



OFFICE CONSOLIDATION

BYLAW NUMBER 33M90

**BEING A BYLAW OF THE CITY OF
CALGARY TO RESTRAIN AND REGULATE
THE RUNNING AT LARGE OF CATS**

(As Amended by Bylaw Number 1M2000, 17M2005)

WHEREAS Council for the City of Calgary has deemed it advisable to pass a bylaw dealing with problem cats;

AND WHEREAS Section 164 of the *Municipal Government Act*, R.S.A. 1980, Chapter M-26, as amended, allows a Council to pass bylaws restraining and regulating the running at large of cats and providing for the impounding of cats running at large;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

TITLE

1. This Bylaw may be cited as the "Cat Control Bylaw".

INTERPRETATION AND APPLICATION

2. In this Bylaw:
 - (a) "*Animal Services Supervisor*" means the Chief Executive Officer of the City of Calgary or his designate.
 - (b) "*Bylaw Enforcement Officer*" means a person appointed by the City pursuant to the provisions of Section 111.1 of the Municipal Government Act.
 - (c) "*cat*" shall mean either the male or female of the feline family.
 - (d) "*City*" means the municipal corporation of the City of Calgary or the area contained within the boundary thereof as the context requires.
 - (e) "*owner*" means a natural person or body corporate who has legal title to the cat, and includes any person who has possession or custody of the cat.
 - (f) "*running at large*" means a cat which is upon privately owned property other than property in respect of which the owner has a right of occupation.

(B/L 1M2000, 2000 January 24)

RUNNING AT LARGE

3. The owner of a cat shall ensure that the cat is not running at large.
4. Where a cat is running at large, the owner or occupant of that property on which the cat is running at large may make a complaint to the Animal Services Supervisor.

IMPOUNDMENT

5. A Bylaw Enforcement Officer or a Constable of the City may capture and impound any cat running at large with respect to which a complaint under this Bylaw has been made.

OBSTRUCTION

6. No person, whether or not he is the owner of a cat which is being or has been pursued or captured shall interfere with or attempt to obstruct a Bylaw Enforcement Officer or a Constable of the City who is attempting to capture or who has captured a cat which is subject to impoundment pursuant to the provisions of this Bylaw.
7. (a) If the Animal Services Supervisor knows the name and current address of the owner of any impounded cat, he shall serve the owner with a copy of the Notice in Schedule "A" of this Bylaw, either personally or by leaving or mailing it to the current address of the owner.

(b) An owner of a cat to whom a Notice is mailed pursuant to the provisions of subsection (a) is deemed to have received a Notice within forty-eight (48) hours of the time it is mailed.

RECLAIMING

8. The owner of any impounded cat may reclaim the cat by paying to the Animal Services Supervisor the costs of impoundment as set out in Schedule "B" of this Bylaw.

SALE OR DESTRUCTION

9. The Animal Services Supervisor may sell or euthanise an impounded cat once the following conditions have been met:
 - (a) the cat has been retained for:

- (i) five (5) days, excluding statutory holidays, after the owner has received notice or is deemed by Section 7 to have received notice that the cat has been impounded, or
 - (ii) four (4) days, excluding statutory holidays, if the name and current address of the owner is not known.
10. Notwithstanding Section 9 the Animal Services Supervisor may:
- (a) retain a cat for a longer period; or
 - (b) euthanise a cat after a shorter period; if in his opinion the circumstances warrant.
11. The purchaser of a cat pursuant to the provisions of this Section shall obtain full right and title to it and the right and title of the former owner of the cat shall cease thereupon.

PENALTIES

12. (a) Where a Bylaw Enforcement Officer or a Constable of the City believes that a person has contravened any provision of this Bylaw, he may commence proceedings by issuing summons by means of a violation ticket in accordance with Part 2 of the Provincial Offences Procedure Act, S.A. 1988, Chapter P-21.5.
- (b) The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "C" of this Bylaw in respect of that provision.
- (c) Notwithstanding Section 12(b):
- (i) where any person contravenes the same provision of this Bylaw twice within one twelve month period, the specified penalty payable in respect of the second contravention is double the amount shown in Schedule "C" of this Bylaw in respect of that provision, and
 - (ii) where any person contravenes the same provision of this Bylaw three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount shown in Schedule "C" of this Bylaw in respect of that provision.

SUMMARY CONVICTION

13. (a) Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than TWO THOUSAND, FIVE HUNDRED DOLLARS (\$2,500.00) and in default of payment is liable to imprisonment for a term not exceeding six (6) months.
- (b) The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs from which he is liable under the provisions of this Bylaw.
14. This Bylaw shall come into force upon receiving third reading.

READ A FIRST TIME THIS 23rd DAY OF JULY, 1990.

READ A SECOND TIME THIS 23rd DAY OF JULY, 1990.

READ A THIRD TIME 23rd DAY OF JULY, 1990.

(Sgd.) A. Duerr
MAYOR

(Sgd.) D. Garner
ACTING CITY CLERK

SCHEDULE "A"

You are hereby notified that a cat bearing identification showing your name and address, was impounded on _____, A.D. 19____ pursuant to the provisions of Bylaw No. 33M90 of the City of Calgary, and that, unless the said animal is claimed and all impoundment charges are paid, on or before _____, A.D. 19____, the said cat will be sold or euthanised pursuant to the said Bylaw.

UNCERTIFIED COPY

SCHEDULE "B"

AMOUNT TO BE PAID TO ANIMAL SERVICES SUPERVISOR BY OWNER OF CAT IN ORDER TO RECLAIM OR EUTHANISE A CAT

	<u>Amount</u>
1. Impoundment fees	\$30.00
2. Care and sustenance (per day or portion thereof. To commence at midnight on the day of impoundment)	\$ 10.00
3. Veterinary fees	Amount Expended

(B/L 17M2005, 2005 March 21)

UNCERTIFIED COPY

SCHEDULE "C"

SPECIFIED PENALTIES

<u>Offence Under</u>	<u>Offence</u>	<u>Amount</u>
Section 4	Running at Large	\$ 25.00
Section 7	Obstruction	\$100.00

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