

BYLAW NO. 2018-25

TO PROVIDE FOR THE CONTROL OF CATS

The Council of the Village of Lipton in the Province of Saskatchewan enacts as follows;

1. In this Bylaw which can be cited as the Cat Bylaw:

“**Act**” means “*The Municipalities Act*”;

“**Administrator**” means Administrator of the municipality;

“**Animal Protection Officer**” means: a person employed by the Village of Lipton as an animal protection officer, a bylaw enforcement officer or a member of the R.C.M.P.

“**Animal Shelter**” means the facility designated by Council as the facility where surrendered, relinquished or abandoned animals; animals apprehended by Animal Protection Officers; and animals requiring impoundment may be taken and kenneled;

“**At large**” means being on:

- (a) public property unaccompanied by any person;
- (b) public property accompanied but not under the complete control of a person by means of a leash; or
- (c) private property without the permission of the owner or occupant of the property;

“**Cat run**” means a structure designed and/or used for the keeping or containment of a cat;

“**Council**” means the Council of the Village of Lipton;

“**Leash**” means a line used for leading or restraining an animal;

“**Municipality**” means the municipal corporation of the Village of Lipton and the area of land over which it has jurisdiction;

“**Owner**” means any person owning, possessing, or keeping a cat;

Licensing

2. No license is required to own or harbour a cat in the municipality. Two free cat tags per household shall be available for pick up at the village office.

General

3. No person residing within the municipality shall own, possess or harbour more than 2 cats at one time and upon the request of an Animal Protection Officer, disclose the number of cats being kept.

At Large

4. (a) An owner shall not allow his or her cat to be at large.

(b) The Animal Protection Officer shall receive and detain at the animal shelter, for **72 hours**, any cat which has a cat tag found at large or caught in a cat trap. Any cat detained or received that does not have a tag, will **immediately** be relocated or disposed of in a humane manner.

(c) An Animal Protection Officer or any adult may restrain a cat found at large or caught in a cat trap and the Animal Protection Officer will proceed as per subsection (b).

(d) The person delivering a cat pursuant to subsection (a), shall provide the administrator or Animal Protection Officer with the name or the owner of the cat, if known, and the place and time of restraint.

Defecation

5. Where a cat has defecated on public property, or private property, without the consent of the owner of the property, the owner of the cat shall immediately remove the defecation.

Cat Runs

6. (a) Where a cat is housed or kept in a cat run, the owner shall ensure that the cat run is kept in a sanitary condition protecting the health and safety of the cat and any other living being.

(b) An owner shall ensure a cat run on the owner's property is located no closer than 1 meter to a property line and no closer than 5 meters from a dwelling unit located on an adjacent property.

(c) If, in the opinion of an Animal Protection Officer the condition or location of a cat run is not in accordance with this Bylaw, the Animal Protection Officer may order the owner of the property on which the cat run is located, to clean, alter, demolish or relocate the cat run within the time period specified in the order.

(d) The person to whom an order is issued pursuant to subsection (a) shall comply with the order within the time specified in the order.

(e) An order to relocate a cat run issued pursuant to subsection (a) will allow the owner of the property on which the cat run is located, **a maximum of 15 days** to relocate or remove the cat run.

Cat Traps

7. (a) A person, who has been bothered by a cat being at large, may apply to the Administrator to request that a cat trap be placed on their property.

Detainment and Release

8. (a) The Administrator shall not release a detained cat unless the:

(1) person claiming the cat can satisfy the Administrator that he or she is the owner or the person entitled to possession of the cat; and

(2) The Administrator has received the detainment fee as set out in Section 9 and the current costs per day charged by the pound for the care and keep of the cat.

Penalties

9.(a) Every owner who commits a breach of **Section 3,4,5 or 6** of this Bylaw shall be guilty of an offense and liable to a penalty of:

	<i>First Offense</i>	<i>Second Offense</i>	<i>Third and Subsequent Offense</i>
Section 3	\$50.00	\$100.00	\$200.00
Section 4	\$50.00	\$100.00	\$200.00
Section 5	\$50.00	\$100.00	\$200.00
Section 6	\$50.00	\$100.00	\$200.00

(b) A violator of this Bylaw, upon being served with a Notice of Violation, may during office hours, voluntarily pay the penalty at the Village Office. Compliance with such notice within the period of time prescribed therein shall relieve such owner from liability to prosecution in respect of such offense.

(c) The **Notice of Violation** shall be in **Form “A”**, attached to and forming part of this Bylaw.

(d) If an owner in contravention of this Bylaw does not voluntarily pay the penalty provided in subsection (a) hereof **within seventy-two (72) hours**, excluding holidays, Saturdays and Sundays, of being served a notice of Violation, the said person shall be liable on summary conviction to the penalty prescribed in Section 10 hereof, and in no case shall the penalty imposed be less than that prescribed in subsection (a) above.

(e) At the discretion of the bylaw enforcement officer, a warning ticket may be issued for contravention of any of the provisions of this bylaw.

10. Except as provided in Section 9(b) of this Bylaw every person who is found to be guilty of an infraction of any provisions of this Bylaw shall be liable on summary conviction to:

(a) a fine of not less than \$1,000.00 and not more than \$10,000.00;

General

11. Any payment required pursuant to this Bylaw may be made at the Village Office.

Severability

12. If a portion of this bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion will be voided, and the rest of the bylaw remains valid and effective.

Coming into Force

13. This Bylaw shall come into effect on the day of its final passing.

14. Bylaw #1, 2011 is hereby repealed.

Mayor

Administrator

Read a third time and adopted

This _____ day of _____, 20__

SCHEDULE B
Bylaw 2018-25

CAT REGISTRATION FORM

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Name of Owner: _____

Address (mailing): _____

(civic): _____

Phone Number: _____

Tag # _____

Name _____

Breed of cat: _____

Physical Description: _____
