

TOWN OF OLDS

BYLAW 1495-95

CAT CONTROL BYLAW

BEING A BYLAW OF THE TOWN OF OLDS TO RESTRAIN AND REGULATE THE RUNNING-AT-LARGE OF CATS.

WHEREAS, the Council for the Town of Olds has deemed it advisable to pass a Bylaw to regulate the running-at-large of cats and to provide for the impoundment and disposition of cats within the Town limits.

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

NOW THEREFORE THE COUNCIL OF THE TOWN OF OLDS IN THE PROVINCE OF ALBERTA ENACTS AS FOLLOWS:

TITLE

1. This Bylaw may be cited as the CAT CONTROL BYLAW

INTERPRETATION AND APPLICATION

2. IN THIS BYLAW:

- a) ANIMAL means Cat.

- b) ANIMAL CONTROL OFFICER means a Bylaw Officer or person or persons appointed as such from time to time, by the Town of Olds to do

any act or perform any duties under this Bylaw.

- c) CAT means any domestic member of the Cat family.

- d) OWNER means and includes any person, group of persons, firm or corporation owning or possessing or having control over a cat.

- e) PERSON means any individual, partnership, firm or corporation.

- f) RUNNING-AT-LARGE means if a cat is off the premises of the owner and not under the control of a person by being:

- a) in direct and continuous charge of a person competent to control it; or

- b) securely confined within an enclosure; or

- c) securely fastened so it cannot roam at will.

- g) TOWN means the municipal corporation of the Town of Olds or the area contained within the boundary thereof as the context requires.

GENERAL PROVISIONS

3. no license is required for a Cat in the Town.
4. every female Cat in heat shall be confined to a house or kennel.
5. an Owner who allows their Cat to disturb the quiet of any Person is guilty of an offense.
6. an Owner of a Cat which has damaged any public or private property is guilty of an offense.
7. an Owner who allows their Cat to urinate or defecate on any public or private property other than the property of the Owner, shall be guilty of an offense unless the owner removes such defecation immediately.

RUNNING-AT-LARGE

8. no owner shall allow any Cat to Run-At-Large and when any Cat is found to be At-Large, its Owner shall be deemed to have failed to comply with this section.
9. 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 Animal Control Officer.

IMPOUNDMENT AND DISPOSITION

10. an Animal Control Officer may seize and capture any Cat found Running-At-Large and impound the said Cat.
11. to assist in the seizure and capture of Cats, the Animal Control Officer may utilize live traps. Said traps shall be used in a humane manner and shall be set up and monitored by the Animal Control Officer or his designate.
12. a) a Cat impounded pursuant to Sections #8 and #9 shall be kept for a period of at least seventy two (72) hours. During this period any healthy Cat may be redeemed by its Owner or agent of the Owner upon payment to the Town of the costs of impoundment as set out in Schedule "A" of this Bylaw.

b) at the expiration of a seventy two (72) hour period, any Cat not claimed may be destroyed or sold to a Person other than the Owner, provided that such Person shall be responsible for any/all of the impoundment costs set out in Schedule "A."

c) "to assist in the seizure and capture of Cats, the Animal Control Officer may utilize live traps. Said traps shall be used in a humane manner AND SHALL BE SET UP AND MONITORED BY THE ANIMAL CONTROL OFFICER OR HIS DESIGNATE."
13. when in the judgement of a licensed veterinarian a Cat should be destroyed for human reasons, such Cat may not be redeemed.
14. no action shall be taken against any Person acting under the authority of this Bylaw for damages for the destruction or other disposal of any Cat.
15. an Owner surrendering their Cat to the Town shall pay the fee stipulated in Schedule "A."
16. no Person shall remove or attempt to remove from the pound any Cats impounded therein.

NEGLIGENCE

17. no Person shall cause a Cat to Run-At-Large in Town by:

- a) untying, loosening or otherwise freeing a Cat which has been tied or otherwise restrained, or
 - b) negligently or wilfully opening a gate, door or other opening in a fence or enclosure in which a cat has been confined.
18. no Person shall tease, torment or annoy a Cat.

OBSTRUCTION

19. 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 an Animal Control Officer of the Town who is attempting to capture or who has captured a Cat which is subject to impoundment pursuant to the provisions of this Bylaw.

NOTICES, OFFENSES AND FINES

20. a notice or form commonly called an animal control ticket, having printed wording approved by the Council as set out in Schedule "B" hereof may be issued by an Animal Control Officer or police constable to any Person who has breached any provision of the Bylaw. The said notice shall require a payment to the Town as listed in Schedule "C."

ISSUANCE OF TICKETS

21. a) an animal control ticket shall be deemed to be sufficiently served;
- i) if served personally on the Owner of the Cat, or
 - ii) if mailed by single registered mail to the address of the Owner of the Cat.
- b) payment of the animal control ticket within (21) twenty-one days from the date of service of the animal control ticket may be accepted the the Town in lieu of prosecution.

SUMMARY CONVICTION

22. a) any Person who contravenes any provision of this Bylaw is guilty of an offense and is liable of summary conviction to a fine of not less than \$50.00 (Fifty Dollars) nor more than \$500.00 (Five Hundred Dollars) and costs of prosecution.
- b) the levying and payment of any fine in this Bylaw shall not relieve any Person from the necessity of paying any fees, charges or costs from which he is liable under the provisions of this Bylaw.
- c) a Provincial Court Judge, in addition to the penalties provided in this section, may if he considers the offense sufficiently serious, direct or order the Owner of the Cat to stop the Cat from doing mischief or causing disturbance complained of, or to have the Cat removed from the Town, or have the Cat destroyed.

THIS BYLAW SHALL COME INTO FORCE UPON RECEIVING THIRD READING.

READ a First time the 24th day of JUNE 1996 on a motion made by Councillor ROWLAND.

MOTION CARRIED UNANIMOUSLY

READ a Second time the 24th day of JUNE 1996 on a motion made by Councillor BULL.

MOTION CARRIED:

IN FAVOUR: Mayor Taylor, Councillors Bodnar, Bull, Fritz and Rowland

OPPOSED: Councillor Bojda

CONSENT given for Third and Final reading on a motion made by Councillor ROWLAND.

MOTION CARRIED:

IN FAVOUR: Mayor Taylor, Councillors Bodnar, Bull, Fritz and Rowland

OPPOSED: Councillor Bojda

MOTION CARRIED AS AMENDED UNANIMOUSLY.

READ a Third and Final time the 8th day of JULY 1996 on a motion made by Councillor BULL.

MOTION CARRIED UNANIMOUSLY

(signed)

MAYOR ALAN W. TAYLOR

(signed)

C.A.O. GARRY GELECH

BYLAW #1495-95 (CATS)

SCHEDULE "A"

TOWN OF OLDS

IMPOUNDMENT COSTS

(includes GST)

1.	IMPOUNDMENT FEES	\$27.00
2.	CARE AND SUSTENANCE (per day, or portion thereof. To commence at midnight on the day of impoundment)	\$7.00
3.	VETERINARY FEES	Amount Expended
4.	SURRENDERING OF CAT TO TOWN	\$38.00

BYLAW #1495-95 (CATS)

SCHEDULE "B"

ANIMAL CONTROL TICKET

see Town Office for hard copy

BYLAW #1495-95 (CATS)

SCHEDULE "C"

TOWN OF OLDS

SPECIFIED PENALTIES

<u>OFFENSE UNDER</u>	<u>OFFENSE</u>	<u>AMOUNT</u>
SECTION 4	CAT IN HEAT	\$25.00
SECTION 5	EXCESSIVE NOISE	\$25.00
SECTION 6	DAMAGING PROPERTY	\$25.00
SECTION 7	DEFECATION PROVISIONS	\$25.00
SECTION 8	RUNNING-AT-LARGE	
	FIRST OFFENSE	\$25.00
	SECOND OFFENSE	\$50.00
	THIRD OFFENSE	\$75.00
SECTION 16	REMOVE CAT FROM POUND	\$50.00
SECTION 17	NEGLIGENCE	\$50.00
SECTION 18	ANNOY	\$50.00
SECTION 19	OBSTRUCTION	\$100.00

TOWN OF OLDS BYLAW 1517-97

A BYLAW OF THE TOWN OF OLDS TO AMEND BYLAW #1495-95 BEING A BYLAW TO RESTRAIN AND REGULATE THE RUNNING-AT-LARGE OF CATS.

Bylaw #1495-95 of the Town of Olds, in the Province of Alberta, is HEREBY AMENDED as follows:

INSERT

NEGLIGENCE

17. no person shall cause a Cat to Run-At-Large in Town by:
 - a) untying, loosening or otherwise freeing a Cat which has been tied or otherwise restrained, or;
 - b) negligently or wilfully opening a gate, door or other opening in a fence or enclosure in which a Cat has been confined.

18. no person shall tease, torment or annoy a Cat.

(THE SUCCEEDING WILL BECOME THEN:)

19. OBSTRUCTION
20. NOTICES, OFFENSES AND FINES

- 21. ISSUANCE OF TICKETS
- 22. SUMMARY CONVICTION

SCHEDULE "A"
 IMPOUNDMENT COSTS (includes GST)

- 2. CARE AND SUSTENANCE (per day, or portion thereof. To commence at midnight on the day of impoundment) \$8.50

SCHEDULE "C"
 SPECIFIED PENALTIES

INSERT

<u>OFFENSE UNDER</u>	<u>OFFENSE</u>	<u>AMOUNT</u>
SECTION 17	NEGLIGENCE	\$50.00
SECTION 18	ANNOY	\$50.00
(THE SUCCEEDING WILL BECOME THEN:)		
SECTION 19	OBSTRUCTION	\$100.00

READ a First time the 10th day of FEBRUARY 1997 on a motion made by Councillor ROWLAND.

MOTION CARRIED UNANIMOUSLY

READ a Second time the 10th day of FEBRUARY 1997 on a motion made by Councillor BULL.

MOTION CARRIED:

IN FAVOUR: Mayor Taylor, Councillors Bodnar, Bojda, Bull, Fritz and Rowland

OPPOSED: Councillor Edgar

CONSENT given for Third and Final reading on the 10th day of FEBRUARY 1997 on a motion made by Councillor BULL.

MOTION CARRIED:

IN FAVOUR: Mayor Taylor, Councillors Bodnar, Bojda, Bull, Fritz and Rowland

OPPOSED: Councillor Edgar

READ a Third and Final time the 10th day of FEBRUARY 1997 on a motion made by Councillor BULL.

MOTION CARRIED UNANIMOUSLY

(signed)
 Mayor Alan W. Taylor

(signed)
 C.A.O. Garry Gelech