

Bylaw Number 1370

Being a bylaw of the Town of Innisfail, in the Province of Alberta, to regulate and restrain the running at large of cats;

WHEREAS the Municipal Government Act, R.S.A.; 1994, enables a Council of the Town to pass bylaws respecting wild and domestic animals, and activities in relation to them;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF INNISFAIL, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This bylaw may be called the “Cat Bylaw”.

DEFINITIONS

2. For the purposes of this bylaw;

“**Animal Control Officer**” means a person employed from time to time by the Contractor under the contract between the Town and the Contractor to enforce the provision of this bylaw, or a person so appointed by the Town;

“**Cat**” means either male or female of the feline family;

“**Contractor**” means a person employed or under contract by the Town to enforce the provisions of this bylaw and maintain and administer an impound facility for cats;

“**Owner**” means any person:

- (a) owning or possessing or having charge of or control over any cat; or
- (b) harboring any cat; or
- (c) suffering or permitting any cat to remain about his house or premises.

“**Runs at Large**” means off the premises of the owner and not under the control of any person.

RESPONSIBILITIES OF THE OWNER

3. (1) No person shall allow or permit his cat to run at large.
- (2) No owner shall allow or permit his cat to damage public property or the property of any other person.

RESPONSIBILITIES OF AN ANIMAL CONTROL OFFICE

4. 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.
5. 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 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.

RELEASE OF IMPOUNDED CATS

- 7. The Contractor 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 Contractor of:
 - (a) the appropriate fine, where applicable; and
 - (b) kennel fees as specified from time to time in the contract between the Town and the Contractor for every 24 hour period or fraction thereof that the cat has been impounded.
- 8. At the expiry of the 72 hour period, any cat not redeemed may be destroyed or sold and the money kept by the Contractor.
- 9. The contractor or Animal Control Officer shall report any apparent illness, communicable disease, injury, or unhealthy condition of any cat to a veterinarian and act upon his recommendation. The owner, if known, shall be held responsible for all charges resulting therefrom.

TRAPPING OF CATS

- 10. Any person who has a complaint about a cat running at large or causing damage to his property, may obtain a cat trap from the Town of Innisfail.
- 11. Complainant, 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 Contractor may require.
- 12. The provision of a cat trap to a Complainant shall be at the sole discretion of the Town of Innisfail.

PENALTIES

- 13. Every Owner of a cat:
 - (a) whose cat runs at large is guilty of an offence and, upon conviction, shall be liable for a fine of \$30.00;
 - (b) whose cat damages public or private property is guilty of an offence and liable, upon conviction, to a fine of \$30.00;
 - (c) who contravenes any provision of section 6 of this bylaw is guilty of offence and, upon conviction shall be liable to a fine of \$60.00;

- (d) who commits for a second time any of the offences listed in paragraphs (a), (b) and (c) herein, within 6 months of committing such offence the first time, shall be liable, upon conviction for such second offence, to a penalty of \$100.00.
14. (1) No person shall:
- (a) entice a cat to run at large; or
 - (b) tease a cat caught in a 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 Contractor; or
 - (e) leave a set cat trap unattended, except as authorized by the Contractor; or
 - (f) leave a cat trap set between the hours of 11:00 p.m. on one day to 6:00 a.m. the following day, unless authorized by the Contractor; or
 - (g) fail to deliver a trapped animal to the Contractor within 24 hours of the time it is trapped.
- (2) Any person who contravenes this section is guilty of an offence and, upon conviction, shall be liable for a fine of \$500.00.
15. The Animal Control Officer, Peace Officer, or Bylaw Enforcement Officer may enforce the provisions of this bylaw and, where he has reasonable grounds to believe that a person has committed a breach of any provision of this bylaw, he 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 specified penalty for such offence.

SEVERABILITY OF BYLAW PROVISIONS

16. 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.

READ A FIRST TIME IN OPEN COUNCIL this 22 day of March, 1999.

READ A SECOND TIME IN OPEN COUNCIL this 22 day of March, 1999.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this 22 day of March, 1999.

Mayor

Chief Financial Officer