

**BY-LAW NO. 95-18
OF THE TOWN OF STRATHMORE
IN THE PROVINCE OF ALBERTA**

**BEING A BY-LAW OF THE TOWN OF STRATHMORE IN THE PROVINCE OF ALBERTA TO RESTRAIN AND
REGULATE THE RUNNING AT LARGE OF CATS.**

WHEREAS the Town of Strathmore has deemed it advisable to pass a Bylaw dealing with problem cats;

AND WHEREAS Section 7 of the Municipal Government Act, R.S.A. 1994, Chapter M- 26.1, as amended, allows Council to pass Bylaws respecting wild and domestic animals and activities in relation to them;

NOW THEREFORE, the Council of the Town of Strathmore enacts as follows:

TITLE

101. This Bylaw may be cited as the "Cat Control Bylaw".

DEFINITIONS

201. In this Bylaw:

- a) "Animal Control Officer" means a Bylaw Enforcement Officer, or other person appointed by Council to assist a Bylaw Enforcement Officer to carry out the provisions of this Bylaw.
- b) "Bylaw Enforcement Officer" means a person appointed as such by resolution of Council, or Special Constable appointed by Alberta Justice.
- c) "Cat" shall mean either the male or female of the feline family.
- d) "Council" means the Council of the Town of Strathmore.
- e) "Owner" means a natural person or body corporate who has legal title to the cat, and included any person who has possession or custody of the cat.
- f) "Running at Large" means a cat which is not under the control of a person and which is upon public or privately owned property other than property in respect of which the owner has a right of occupation.
- g) "Town" means the Municipal Corporation of the Town of Strathmore.

LICENSING

301. Every person who owns any cat more than three (3) months old, shall pay to the Town a yearly fee as per Schedule "A". The fees shall become due and payable on the first day of January in each year and shall be for the period of January 1st to December 31st in each year.

302. The license tag issued upon payment of the set fee shall be attached to the collar worn by such animal at all times. OR the owner will be responsible for having the animal appropriately tattooed and identification provided to the Town. The tattoo option will require a one-time license fee to be paid. (As per schedule "A")

401. The owner of a cat shall ensure that the cat is not running at large.

402. Where a cat is running at large, the owner or occupant of that property on which the cat is running at large may make a complaint to the Bylaw Enforcement Officer. IMPOUNDMENT

IMPOUNDMENT

501. A Bylaw Enforcement Officer may capture and impound any cat running at large with respect to which a complaint under this Bylaw has been made.

OBSTRUCTION

601. No person, whether or not he is the owner of a cat which is being or has been pursued or captured shall interfere with or attempt to obstruct a Bylaw Enforcement Officer who is attempting to capture or who has captured a cat which is subject to impoundment pursuant to the provisions of this Bylaw.

602. If the Bylaw Enforcement Officer knows the name and current address of the owner of any impounded cat, he shall serve the owner with a copy of the Notice in Schedule "B" of this Bylaw, either personally or by leaving or mailing it to the current address of the owner.

603. An owner of a cat to whom a Notice is mailed pursuant to the provisions of Section 602 is deemed to have received a Notice within forty-eight (48) hours of the time it is mailed.

RECLAIMING

701. The owner of any impounded cat may reclaim the cat by paying to the Town the costs of impoundment as set out in Schedule "C" of this Bylaw.

SALE OR DESTRUCTION

801. The Bylaw Enforcement Officer may sell or euthanize an impounded cat once the following conditions have been met:

- a) the cat has been retained for:
 - (i) five (5) days, excluding statutory holidays, after the owner has received notice or is deemed by Section 603 to have received notice that the cat has been impounded, or
 - (ii) four (4) days, excluding statutory holidays, if the name and current address of the owner is not known.

802. Notwithstanding Section 801, the Bylaw Enforcement Officer may:

- a) retain a cat for a longer period; or
- b) euthanize a cat after a shorter period; if in his opinion the circumstances warrant.

803. The purchaser of a cat pursuant to the provisions of this Bylaw shall obtain full right and title to the cat and the right and title of the former owner of the cat shall cease there upon.

804. The purchaser of a cat must pay for the care and sustenance of the cat and purchase a license for the cat. The requirement to purchase a license only applies if the purchaser and cat reside in the Town.

PENALTIES

901. Where a Bylaw Enforcement Officer believes that a person has contravened any provision of this Bylaw, he may commence proceedings by issuing summons by means of a violation ticket in accordance with Part 2 of the Provincial Offences Procedure Act S.A. 1988, Chapter P-21.5 and amendments.

902. The specified penalty payable in respect of a contravention if a provision of this Bylaw is the amount shown in Schedule "D" of this Bylaw in respect of that provision.

903. Notwithstanding Section 902:

- a) where any person contravenes the same provisions of this Bylaw twice within one twelve month period, the specified penalty payable in respect of the second contravention is double the amount shown in Schedule "D" of this Bylaw in respect of that provision, and
- b) where any person contravenes the same provision of this Bylaw three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount shown in Schedule "D" of this Bylaw in respect of that provision.

SUMMARY CONVICTION

1001. Any person who contravenes any provision of the Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than TWO THOUSAND, FIVE HUNDRED DOLLARS (\$2,500.00) and in default of payment is liable to imprisonment for a term not exceeding six (6) months.

1002. The levying and payment of any fine or the imprisonment for any period provided in the Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs from which he is liable under the provisions of this Bylaw.

2001. This Bylaw shall come into force upon receiving third reading.