

TOWN OF NOBLEFORD
IN THE PROVINCE OF ALBERTA
BYLAW NO. 688

BEING A BYLAW OF THE TOWN OF NOBLEFORD, IN THE PROVINCE OF ALBERTA, TO REGULATE AND LICENSE CATS WITHIN ITS MUNICIPAL BOUNDARIES.

WHEREAS Pursuant to the Municipal Government Act, being Chapter M-26.1, 1994, and amendments thereto, the Council of the Town of Nobleford in council duly assembled enact the following rules and regulations for the regulating of domestic animals.

NOW THEREFORE, under the authority and subject to provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Nobleford in the Province of Alberta, duly assembled, does hereby enact the following:

1. TITLE

1.1 This bylaw may be cited as the Cat Control Bylaw.

2. DEFINITIONS

For the purpose of this bylaw the following definitions shall apply:

- 2.1. **"Altered"** means a female cat that has been spayed or a male cat that has been neutered.
- 2.2. **"Annual License or License"** means a tag or similar document issued by the Town pursuant to Section 7 of the Municipal Government Act, as amended.
- 2.3. **"Cat"** means any domesticated male or female feline.
- 2.4. **"Council"** means the duly elected municipal Council of the Town of Nobleford.
- 2.5. **"Fanciers License"** means a license issued by the Town which permits up to three (3) cats to be ordinarily resident in a household.
- 2.6. **"Owner"** means any person or body corporate:
 - i) Who is the licensed owner of the cat;
 - ii) Who has legal title to the cat;
 - iii) Who has possession or custody of the cat, either temporarily or permanently; or,
 - iv) Who harbours the cat or allows the cat to remain on their premises.
- 2.7. **"Town"** means the Town of Nobleford.
- 2.8. **"Running at Large"** means a cat which is not under control of a person responsible or not on the property of the responsible person for the said cat(s).

3. LICENSING

- 3.1. The owner of a cat, six (6) months of age or older in the Town shall obtain an annual license for each cat, and shall pay an annual fee as set out in the Schedule of Fees Bylaw.
- 3.2. Upon payment of the license fee by the owner the Town Office shall issue to the owner a metallic tag for each cat license.
- 3.3. The owner of a cat shall ensure that the cat wears a collar at all times to which the license tag is attached or that the cat has an ear tattoo for identification registered with the Town.
- 3.4. The owner of a cat shall:
 - i) Obtain the license by the last day in January in any given year.
 - ii) Obtain a license within fourteen (14) days of the cat becoming six (6) months of age.
 - iii) Obtain a license within (14) days of becoming the owner of a cat.
- 3.5. License fees shall be paid in full regardless of when the cat is registered during the year. No refunds shall be made on any paid license fee due to the death, loss or sale of the cat or upon the owner leaving the municipality.
- 3.6. Upon losing a cat license the owner of a cat shall contact the Town Office Staff who will issue a new tag to the owner.
- 3.7. Any person who owns or houses more than two (2) cats within the Town limits, at one property, shall apply for a fanciers license.
- 3.8. The maximum number of cats in a single-family dwelling or household shall be restricted to three (3) cats over the age of six (6) months.

4. RECORDS

- 4.1. The Town office shall keep a record of all cats. The records shall indicate:
 - i) Date of license issuance
 - ii) Name, address, telephone number, and email address of cat owner
 - iii) License tag number issued, tattoo number and amount paid

- iv) Breed, colour, name and sex of cat.
- v) If applicable, satisfactory proof establishing that the cat is altered.
- vi) Such other relevant and necessary information as may be required by the Town of Nobleford in respect to the application.

5. CAT CONTROL PROVISIONS

- 5.1. The owner of a cat shall not allow the cat to run at large within the corporate limits of the Town.
- 5.2. The owner of a female cat, which is in heat, shall keep such cat housed and confined on the premises of the owner in such a way as to prevent the attraction of other cats to the vicinity of such premises.
- 5.3. The owner of a cat, who allows a cat to defecate on property other than their own, shall immediately remove any defecated material so deposited.
- 5.4. The owner of a cat shall not allow the premise to become littered with cat feces to an extent that the premise become objectionable, either visually or because of foul odors, to residents of neighboring properties.
- 5.5. No person shall:
 - i) Entice a cat to run at large;
 - ii) Tease, torment or annoy any cat;
 - iii) Throw or poke any object into a cat trap when a cat is caught therein;
 - iv) Fail to check a set cat trap on his premises hourly, or as otherwise required by the Town;
 - v) Leave a cat trap set between the hours of see Schedule "A", unless authorized by the Town; or,
 - vi) Fail to deliver a trapped animal to the Town within 24 hours of the time it is trapped.
- 5.6. Failure to comply within Section 5 may result in prosecution or, in lieu thereof, payment of a fine as set out in Schedule "B", which is attached to and forms part of this bylaw and which may be amended from time to time by resolution of Council.

6. RELEASE OF IMPOUNDED CATS

- 6.1. The Town 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 Town 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.
- 6.2. At the expiry of the 72 hour period, any cat not redeemed may be destroyed or sold and any proceeds kept by the Town.
- 6.3. The Animal Control Officer shall report any apparent illness, communicable disease, injury, or unhealthy condition of any cat to a veterinarian and act upon their recommendation. The owner, if known, shall be held responsible for all charges resulting therefrom.

7. TRAPPING

- 7.1. 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 Town.
- 7.2. Complainants, upon receiving a cat trap, shall comply with the Procedures and Guidelines for the Trapping of Cats, annexed as Schedule "A" to this Bylaw, and such other terms and conditions as the Town may require.
- 7.3. The provision of a cat trap to a Complainant shall be at the sole discretion of the Town.

8. PENALTIES

- 8.1. The Animal Control Officer or, in the absence of one being named, the Chief Administrative Officer, may issue a notice or ticket in the amount of the voluntary penalty to the owner of cats in contravention of this bylaw. A notice of ticket may also be issued in the amount of a voluntary penalty to any resident trapping a cat in contravention of this bylaw.
- 8.2. Services of such notice shall be sufficient if it is:
 - i) Personally served; or
 - ii) Served by mail; or
 - iii) Left with some competent person who resides with the person who is alleged to have committed such offence.
- 8.3. Upon production of any such ticket within seven (7) days from the date of service of such ticket, together with payment of the sum specified on the ticket to a person authorized to receive such payment, such payment shall be accepted in lieu of prosecution.
- 8.4. Unpaid fines of property owners may be transferred to property taxation accounts.

- 8.5. Nothing in this section shall prevent any person from exercising their right to defend any charge of committing a breach of any of the provisions of the Bylaw.
- 8.6. A person who contravenes a provision of this bylaw is guilty of an offence and liable upon summary conviction to a fine of not less than \$100.00 and costs, and in default payment of such fine and costs, to imprisonment for a period not exceeding thirty (30) days. A Provincial Judge, in addition to the penalties provided may, if they consider the offence sufficiently serious, impose further fines or conditions.

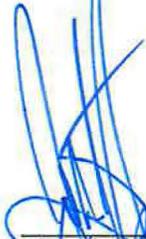
9. **GENERAL**

- 9.1. It is the intention of Council that each separate provision of the bylaw shall be deemed independent of all other provisions herein and it is further the intention of Council that is any provisions of the Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.
- 9.2. This bylaw shall come into force and effect upon the final passing thereof.
- 9.3. That Bylaw #642 is repealed in its entirety.

READ a **first** time this 16th day of August, 2022.



Mayor – Bill Oudshoorn



Administrator – Joseph Hutter

READ a **second** time this 16th day of August, 2022.



Mayor – Bill Oudshoorn

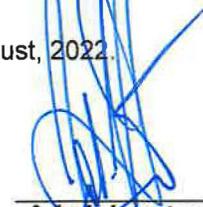


Administrator – Joseph Hutter

READ a **third** time and finally PASSED this 16th day of August, 2022.



Mayor – Bill Oudshoorn



Administrator – Joseph Hutter

Schedule "A" Cat Trapping

PROCEDURES AND GUIDELINES FOR TRAPPING OF STRAY CATS

1. A resident of the Town of Nobleford who is annoyed with damages done to their property as a result of a cat may telephone the Town and voice a complaint, requesting a cat trap.
2. The Complainant will attend the office of the Town and, if the complaint is found to be valid, the Complainant will be requested to sign the form and an agreement provided by the Town, and the Town will then provide a cat trap to the Complainant.
3. The Complainant will be required to pay a \$20.00 deposit to the Town. 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 in at the time it was obtained from the Town.
4. The Complainant will set the cat trap protected from the elements, on the premises of the Complainant for a period of not more than 72 hours, after which time they will return the trap to the Town.
5. 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 Town and, if an animal is caught, the Complainant must bring the animal and the trap to the Town within 24 hours following the trapping.
6. The Town 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.
7. No traps are to be set from 4:00 P.M. Friday to 8:00 A.M. Monday or Tuesday on a long weekend unless given written authorization from the Bylaw Officer.
8. At such time as the Town takes possession of a trapped cat, the Town 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 Town.
9. If an identification tag or tattoo cannot be found on the impounded cat, the Town 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 Town 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 trapped shall be found by the Town to be wild and dangerous and/or seriously injured, it may be euthanized immediately upon being impounded.
10. At such time as a cat owner attends the Town office for the purpose of picking up their 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, impounded charges and vet examination fee.
11. It is the responsibility of the Complainant to ensure that, once a cat is trapped on their property, that said cat shall not be abused contrary to this Bylaw, by anyone on their property or by anyone coming onto their property.
12. Any person seeing a cat in a trap being abused is encouraged to telephone and report the abuse to the Town, at which time the Town will immediately attend at the premises where the abuse has taken place and will remove the cat and the trap forthwith.
13. The Town will not provide service after normal business hours.
14. No cat traps will be provided by the Town to a Complainant when the weather conditions are, or are forecasted to be, colder than 0 degrees Celsius or warmer than 27 degrees Celsius within the 72 hour from the time of issue.
15. 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.

Schedule "B"

Section	Offence	Penalty 1st Offence	Penalty 2nd & Subsequent
3.1	Keep or harbor an unlicensed cat	\$100	\$250
3.3	Failure to wear identification	\$100	\$250
3.7	Not possessing a fancier's license	\$100	\$250
3.8	Keeping or harboring more than three cats	\$100	\$250
5.1	Allowing cat running at large	\$100	\$250
5.2	Female cat not confined while in heat	\$100	\$250
5.3	Failure to remove defecation	\$100	\$250
5.4	Allowing premises to become littered with feces	\$100	\$250
5.5 (i)	Enticing a cat to run at large	\$100	\$250
5.5 (ii)	Teasing, tormenting or annoying a cat	\$100	\$250
5.5 (iii)	Throwing or poking an object into a cat trap	\$100	\$250
5.5. (iv)	Failing to check a cat trap on the premises	\$100	\$250
5.5 (v)	Leaving a cat trap set between the hours in Schedule "a"	\$100	\$250
5.5 (vi)	Failure to deliver a trapped animal to the Town within 24 hours of the time it is trapped	\$100	\$250