

TOWN OF TABER
BYLAW NO. 3-2003

**BEING A BYLAW OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA
TO PROVIDE FOR THE LICENSING AND CONTROL OF CATS WITHIN THE
CORPORATE LIMITS OF THE TOWN OF TABER**

WHEREAS the Municipal Council of the Town of Taber, in the Province of Alberta, duly assembled, may pass a Bylaw and or regulations pursuant to Section 7 of the Municipal Government Act, being Chapter M-26.1, Statutes of Alberta (1994), and any amendments thereto;

AND WHEREAS the Animal Protection Act, being Chapter A-42.1 of the Revised Statutes of Alberta (R.S.A.) and any amendments thereto provides for (or allows for) the protection and control of animals;

NOW THEREFORE, the Council of the Town of Taber, in the Province of Alberta, duly assembled hereby enacts as follows:

SECTION I TITLE

This Bylaw may be cited as "**THE CAT CONTROL BYLAW**".

SECTION II DEFINITIONS

- 2.1 **ANIMAL CONTROL OFFICER:** means a person or persons appointed by resolution of Council to carry out the provisions of this Bylaw.
- 2.2 **ANIMAL:** for the purpose of this bylaw means cats as defined later in the bylaw.
- 2.3 **ANIMAL SOUNDS:** means any sound emitted from a cat, which is audible at a Point of Reception for a continuous length of time greater than thirty (30) minutes. Without limitation, this term shall include whimpering, whining, and caterwauling
- 2.4 **BYLAW ENFORCEMENT OFFICER:** means a person or persons appointed by the Town Council pursuant to the provisions of the Municipal Government Act (MGA), Sections 555(1) and 556 (a) and (b).
- 2.5 **CAT:** means a domesticated carnivore of the species, "Felis Familiaris."
- 2.6 **CAT FANCIERS:** means a person who is registered with the Town to temporarily hold, take care of and adopt out stray cats.

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- 2.7 **COLONY OR COLONIZE:** means a person who accepts responsibility for a group of feral cats.
- 2.8 **COUNCIL:** means the Municipal Council of the Town of Taber, in the Province of Alberta.
- 2.9 **DAY:** means a continuous period of twenty-four (24) hours.
- 2.10 **DOMESTICATED ANIMALS:** means an animal, which is of docile nature or disposition, which was either born in captivity or has been tamed.
- 2.11 **INSPECTOR:** means a Public Health Inspector for the Medical Health Officer of the Town of Taber.
- 2.12 **KENNEL:** means a dwelling, shelter, room or place so considered housing or keeping four (4) or more cats over the age of six (6) months.
- 2.13 **LICENSE OR LICENSES:** shall mean a license or tag that is valid for a period commencing on the date of purchase, which will remain in effect thereafter until Council determines otherwise.
- 2.14 **OFFICER:** includes a peace officer or police constable or other person employed for the preservation and maintenance of the public peace or for the service or execution of civil process; and includes any person assigned the responsibility of administering and enforcing this Bylaw and all persons acting under their instructions.
- 2.15 **OWNER:** includes any person, including the parent or legal guardian of a minor person, who possesses, keeps or harbors one or more cats, or who has legal title to the cat(s) and includes any person who has possession or custody of the cat(s) either temporarily or permanently, or harbors the cat(s) or suffers the cat (s) to remain on their property or vehicle.
- 2.16 **POINT OF RECEPTION:** means any geographic location at which sound can be heard, excluding the premises from which the sound originates (refer to Section 2.3).
- 2.17 **PERSON:** includes an individual, a sole proprietorship, a partnership, an unincorporated association, a trust, a body corporate, and a natural person.
- 2.18 **RUNNING AT LARGE:** describes any cat(s) found in any place off the property of its owner, and not under the control of any person.

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- 2.19 **TOWN:** means the Town of Taber in the Province of Alberta.
- 2.20 **UNALTERED CAT:** means and Un-Neutered Male or Un-spayed Female Cat.

SECTION III CATS

- 3.1 **PURPOSE OF THIS BYLAW:** is to provide a sustainable long-term solution to the control of cats Running at Large within the Town, while at the same time, allowing for alternatives other than euthanization. The Town will promote a Trap-Neuter-Release (TNR) program to do so, including a promotion and education component to this program.
- 3.2 **CONTROL OF CATS:** for the purposes of this bylaw, the Town will not be concerned for licensing or control purposes with a Person who keeps cats indoors at all times, provided that such cat(s) are not allowed at all to be released outdoors at any time. If there is a chance that the said cat may happen to be outdoors, the remaining portions of this bylaw will be enforced.
- 3.3 **NUMBER OF CATS:** other than indicated in Section 3.2, a person may own/keep a maximum of three (3) cats at any one residence, excluding the cats of visitors, which stay fourteen (14) days or less. The exception to this is where other than as further described, a person with a Cat Fanciers Permit or where there are more than three (3) cats (which constitutes operating a kennel as per Section 3.11) and requires a Kennel or Cat Fancier Permit, as per Schedule "A" of this Bylaw.
- 3.4 **LICENSING/REGISTRATION:** the owner of a cat or cats six (6) months of age or older, shall obtain a license for each cat and shall therefore pay a one time fee as set out in Schedule "A" of this Bylaw. At the time of application for a license, proof of spaying or neutering shall be provided to the Town. Cat owners will also be encouraged to tattoo or microchip their cat(s) as well. A cat or cats having access to the outside or is outside of its principle residence shall wear a harness or a collar at all times, with the license attached thereto.
- 3.5 **LOST OR DESTROYED LICENSES:** in the case where a cat license is either lost or destroyed, a replacement license may be issued upon presentation by the owner of a receipt showing payment of the previously purchased cat license and upon payment of a fee of one (\$1.00) dollar.

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- 3.6 **REBATE OF LICENSE:** no person shall be entitled to a license rebate under this Bylaw.
- 3.7 **TRANSFERABILITY OF LICENSE:** no license shall be transferable from one cat to another cat.
- 3.8 **REGISTRATION AND RECORDS:** the Town of Taber shall keep a record of all cats licensed with it, and shall include: the date the license was issued, name, address, phone number of the owner, license number, fee paid, breed, type and sex of the cat(s).
- 3.9 **PUBLIC NUISANCE:** means the owner of a cat shall not permit a cat(s) to become a public nuisance by permitting or otherwise allowing said cat to:
- a) bite or scratch or attack a person or other animal
 - b) defecate or mark a location other than on the owners property
 - c) cause damage to any property or other animals
 - d) any unaltered cat(s) being outdoors so as to attract other cats for mating purposes
 - e) caterwaul by creating harsh sounds or noises audible at a point of reception
 - f) upset or get into waste receptacles, or
 - g) be Running at Large
- 3.10 **No person shall:**
- a) tease, torment or annoy any cat
 - b) untie, loosen or otherwise free a cat, which has been contained
- 3.11 **KENNEL:** a Person(s) who operates a kennel (four (4) cats or more) must be in possession of a Kennel Permit.

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- 3.12 **CAT FANCIER:** with the approval of the Town, and after the purchase of a Cat Fanciers Permit, a Person shall be permitted to temporarily hold cat(s), take care of and adopt out stray cats. A Cat Fancier may apply to Council for a waiver of the Cat Fanciers License where it has been proven that the results of cat adoption by that Cat Fancier has a positive affect on the control of cats under this Bylaw.
- 3.13 **COLONY OR COLONIZE:** identified as a group of cats without an Owner living in an area, and who are being fed and cared for by a person who accepts responsibility for the colony. The Colony, and the Person responsible for the Colony, must be recognized by the Town, or otherwise is subject to the provisions of this Bylaw.

SECTION IV CONTRAVENTION AND ENFORCEMENT OF THIS BYLAW

- 4.1 Where any cat is Running at Large, including complaints of same, the Town shall provide a trapping program.
- 4.2 An Officer or his/her designate may trap the cat(s) Running at Large.
- 4.3 Any trapped cat(s) will either be:
- .1 returned to the Owner, provided that a License is displayed upon the said cat and the Owner pays the Running at Large Bylaw Penalty indicated in Schedule "A", or
 - .2 otherwise, the cat will be neutered or spayed by the Town become part of the Trap-Neuter-Return (TRN) program, where adoption or release of the cat(s) is chosen.
- 4.4 The Town may limit its involvement from year to year with the Trap-Neuter-Return (TNR) program based upon funding provided.
- 4.5 Provided that all avenues have been followed pursuant to the purpose of this bylaw, the Town may determine that the ultimate disposition of a cat is euthanization.
- 4.6 The Town will assume no responsibility for the ultimate disposition of cat(s) Running at Large and processed under this bylaw.

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SECTION V EFFECTIVE DATE

This Bylaw shall come into force and effect upon the final passing thereof.

RES/141/03 READ a first time this 28TH day of, APRIL 2003.

RES.204/03 READ a second time this 9TH day of JUNE, 2003, as amended.

RES.205/03 READ a third time and finally passed this 9th day of JUNE, 2003, as amended.



MAYOR



CHIEF ADMINISTRATIVE OFFICER