

CORPORATION OF THE MUNICIPALITY OF TWEED

BY-LAW NO. 2003-09

Being a By-Law to provide for the regulating of cats in the Municipality of Tweed.

WHEREAS Section 103 (1) of the Municipal Act 2001 sets out the provisions for municipal by-laws regulating or prohibiting with respect to the being at large or trespassing of animals;

AND WHEREAS the Council of the Corporation of the Municipality of Tweed has deemed it expedient to regulate the keeping of cats within the Municipality;

NOW THEREFORE the Council of the Corporation of the Municipality of Tweed enacts as follows:

PART I

Definitions

1. In this by-law the following definitions shall apply:
 - a) "Animal Control Officer" shall be the Animal Control Officer for the Municipality of Tweed.
 - b) "By-Law Enforcement Officer" shall be the By-Law Enforcement Officer for the Municipality of Tweed.
 - c) "Cat" shall mean any feline, male or female, over the age of sixteen (16) weeks of any breed of domesticated cat or cross-breed of domesticated cat.
 - d) "Owner" shall mean any person who possesses or harbors a cat, and where the owner is a minor, the person responsible for the custody of the minor.
 - e) "Pound-keeper" shall mean a person, association or society appointed by the Municipality of Tweed to maintain and administer the pound.
 - f) "Pound" shall mean such premises and facilities designated by the Municipality of Tweed as the municipal pound.
 - g) "Live trap" shall mean a baited cage for the capturing of cats in a humane manner.

PART II

Keeping of Cats - General

1. Every cat shall be:
 - a) treated in a humane manner.
 - b) kept so that:
 - i) the transfer of pathogenic agents is minimized;
 - ii) there are no offensive odours;
 - iii) conditions are clean and sanitary.

2. No person shall keep, or do anything which may cause to be kept, more than three (3) cats on any lot in the Village of Tweed and in the hamlets of Marlbank, Stoco, Sulphide, Thomasburg, Actinolite and Queensborough within the Municipality of Tweed.
3. Every person who presently owns, or becomes the owner of a cat, shall immediately be responsible for ensuring that such cat receives the necessary food, water and shelter.
4. No person who owns or harbors a cat within the Municipality of Tweed shall permit such cat to become a public nuisance. A cat shall be considered a public nuisance if:
 - a) it causes damage to public or private property;
 - b) it interferes with any standard garbage disposal methods;
 - c) it defecates on property, other than the private property of the cat owner.
5. Cat owners must remove forthwith excrement left by their cat on any location other than the private property of the cat owner or handler, and shall dispose of such in a sanitary manner.

PART III

Cats at Large

1. Cats running at large are prohibited by the Municipality of Tweed.
2. For the purpose of Part III (1), a cat shall be deemed to be running at large when found in any place other than the premises of the owner, and not under the control of any person.
3. The Animal Control Officer or By-Law Enforcement Officer may seize and impound any cat found running at large.
4. A notice of offence shall be issued by the Animal Control Officer or By-Law Enforcement Officer to the owner of any cat found at large.
5. The Pound-keeper shall keep a record of every cat impounded or seized, including the date of impoundment, description of the cat, and the date and method of disposition.
6. Possession of an impounded or seized cat may be restored if claimed by the owner within three (3) days, exclusive of statutory holidays and Sundays, excluding the date of seizure.
7. When any cat is impounded, the owner shall be liable for the pound and maintenance fees, and shall pay all fees as outlined in Schedule "A" to this by-law and attached hereto.
8. The Pound-keeper shall immediately attempt to notify the owner of the impounded cat and, upon payment of the applicable fees, shall release the cat to the owner.
9. In the event that possession of any impounded cat has not been restored to the owner within three (3) days, exclusive of statutory holidays and Sundays, after seizure, the cat may be sold by the Pound-keeper for such price as deemed reasonable, or the Pound-keeper may dispose of the cat pursuant to the Animals for Research Act and regulations thereunder. The Pound-keeper shall retain the sale price of any cat so sold, and no damages or compensation shall be recovered for any such disposition made.

10. Where a cat is seized or impounded under this by-law and is injured or ill and is treated by a veterinarian, the Pound-keeper shall, in addition to any amount charged under Part III (9) be entitled to charge the person claiming the cat the cost to the Pound-keeper for veterinary treatment.
11. When an injured cat has been seized or should be destroyed without delay for humane reasons, the Pound-keeper or Animal Control Officer may dispose of the cat in a humane manner, without permitting any person to reclaim the cat or without offering it for sale, and no damages or compensation shall be recovered on account of any disposition made thereunder.
12. Notwithstanding anything contained in this by-law, the Animal Control Officer or By-Law Enforcement Officer shall be permitted to use a tranquilizer gun or cause death for the purposes of seizing a cat at large in any area of the Municipality, when deemed necessary in the performance of their duties. Appropriate live traps may be used when deemed necessary by the Animal Control Officer or By-Law Enforcement Officer.

PART IV

Identification of Cats

1. Every owner of a cat may ensure that his or her cat bears sufficient identification to allow any person finding the cat running at large to identify and contact the owner.
2. Without limiting the identification options available to the owner, cat identification may take the form of one of the following means:
 - a) by permanent micro-chip implanted in the cat;
 - b) by affixing to the cat a non-hazardous collar that is permanently inscribed with the name and address of the owner;
 - c) by affixing to the cat an identification tag issued by the Municipality of Tweed, purchased from the Municipality and on a one-time basis.
3. It is unlawful for any person other than the owner of a cat or the Animal Control Officer or Pound-keeper to remove any identification worn by a cat pursuant to Part IV (2) of this by-law.
4. The fee charged by the Municipality for a cat identification tag shall be in accordance with Schedule "A" to this by-law and attached hereto.

PART V

Penalty

1. Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for under the provisions of the Provincial Offences Act.

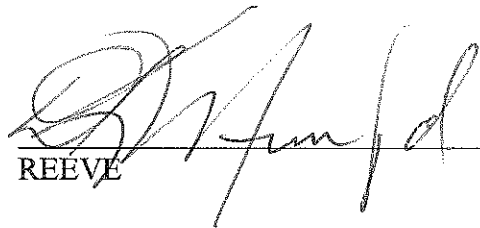
PART VI

Effective Date

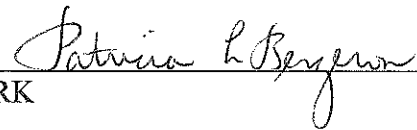
1. This by-law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Municipality of Tweed.

Read a first and second time this 4th day of March, 2003.

Read a third and final time, passed, signed and sealed in open Council this 4th day of March, 2003.



REEVE



CLERK

CORPORATION OF THE MUNICIPALITY OF TWEED

BY-LAW NO. 2003-09

SCHEDULE "A"

Impound and Maintenance Fees

The following fees are to be charged by the Animal Control Officer for the impounding and maintenance of cats, caught and impounded in accordance with Part III. All fees must be paid prior to the release of the animal to the owner.

Impound Fee	\$10.00
Maintenance Fee	\$4.00 per day

Identification Fees

The following fee shall be charged by the Municipality of Tweed for a cat identification tag, in accordance with Part IV. The fee shall be charged on a one-time basis.

Cat Identification Tag	\$5.00
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