

TO REGULATE AND CONTROL CATS

WHEREAS paragraph 4 of Section 210 of the Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

4. 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 Temagami.

AND THEREFORE the Council of the Corporation of the Township of Temagami enacts as follows:

Definitions - 1.(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 and designated as a Provincial Offences Officer;

- (c) "cat" means a feline over the age of six weeks of any breed of domesticated cat or crossbreed domesticated cat;

- (d) "Township" means the Corporation of the Township of Temagami;

- (e) "control" includes care and custody;

- (f) "highway" means a common and public highway, street, avenue, parkway, driveway, square, place and bridge, designed and intended for or used by the general public for the passage of vehicles;

- (g) "municipal property" means property other than a highway or public property;

- (h) "public park" means a park, recreation area, recreation centre, playlot, playground, schoolground, athletic field, square, avenue, boulevard, drive, and any building thereon intended for, or used by, the general public;

- (i) "public place" includes a highway, public park and other municipal property;

Name & Address of Owner - 2.(1)

Every cat owner shall place on his or her cat a collar on which is permanently encribed the name and address of the owner.

<sup>1</sup> 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.

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| Cat at Large                | 3.  | (1) No cat owner shall allow or permit his or her cat to be at large;<br><br>(2) Every cat owner shall prevent his or her cat from being at large;   |
| Trespass                    | 4.  | (1) No cat owner shall allow or permit his or her cat to trespass on a public place.<br><br>(2) Subsection 1 does not apply where the cat is under control by means of a leash.  |
| Leash                       |     |  |
| Private Property            | 5.  | (1) No cat owner shall allow or permit his or her cat to trespass on private property.<br><br>(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 | 6.  | A by-law enforcement officer may capture and take into custody a cat,<br><br>(a) not having a collar in accordance with / subsection 2(1);<br>(b) that is at large;<br>(c) that is not under control by means of a leash;<br>(d) that is trespassing on a public place;<br>(e) that is trespassing on private property, <sup>^</sup> upon request of the owner of the property or his representative.                              |
| Impounding                  | 7.  | Where a By-law Enforcement Officer captures and takes into custody a cat under this by-law he shall impound the cat.   |
| Expenses                    | 8.  | Where a cat is impounded and the owner of the cat is known to the By-law Enforcement Officer, the owner shall pay the following expenses: *<br><br>(a) Expenses of taking the cat into custody, y<br>(b) Expenses of care of the cat.  |
| Claiming a Cat              | 9.  | Every 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.  |
| Disposal of Cats            | 10. | Where a cat is not claimed by its owner in accordance with Subsection 9, the cat may be sold forthwith or disposed of or killed in a humane manner.  |
|                             | 11. | Where a cat is injured before or after being taken into custody or in the opinion of the By-law Enforcement Officer should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the By-Law Enforcement Officer may kill the cat in a humane manner as soon after capture or custody as he may determine without permitting any person to reclaim the cat or without offering it for sale. |
| Retrieval of Cats           | 12. | No person shall forceably retrieve a cat from a by-law enforcement officer.<br><br>No person shall retrieve a cat without payment of expenses in full referred to in section 8.y   |

No Compensation  
etc.

13. No compensation, damages, fees or other sum\_ shall be,

- (a) recoverable by a cat owner or other person;  
(b) paid by the Township of Temagami;

on account of, or by reason of,

- (a) capturing, taking into custody or / impounding a cat; or  
(b) selling, disposing of or killing a / cat,

in the course of the administration and enforcement of this by-law.

Defecation

14. (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:

- (a) Public place.  
(b) Private property, without the consent of the owner of 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

15. Where a by-law enforcement officer believes that one or more persons has committed an offence under this by-law, the officer may issue an offence notice or summons in accordance with section 3 of the Provincial Offences Act.

Offence

16. Every person who contravenes a provision of this by-law, is guilty of an offence and conviction is liable to a fine of not more than \$500.00.

Read a First, Second

and Third Time this

10 day of August  
1989.

REEVE

CLERK

*First Reading, Jan/87*