises;
- f) "Runs at Large" means off the premises of the owner and not under the control of any person.
- g) "Stirling" means the Municipal Corporation of the Village of Stirling or the area contained within the boundary thereof as the context requires.
- h) "Village" means the Municipal Corporation of the Village of Stirling.

RESPONSIBILITY OF CAT OWNER

- 3. The owner of the cat shall:
 - a) Ensure that the cat is not running at large, and
 - b) Ensure if cat defecates on any public or private property other than the property of its owner, the owner shall remove such defecation immediately;
 - c) Not allow the premise to become littered with cat feces to an extent that the premise becomes objectionable, either visually or because of foul odors, to residents of neighboring properties;
 - d) Shall not allow or permit his cat to damage public property or the property of any other person or to injure or harass domestic or wild animals such as other cats or birds, but not to include mice, voles and moles on the owner's property.

COMMUNICABLE DISEASES

- 4. An owner of a cat known to have or suspected of having rabies shall:
 - a) Shall immediately report the matter to Agriculture Canada, Veterinary Inspection Directorate or to an Animal Control Officer;
 - b) Confine or isolate the cat, in such a manner as prescribed by the persons in subsection 7 (a) so as to prevent further spread of the disease;
 - c) Keep the cat confined for not less than ten (10) days.

ANIMAL CONTROL AUTHORITY

- 5. a) 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.
- b) 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

- 6. 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 trap or vehicle in which cats captured for impoundment have been placed, so as to allow or attempt to allow any cat to escape therefrom;
- c) Remove or attempt to remove any cat from the possession of the Animal Control Officer, Peace Officer, or Bylaw Enforcement Officer.

RECLAIMING

- 7. a) The owner of any impounded cat may reclaim the cat from the Village by paying the fees as set out in the Rates & Fees Bylaw;
- b) An Animal Control Officer shall report any apparent illness, communicable disease, injury or unhealthy condition of any impounded cat, its owner, if known, and to a veterinarian and an Animal Control Officer shall take into account any recommendations of such veterinarian in dealing with the cat while the cat is impounded;
- c) An owner of an impounded cat shall be liable to the Village Office for any fees or expenses incurred in consulting with a veterinarian or providing any care recommended by a veterinarian in respect of such impounded cat.

RELEASE OF IMPOUNDED CATS

- 8. a) The Village or its Designated Officer or Facility 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 reclaimed, by its Owner, upon payment to the Village of:
 - (i) Impound, kennel and necessary veterinary fees incurred as a result of the impoundment and/or;
 - (ii) Accepting service of the appropriate bylaw violation ticket.
- b) At the expiry of the 72-hour period, any cat not redeemed may be euthanized or sold and any proceeds kept by the Village;

TRAPPING OF CATS

- 9. a) Any person who has a complaint about a cat running at large or causing damage to their property may request a cat trap from the Village by completing the required cat trap request form, Schedule "C";
- b) 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;
- c) The provision of a cat trap to a Complainant shall be at the sole discretion of the Village.

OFFENCES

- 10. Any person whose:
 - a) Cat runs at large is guilty of an offence;
 - b) Cat damages public or private property is guilty of an offence;

OTHER PROVISIONS

11. 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 cat 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 indicated in Schedule "A" 1. (h), 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.

ENFORCEMENT

- 12. a) All fines for contravention of this Bylaw are outlined in Schedule "B" and are updated annually in the Fee and Charges Schedule;
- b) The Animal Control Officer, Peace Officer or Bylaw Enforcement Officer may enforce the provisions of this Bylaw and, where he or she has reasonable grounds to believe that a person has committed a breach of any provision of this Bylaw, he or she may issue an offence ticket to an Owner of a cat alleged to have committed one or more of the offences described designating the specified penalty for such offence;
- c) The Animal Control Officer, Peace Officer or Bylaw Enforcement Officer who finds any person who violates any of section 11 who is the person in lawful control of the issued trap may seize the trap immediately upon noting the violation as well as issue an offence notice or Provincial Summons for the violation. If the person issued the offence notice or Provincial Summons is found guilty they Animal Control Officer, Peace Officer or Bylaw Enforcement Officer may refuse future requests for a trap by the convicted person.

PENALTIES – VOLUNTARY PAYMENT

- 13. a) Where an Animal Control Officer, believes that a person has contravened any provisions of this Bylaw, he or she may in his or her absolute discretion serve upon such a person a ticket as provided by this section either personally or by mailing by ordinary mail addresses to or leaving the tag at the last known address of such person and such service shall be good and sufficient for the purpose of this Bylaw;
- b) A ticket under this section shall in such form as determined by the Village and shall state the section of this Bylaw which the person to whom such ticket is issued is accused of having violated, and the amount from Schedule "B" that will be accepted by the Village in lieu of prosecution;
- c) Upon the production of a ticket issued pursuant to this section within ten (10) days from the issue thereof together with the payment to the Village of the fee provided in Schedule "B", the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was issued;

- d) Nothing in this section shall prevent a person to whom a ticket has been issued from defending any prosecution commenced by the Village for any contravention of the provisions of this Bylaw.
- e) If an Animal Control Officer believes that a person has contravened any provision of this Bylaw, he or she may commence proceedings by issuing a summons by means of a Violation Ticket in accordance with Part 2 of The Provincial Offences Procedures Act, S.A. 1988, Chapter P-21.5.
- f) The specified penalty payable in respect of a contravention of a provision of this Bylaw in proceedings commenced under The Provincial Offences Procedure Act is the amount shown in Schedule "B" in respect of that provision.

SEVERABILITY

14. 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.

15. This bylaw shall come into force and effect upon the third and final reading thereof.

READ A FIRST TIME THIS THE 3 DAY OF OCTOBER 2018

READ A SECOND TIME THIS THE ___ DAY OF _____ 2018

READ A THIRD TIME AND PASSED THIS THE ___ DAY OF _____ 2018

Mayor – Trevor Lewington

CAO - Mike Selk

Schedule "A"

PROCEDURE AND GUIDELINES FOR TRAPPING OF STRAY CATS

1. Procedure and Guidelines

- a) A citizen of the Village of Stirling who is annoyed with damages done to his or her property as a result of a stray cat may contact the Village and complete the required cat trap request form, Schedule "C".
- b) 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 agreement section of Schedule "C" and the Village will then provide a cat trap to the Complainant.
- c) 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.
- d) The Complainant will set the cat trap in a place protected from the elements, on the premises of the Complainant for a period of not more than 72 hours, after which time he or she will return the trap to the Village.
- e) It will be the responsibility of the Complainant to check the trap regularly i.e. within a four-hour timeframe, 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.
- f) 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.
- h) No traps are to be set from 11:00 a.m. Friday to 8:00 a.m. Monday or Tuesday on a long weekend unless given written authorization from the Bylaw Officer.
- i) At such time as the Village takes possession of a trapped cat, the Village 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.
- j) 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 Village to be wild and dangerous and/or seriously injured, it may be euthanized immediately upon being impounded.
- k) At such time as a cat owner attends the impound yard 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. Additional charges which must be paid at time of pick-up will be assessed relating to overnight charges if incurred, impound charges and vet examination fee.
- l) 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 11 of this Bylaw,

by anyone on his or her property or by anyone coming onto his or her property.

- m) Any person seeing a cat in a trap being abused is encouraged to 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.
- n) The Village will not provide service after normal business hours.
- o) 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 or warmer than 27 degrees Celsius within the 72-hour period from the time of issue.
- p) 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.

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Schedule "B"

Offence	1 st Offence	2 nd Offence	3 rd Offence
Run at Large	\$100	\$150	\$200
Damage Property	\$100	\$150	\$200
Entice Cat to Run at Large	\$200	\$300	\$400
Tease Cat in Trap	\$250	\$500	\$1000
Throw/Poke Object in Trap with Cat Inside	\$500	\$1000	\$2000
Fail to Check Trap Hourly	\$250	\$500	\$1000
Leave Trap Unattended	\$250	\$500	\$1000
Leave Trap Set Outside hours set in Schedule "A"(o)	\$250	\$500	\$1000
Fail to Deliver in 24 Hours	\$250	\$500	\$1000

If any discrepancies between Schedule B and the current Rates & Fees Schedule - the current Rates & Fees Schedule will be deemed correct

Schedule "C"

Cat Trap Request Form and Deposit Agreement

Form To be Developed

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