

# THE CORPORATION OF THE CITY OF SAULT STE. MARIE

## BY-LAW 2000-49

**Regulations:** (R.1.2.3) A by-law to regulate cats in the city of Sault Ste. Marie

### 1. **DEFINITIONS**

In this by-law:

- (1) “At large” means to be found in a place other than the premises of the owner of the cat and not under the control of any person in such manner as to prevent escape;
- (2) “Cat” means a feline over the age of 6 months of any breed of domesticated cat or cross-breed of domesticated cat;
- (3) “City” means the Corporation of the City of Sault Ste. Marie;
- (4) “Control” includes care and custody;
- (5) “Humane Society” means the Sault Ste. Marie and District Society for the Prevention of Cruelty to Animals;
- (6) “Municipal Law Enforcement Officer” means an animal control officer appointed as poundkeeper and designated as a Provincial offences Officer;
- (7) “Owner” includes the person registered as the Owner, has legal title to, possesses, harbours or somebody who regularly feeds a cat and who is 18 years of age or over and “owns” has a corresponding meaning;
- (8) “Veterinarian” means a person registered under the Veterinarian’s Act, R.S.O. 1990 C. v-3 as amended.

### 2. **POUNDKEEPER**

For the purpose of this by-law, the Sault Ste. Marie and District Society for the Prevention of Cruelty to Animals shall be deemed to be the Poundkeeper of the City of Sault Ste. Marie and the Animal Shelter operated by the Society shall be deemed to be the City Pound.

### 3. **IDENTIFICATION**

- (1) Every owner of a cat is responsible for ensuring that his or her cat bears sufficient identification to allow any person finding the cat running at large to identify and contact the Owner. For clarity, but without limiting the identification options open to an Owner, cat identification may take the form of a collar and tag worn by the cat or a traceable microchip.
- (2) It is unlawful for any person other than the Owner of a cat or the Poundkeeper to remove any identification worn by a cat pursuant to section 3.1 of this by-law.

### 4. **PROHIBITIONS**

- (1) No person may be or become an Owner of any female cat that is actually or apparently over the age of 6 months or any male cat that is actually or apparently over the age of 7 months unless:
  - (a) the cat has been spayed or neutered, as the case may be, by a veterinarian;

- (b) the person holds a valid breeders permit for an unspayed or unneutered cat as provided for in this by-law; or
  - (c) the person is not normally resident in the Municipality and, while in the Municipality for any temporary period or periods, ensures that his or her cat is not permitted to be running at large in the Municipality.
- (2) Every person who is the owner of a cat shall immediately and without delay remove any excrement deposited by the cat and provide for the sanitary disposition of the excrement.

**5. CAT AT LARGE**

- (a) Every owner of a cat must ensure that the cat, if it is unspayed or unneutered, whether pursuant to a breeder's permit issued under this by-law or otherwise, is not permitted to be running at large within the Municipality subject to section 5 (b).
- (b) No person shall suffer, allow or permit a cat under his or her control or of which he or she is the owner to trespass on any property unless permission is first obtained from the property owner or occupier.

**6. IMPOUNDING & DESTRUCTION**

- (1) A by-law enforcement officer may take into custody a cat which has been otherwise confined:
- (a) that is at large;
  - (b) that is trespassing on a public place; or
  - (c) that is trespassing on private property, upon request of the owner or occupier of the property or his or her representative.
- (2) A cat which is found running at large contrary to the provisions of this by-law may be seized and impounded in the City pound.
- (3) A cat so impounded shall be held for a period of four days and if not claimed and released to the owner thereof within such period, such cat may then be euthanized or sold by the Poundkeeper as he or she may deem appropriate.
- (4) A cat so impounded shall not be released until the owner thereof, has paid to the Poundkeeper the sum of ten dollars (\$10.00) for each twenty-four hours or part thereof during which the cat has been impounded plus any administrative fee approved by the Board of the Society. [AMENDED BY BY-LAW 2008-53]
- (5) Where a cat is adopted under this by-law the proceeds of the adoption shall be paid to the Poundkeeper.

**7. INJURED CATS**

- (1) Where in the opinion of the constable, peace officer, poundkeeper or municipal by-law enforcement officer, a cat under this by-law is injured or should be euthanized without delay for humane reasons or for safety to persons, such person may euthanize the cat as soon after the seizure as he or she thinks fit without permitting any person to reclaim the cat or without offering it by public auction or otherwise for sale, and no damages or compensation shall be recovered on account of its killing.

- (2) Where a cat is seized or impounded under this by-law and is injured or ill and is treated by a veterinary surgeon, the Poundkeeper shall, in addition to any amount charged under section 6 (4), be entitled to charge the person claiming the cat the cost to the Poundkeeper for veterinary treatment.

**8. CAT BREEDING PERMIT**

- (1) A cat breeding permit shall be issued at a fee of fifty dollars (\$50.00), provided that:
- (a) the adult cats are registered as purebred with the Canadian Cat Association or Cat Fanciers Association;
  - (b) the permit holder is responsible for ensuring that the unspayed and/or unneutered cat(s) to which the permit relates are not running at large in the Municipality;
  - (c) an approved inspection has been performed by the Humane Society; and
  - (d) proposed location of kennel has received certification from the building inspector confirming zoning compliance.
- (2) The Poundkeeper may, upon receipt of an appropriate application and fees, issue a Cat Breeding Permit, which permit will be valid for the current calendar year.

**9. PENALTY**

Any person who contravenes any of the provisions of this by-law is guilty of an offence and is liable to a penalty in accordance with the provisions of the Provincial Offences Act, as amended.

**10. EFFECTIVE DATE**

This by-law comes into force on the date of its final passing.

PASSED in Open Council this 6th day of March , 2000.

*"John Rowswell"*

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Mayor-John Rowswell

*"Malcolm White"*

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Deputy City Clerk-Malcolm White

AMENDMENTS TO BY-LAW 2000-49

By-law 2008-53

Subsection 6(4) amended