



## CITY OF MOOSE JAW

### Office Consolidation

# Cat Control Bylaw

Bylaw No. 4785

Date of Passage March 8, 1993  
(effective date March 8, 1993)

Including amendments to May 5, 2014

#### **Disclaimer:**

**This information has been provided solely for research convenience. Official bylaws are available at the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.**

**This Bylaw has been consolidated under the authority of the City Clerk. It represents proof, in absence of evidence to the contrary of:**

- (a) the original bylaw and of all bylaws amending it; and**
- (b) the fact of passage of the original and all amending bylaws.**

**AMENDMENTS**

Bylaw No. 5476

**DATE PASSED**

May 5, 2014

**FORCE/EFFECT**

May 5, 2014

**BYLAW NO. 4785**

**A BYLAW OF THE CITY OF MOOSE JAW  
TO REGULATE AND CONTROL THE OWNERSHIP  
AND POSSESSION OF CATS WITHIN THE CITY OF MOOSE JAW**

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**WHEREAS** it is recognized that a well-cared for cat can provide companionship for its owners;

**AND WHEREAS** it is also recognized that some cats may create a nuisance for neighbouring properties;

**AND WHEREAS** Council considers it to be in the public interest to pass a bylaw which balances these benefits and nuisance;

**AND WHEREAS** the City of Moose Jaw is empowered by section 135 of The Urban Municipality Act, 1984 s. s. 1983-84, c. U-11 to regulate and control person owning or harbouring any animal within the City of Moose Jaw;

**NOW THEREFORE, THE COUNCIL OF THE CITY OF MOOSE JAW ENACTS AS FOLLOWS:**

**TITLE**

1. This Bylaw may be referred to as the “Cat Control Bylaw” of the City of Moose Jaw.

**DEFINITIONS**

2. In this Bylaw, unless the context otherwise requires, the expression:
  - (a) **“Animal Control Officer”** means that person appointed by the Council for the purposes of this Bylaw;
  - (b) **“Cat”** means either the male or female of the feline family;
  - (c) **“City”** means the municipal corporation of the City of Moose Jaw or the area contained within the boundary thereof as the context requires;
  - (d) **“Council”** means the Council of the City of Moose Jaw;
  - (e) **“Medical Health Officer”** means a medical health officer appointed under the Health Services Act or Public Health Act;

- (f) **“Nuisance”** includes fighting with other cats, trespassing or defecating or spraying on private property without the permission of the owner or occupant of the property, howling or hissing at night, digging in flower beds or garbage containers and trespassing on private property;
- (g) **“Owner”** means any person owning, possessing, or harbouring a cat.
- (h) **“Pound Keeper”** means that person, corporation, society, association, partnership or organization designated by the City for the purpose of retaining impounded cats pursuant to this Bylaw;

### **IMPOUNDMENT**

- 3. (1) Where an Animal Control Officer receives a complaint of a nuisance caused by a cat, the Animal Control Officer may at his discretion during the period commencing on the 1<sup>st</sup> day of March and ending on the 1<sup>st</sup> day of October in each calendar year:
  - (a) issue a trap to the complainant upon execution be the complainant of an agreement as set out in Schedule “A” to this Bylaw; or
  - (b) if deemed necessary by the Animal Control Officer he may seize and impound any cat found causing a nuisance.
- (2) Where a trap is issued pursuant to clause 3 (1) (a), the complainant shall:
  - (a) abide by the terms of the Cat Trap Permit agreement;
  - (b) personally check the trap each hour while the trap is set;
  - (c) in the event a cat is trapped, immediately contact the Animal Control Officer who may impound the cat.
- (3) Where a cat is impounded, the Pound Keeper shall:
  - (a) hold the cat for five days, unless earlier claimed by the owner of the cat;  
*(Bylaw No. 5476)*
  - (b) attempt to notify the owner of the cat, if known, of the impoundment, however, no liability whatsoever shall attach to the City, the Animal Control Officer or the Pound Keeper by reason of failure in contacting the owner.
- (4) An owner of a cat which has been impounded may claim the cat by:
  - (a) providing reasonable proof of ownership to the City Pound Keeper; and
  - (b) paying an impoundment charge and a housing charge, as may be specified in Schedule “B” to this Bylaw.

*(Bylaw No. 5476)*

(5) Where a cat is not claimed by the owner within five days of impoundment, the City Pound Keeper may dispose of the cat by adoption or by euthanasia.

*(Bylaw No. 5476)*

(6) Any cat suspected of having rabies or other life-threatening disease shall be isolated and may not be claimed, destroyed or otherwise disposed of except after notice to the Medical Health Officer of the City of Moose Jaw and then only in compliance with the direction of the Medical Health Officer and the District Veterinarian, Agriculture Canada.

**PENALTY**

4. Any person who contravenes any provision of this bylaw is guilty of an offence punishable on summary conviction by a fine in an amount not exceeding \$1,000.00 or, in default of payment by an individual, by imprisonment for a term of not more than 30 days.

**EFFECTIVE DATE OF BYLAW**

5. This Bylaw comes into force and effect upon its passage.

PASSED AND ENACTED this 8th day of March, 1993.

\_\_\_\_\_  
"Don Mitchell"

MAYOR

\_\_\_\_\_  
"B. Hamblin"

CITY CLERK

READ a first time the 4th day of January, A.D. 1993

READ a second time the 4th day of January, A.D. 1993

READ a third time the 8th day of March, A.D. 1993

**SCHEDULE "A"**

To Bylaw 4785

[as provided by clause 3(1) (a)]

**CAT TRAP PERMIT**

DATE: \_\_\_\_\_

TRAP NO. \_\_\_\_\_

The undersigned agrees to the following terms and conditions:

- to place the cat trap only on his or her property which is within the City of Moose Jaw;
- to personally check the cat trap each hour while the trap is set;
- In the event a cat is trapped, to immediately deliver the cat to Moose Jaw Humane Society at 1755 Stadacona St. West, 692-1517. In the event the Humane Society is closed, the cat may be held until the Humane Society re-opens, but in no event for longer than twenty-four hours. Where a cat is held, the undersigned is responsible for the humane treatment and shelter of the cat including feeding and watering. A captured cat should be left in the trap and placed in a shed, garage, basement or other place that is warm, dry and secure with a blanket placed over the trap to pacify the animal. Do not attempt to remove an unfamiliar cat from the trap – this will be done by the Pound Keeper. If the undersigned cannot comply with this condition, the trapped cat must be freed unharmed;
- to ensure that no harm comes to any trapped cat while in their possession including exposure to inclement weather;
- cat traps are not to be used when the temperature falls below 0 degrees Celsius or rises above 25 degrees Celsius;
- an Animal Control Officer may enter the property of the undersigned to ensure the trap is being used properly;
- to advise the Pound Keeper or Animal Control Officer of the ownership of any cat trapped; if known;
- to be responsible for the trap, including the cost of repair or replacement if damaged, lost or stolen. The trap is to be returned in a good and clean condition;
- traps must not be set on statutory holidays as the Animal Control Office is closed;
- the trap is to be returned to the Animal Control Officer two days after issuance.

**\*IT IS A CRIMINAL OFFENCE TO HARM ANY DOMESTIC ANIMAL\***

Address of intended location of trap: \_\_\_\_\_  
\_\_\_\_\_

I understand and accept all liability which may arise in connection with the use of this cat trap while it is in my possession and will save and indemnify the City of Moose Jaw for all such liability.

Signature: \_\_\_\_\_

Name of complainant: \_\_\_\_\_

Address of complainant: \_\_\_\_\_

\_\_\_\_\_  
**TRAP RETURNED**

Date: \_\_\_\_\_

Received by: \_\_\_\_\_

Remarks: \_\_\_\_\_

\_\_\_\_\_

**SCHEDULE "B"**

to Bylaw 4785  
[as provided by Clause 3(4)(b)]

Impoundment charge

\$40. 00

Housing charge

\$20.00 per day or portion thereof

*(Bylaw No. 5476)*