

CONSOLIDATED WORKING COPY

BYLAW NO. 619/90

A BYLAW OF THE TOWN OF NIPAWIN IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR CONTROL OF CATS

AMENDMENTS:

Bylaw 685/95

The Council of the Town of Nipawin, in the Province of Saskatchewan, enacts as follows:

TITLE

1. This Bylaw shall be known as the "CAT BYLAW".

DEFINITIONS

2. DEFINITIONS

In this Bylaw the term:

a) ANIMAL CONTROL OFFICER – means the person appointed by the Council to catch cats and for enforcement of provisions of this Bylaw, or any person authorized to act in his behalf.

b) CAT – means any cat, male or female, after it has attained the age of eight (8) weeks.

c) COUNCIL – means the Council of the Town of Nipawin.

d) TOWN – means the Town of Nipawin.

~~LIMIT ON NUMBER OF CATS (Council Resolution # 20, November 13, 1990)~~

NUISANCES

4. a) No cat shall create a nuisance by defecating, spraying or Ululating (howling) on public or private property other than the property of its owner. A cat shall also be deemed to be creating a nuisance by fighting, digging in flower beds and gardens or ravaging garbage containers.

OWNER GUILTY

b) A person who owns, possesses or harbours a cat found creating a nuisance shall be deemed guilty of an infraction of this Bylaw.

ANY PERSON MAY SEIZE

5. a) Any cat found creating a nuisance contrary to the provisions of this Bylaw may be taken by any person to the Pound provided by the Town, or to the Animal Control Officer.

TRAPS, etc

b) Upon complaint from a resident and upon their request the Animal Control Officer, or any other person authorized by the Council, is hereby authorized to provide the said resident with a trap to seize and capture the cat creating a nuisance.

c) Before a trap is issued, the complainant shall be required to obtain a "Cat Trap Permit" as set out in Schedule "A" to this Bylaw. The complainant shall abide by the terms of the Permit and personally monitor the trap on a regular basis to ensure that no harm comes to any cat trapped.

d) Upon capture of a cat the complainant shall immediately notify the Animal Control Officer, or any other person authorized by Council, to have the animal impounded.

COUNCIL TO ESTABLISH POUND

6. For the purpose of impounding cats, a Pound shall be established at such place or places as may be designated by the Council from time to time.

COUNCIL TO APPOINT POUNDKEEPER

7. a) The Council shall appoint a Poundkeeper who shall hold office at pleasure of the Council.

POUNDKEEPER TO POST

b) When a cat is impounded, the Animal Control Officer shall cause to be posted, at the Town Office, a notice containing a description of the cat, a statement of the offence committed, and the location of the offence.

POUNDKEEPER TO SUPPLY FOOD, WATER & SHELTER

c) During the period of impoundment of any cat, it shall be the duty of the Poundkeeper to supply such cat with adequate food, water and heated shelter.

REDEMPTION OF CAT

d) When the owner, possessor or harbourer of a cat impounded produces, within three (3) days of posting of the notice as required by subsection (b) of this section, or before such cat is sold or destroyed, satisfactory evidence that he is the owner of such cat, he shall be entitled to remove the cat upon payment of the impounding fees as are provided for.

REDEMPTION FEES

e) The owner, possessor or harbourer of any cat impounded as aforesaid shall pay the Poundkeeper in advance of release of the said cat the sum of Twenty-five (\$25.00) dollars for the impounding of such cat and an additional charge for room and board for each day, or part thereof, the said cat remains in the pound. **(Amended By Bylaw 685/95)**

AUTHORITY TO DESTROY

f) Any cat not redeemed by the time prescribed by this section may be destroyed by the Poundkeeper, or at his request, by any other person. **(Council Resolution # 21, November 13, 1990)**

RECORDS

g) The Poundkeeper shall keep a record of all cats impounded and the manner in which they are disposed of, and shall make a report to the Treasurer on or before the 15th day of each month of all fees paid to him and monies collected by him, in respect to the preceding calendar month; and all fees collected shall be turned over to the Treasurer.

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SURPLUS TO OWNER

8. Any money turned over to the Treasurer less pound fees for the current year, if applicable, shall be paid over to the owner of the cat sold, on evidence satisfactory to the Council within twelve (12) months from the date of sale, otherwise the money shall form a part of the general revenue of the Town.

REMOVAL OF FEMALE IN HEAT

9. GENERAL a) Every female cat in heat shall be confined to a house.

OPENING POUND OR OBSTRUCTING

b) No person shall break open or assist in breaking open any Pound in which a cat may be impounded, or hinder or delay or obstruct any person in the performance of his duties hereunder.

~~CAT IN VEHICLES—Council Resolution # 22, November 13, 1990~~

PENALTY

11. PENALTY a) Unless otherwise specified in this Bylaw, any person committing a breach of this Bylaw or neglecting or refusing to comply therewith, is guilty of an offence and is liable, upon conviction, of a fine of not less than \$50.00 nor more than \$500.00.

b) Conviction of a person for breach of any provision of this Bylaw does not relieve him from compliance with the Bylaw, and the convicting Justice of the Peace or Judge of the Provincial Court may, in addition to any fine imposed, order the person to perform, within a specified period, any act or work necessary for the proper observance of this Bylaw or to remedy any breach thereof.

c) A person who fails within the period specified in an order under subsection (b) to comply with the order is guilty of an offence and liable upon summary conviction to a fine of \$200.00 for each day during which the breach continues.

PAYMENT OF PENALTIES

a) Where any person has committed or is alleged to have committed a breach of any provisions of this Bylaw, a ticket in the form appearing as Schedule "B" to this Bylaw may be served on such person. Such person may voluntarily pay to the Treasurer in the Town Office during regular business hours, in lawful money of Canada the sum of \$25.00, provided that payment must be made within five (5) days from the service of the said ticket. If payment is made within such time and accepted, then the person shall not be liable to prosecution as provided by Section 10 of this Bylaw.

Service of such ticket may be made by mailing such ticket to the owner, possessor or harbourer of the cat in respect of which the ticket has been issued; or by personal service upon said person; or by delivery to an adult person at the home of such person.

b) If the person who has committed or is alleged to have committed a breach of this Bylaw, fails to pay the specified fine within the time allowed following service of the ticket, then the provisions of this Section shall no longer apply and the person shall be liable to prosecution for the offence in the ordinary way, provided that nothing in this Section shall prevent any person served with such ticket from exercising his or her right to defend any of these specified offences.

COMING INTO FORCE

12. This Bylaw shall come into force and take effect on the date of final passing thereof.

MAYOR

TOWN ADMINISTRATOR

READ A THIRD TIME AND
FINALLY ADOPTED THIS
_____ DAY OF _____
A.D., 1990