

THE CORPORATION OF THE TOWNSHIP OF CHAPLEAU

BY-LAW 95-24

Being a By-Law to
regulate and control cats.

WHEREAS paragraph 4 of Section 210 of the Municipal Act R.S.O. 1990, Chapter M.45 provides as follows:

For prohibiting or regulating within any part of the municipality or within any defined area thereof, or upon any defined highways therein, the being at large or trespassing of animals, other than dogs, and for providing for impounding them and for causing them to be sold, if they are not claimed within a reasonable time or if the damages, fines and expenses are not paid according to law; And

WHEREAS it is intended to control cats in the Township of Chapleau;

NOW THEREFORE the Municipal Council of the Corporation of the Township of Chapleau ENACTS AS FOLLOWS:

Definitions:

1. In this By-Law

- (a) "be at large" means to be found in any place other than the premises of the owner of the cat and not under the control of any person;
- (b) "by-law enforcement officer" means an animal control officer appointed as poundkeeper and designated as a Provincial Offenses Officer;
- (c) "cat" means a feline over the age of six weeks of any breed of domesticated cat or cross-breed domesticated cat;
- (d) "control" includes care and custody;
- (e) "highway" means a common and public highway, street, sidewalk, boulevard, avenue, parkway, driveway, square, place and bridge, designed and intended for use by the general public for the passage of vehicles and persons;
- (f) "municipal property" means property other than a highway or public property;
- (g) "poundkeeper" means the Chapleau pound keeper;
- (h) "public park" means a park, recreation area, recreation centre, playlot, playground, school ground, athletic field, square, avenue, boulevard, drive, and any building thereon intended for, or used by, the general public;
- (i) "public place" means includes a highway, public park and other municipal property;
- (j) "Township" means the Corporation of the Township of Chapleau;
- (k) "veterinarian" means a person registered under the Veterinarians Act.

Name and Address of Owner:

2. (1) Every cat owner shall place on his or her cat a collar on which is permanently inscribed the name and address of the owner

Owner's premises:

- (2) No cat owner shall permit his or her cat to be found in any place other than the premises of the owner, without a collar referred to in Subsection 1.

Number of Cats Kept:

3. (1) No cat owner shall keep more than two (2) cats at any one time in their possession within the Township.

Cat at large:

4. (1) No cat owner shall allow or permit his or her cat to be at large.
- (2) Every cat owner shall prevent his or her cat from being at large.

Trespass:

5. (1) No cat owner shall allow or permit his or her cat to trespass on public place.

Leash:

- (2) Subsection 1 does not apply where the cat is under control by means of a leash.

Private Property:

6. (1) No cat owner shall allow or permit his or her cat to trespass on private property.
- (2) Subsection 1 does not apply where the cat is on the private property with consent of the owner or his or her representative.

Capture and Custody of Cats:

7. A By-Law Enforcement Officer may capture and take into custody a cat,
 - (a) not having a collar in accordance with Subsection 2(1) or a tag in accordance with Subsection 4(1);
 - (b) that is at large;
 - (c) that is not under control by means of a leash;
 - (d) that is trespassing on a public place;
 - (e) that is trespassing on private property, upon request of the owner of the property or his representative.

Impounding:

8. Where the Township captures and takes into custody a cat under Section 6, it shall impound the cat.

Expenses:

9. Where a cat is impounded and the owner of the cat is known to the Township, the owner shall pay the following expenses incurred by the Township:
 - (1) Expenses of taking the cat into custody.
 - (2) Expenses of care of the cat.
 - (3) Veterinarian fees.

Claiming a cat:

- 10 a).
 - (1) A cat owner shall claim the cat within three days of the day on which the cat was impounded excluding the day of impounding, Sundays, and statutory holidays.
 - (2) Where a cat is not claimed by its owner in accordance with Subsection 10(1), the cat may be sold forthwith or disposed of in a humane manner.
- b). Where a cat is injured before or after being taken into custody or in the opinion of the Township should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Animal Control Officer or other officer appointed by the Township may destroy the cat in a humane manner as soon after capture or custody as he may determined without permitting any person to reclaim the cat or without offering it for sale.

Retrieval of cats:

11.
 - (1) No person shall foreceably retrieve a cat from a By-Law Enforcement Officer.
 - (2) No person shall break and enter into a patrol or other vehicle of the Township for the purposes of retrieving a cat.
 - (3) No person shall retrieve a cat without payment of expenses in full referred to in Section 8.

No Compensation:

12. No compensation, damages, fees or other sum shall be,
 - (a) recoverable by a cat owner or other person;
 - (b) paid by the Township;on account of, or by reason of,
 - (1) capturing, taking into custody, or impounding of a cat;

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- (2) selling, disposing of or destroying the cat in a humane manner,
in the course of the administration and enforcement of this by-law.

Defecation:

13. 1. No cat owner and no person who has control of a cat shall suffer, allow, or permit the cat to defecate or urinate on or in the following premises:
- (1) Public place;
 - (2) Private property, without the consent of the owner of the premises.
2. The cat owner or person referred to in subsection 1 shall immediately and without delay, remove the excrement and provide for its sanitary disposition.

Offense:

14. Where a by-law enforcement officer believes that one or more persons has committed an offense under this by-law, the officer may issue an offense notice or summons in accordance with Section 3 of the Provincial Offenses Act.
15. Every person who contravenes any of the provisions of this by-law, is guilty of an offense and on conviction is liable to a fine, and every such fine is recoverable under the Provincial Offenses Act, R.S.O. 1990, Chapter P.33.
16. That By-Law 93-41 be is hereby repealed in its entirety.

READ a FIRST TIME this 13th day of March, 1995.

READ a SECOND, THIRD and final time this 10th day of July, 1995.

Reeve.

C.A.O.