



By-Law 2006-257

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To regulate establish the Licensing and Regulation of Cats

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BY-LAW NUMBER 2006-257

A By-law of The Corporation of the City of Barrie to amend Municipal Code By-law 88-260, Section 4.14.0.0.0.0 Animal Control, to establish the Licencing and Regulating of Cats.

WHEREAS, the Municipal Act, R.S.O. 2001, c. M.45, s. 210 authorizes the Council of a municipality to pass a by-law to prohibit and regulate the keeping of animals;

AND WHEREAS the Council of the Corporation of the City of Barrie adopted the Municipal Code By-law 88-260 on September 27th, 1988;

AND WHEREAS By-law 88-260, Section 4.14.0.0.0.0, as amended establishes regulations regarding the keeping of animals;

AND WHEREAS pursuant to Motion 06-G-506, the Council of The Corporation of the City of Barrie deems it expedient to amend Municipal Code By-law 88-260, Section 4.14.0.0.0.0 to establish regulations regarding the licensing and control of cats;

NOW THEREFORE the Council of The Corporation of the City of Barrie enacts as follows:

1. **THAT** By-law 88-260, Section 4.14.14.0.0, be amended by adding the following:

"4.14.15.0.0 CAT LICENSING AND REGISTRATION

4.14.15.1.0 For the purpose of this section:

4.14.15.1.1 SENIOR CITIZEN – means a person that has reached an age of sixty-five (65) years or older at the time of application.

4.14.15.2.0 Every owner of a cat over the age of six months shall make application to license and register the cat with the City, or its agent. Every owner of a cat making application shall provide particulars pertaining to the cat and its owner in order to facilitate the licensing and registration of such cat. Every owner of a cat shall make application and provide such information annually to the City.

4.14.15.3.0 An owner of a cat shall not attempt to register:

- a) an un-spayed female cat as a spayed female cat; or
- b) an un-neutered male as a neutered male cat,

and shall upon application for a cat licence, or as otherwise required by the City, produce satisfactory evidence of the cat being spayed or neutered.

4.14.15.4.0 Every owner of a cat shall, upon application for a cat licence, or as otherwise required by the City, produce evidence that the cat has been inoculated with anti-rabies vaccine and the period of time for which the vaccination is effective for such cat.

4.14.15.5.0 The City shall not issue a cat licence until the applicable licence fee has been paid in full and evidence of inoculation with the anti-rabies vaccine and spaying or neutering has been provided to the satisfaction of the City.

4.14.15.6.0 Where proof of spaying or neutering and proof of inoculation with the anti rabies vaccine has been provided, the license fee has been paid, and necessary application information has been received for the licensing and registration of such cat, the City shall issue for each cat, a serially numbered licence tag and shall cause such information, as provided to be recorded.

4.14.15.7.0 Every owner shall affix to his cat a current licence tag issued by the City in accordance with this by-law and shall keep such tag affixed on the cat at all times when the cat is not on the owner's property.

- 4.14.15.8.0 No licence tag or registration shall be transferable and the licence tag shall expire and become void upon the sale, death or other means of disposal of the cat so licensed and registered.
- 4.14.15.9.0 No person other than the owner or his agent shall remove a licence tag from a cat.
- 4.14.15.10.0 The license fee for a cat shall be in accordance with the Table of Fees established and set out in Section 4.14.16.0.0 of this By-law.
- 4.14.15.11.0 Notwithstanding Section 4.14.15.10.0 the annual renewal license fee for a spayed or neutered cat as stated in Section 4.14.16.0.0 shall be waived for Senior Citizens as defined by this by-law. All other requirements as set out in this by-law regarding the licensing and regulation of the cat licensed or required to be licensed by the Senior Citizen shall be complied with. Senior Citizens licensing a cat which is not spayed or neutered shall not be exempt from the license fee set out in Section 4.14.16.0.0 of this By-law.
- 4.14.15.12.0 **REPLACEMENT CAT LICENCE TAG**
- 4.14.15.12.1 Every owner of a cat, having lost the cat licence tag for the current year, shall immediately make application to the City for the replacement of such tag, and shall, upon request provide any information as may be required by the City. The owner upon application shall pay the required replacement fee as set out in Section 4.14.16.0.0 of this by-law.
- 4.14.15.13.0 **CONTROL OF CATS**
- 4.14.15.13.1 No owner of a cat shall allow his cat to run at large.
- 4.14.15.13.2 No owner of a cat shall allow his cat to trespass on private property even when on a leash.
- 4.14.15.13.3 Any person may capture any cat running at large on his property and may contain such cat for delivery to the Municipal Law Enforcement Officer or other duly appointed officer, who may impound the said cat.
- 4.14.15.13.4 No person shall use a live trap to capture a cat.
- 4.14.15.13.5 Every person capturing a cat running at large on his property shall, following the capture of the cat for delivery to the Municipal Law Enforcement Officer or other duly appointed officer, ensure that the cat is provided with the necessities of life including but not limited to food, water and shelter until such time as the animal is received by the Municipal Law Enforcement Officer or other duly appointed officer.
- 4.14.15.14.0 **SEIZING AND IMPOUNDING OF CATS**
- 4.14.15.14.1 A Pound shall be established which complies with the Animals for Research Act, the Ontario S.P.C.A Act as well as Regulations of the Ministry of Agriculture and Food, and under the care and control of the Poundkeeper, whose duty it shall be to impound all cats delivered found to be running at large contrary to this by-law which are brought to him and which have not been returned to their owner, to dispose of the cats in accordance with the Animals for Research Act. The Poundkeeper shall also keep a record and make return as required to the City Clerk of all cats impounded and how disposed of, the amount collected for impound fees and the proceeds of sales.
- 4.14.15.14.2 It shall be the duty of the Municipal Law Enforcement Officer or other duly appointed officer, to impound or otherwise dispose of all cats found running at large pursuant to Section 4.14.15.13.1 by:
- a) returning the cat to the owner, if known; or,
 - b) impounding the cat, subject to the right of the owner to redeem the cat.

4.14.15.14.3 The owner may:

- a) redeem the cat upon return of the cat to the owner, upon payment of any license fee or other applicable fees; or,
- b) redeem the cat from the pound, within three (3) days (exclusive of statutory holidays and Sundays) after the date of impound. Any owner redeeming a cat from the pound shall pay any applicable licence fee, impound fees, and maintenance fees as established and set out in Section 4.14.16.0.0 and any other fees associated with the impounding of the cat, prior to the release of such cat.

4.14.15.14.4 If the cat is not redeemed from the pound within the time set out in Section 4.14.15.14.3, the cat shall become the property of the Poundkeeper who may sell the cat or dispose of it as he deems fit, and in either event aforesaid, no damages or compensation shall be recovered by the owner on account of the disposition of the cat.

2. **THAT** By-law 88-260, Section 4.14.15.0.0 TABLE OF FEES be deleted and replaced with the following:

4.14.16.0.0 TABLE OF FEES

DOGS:				
Class of Licence	New License Fee	Renewal License Fee	Expiry Date	Comments
Dog Licence Tag - Unspayed Female	\$35.00	\$30.00	December 31	<ul style="list-style-type: none"> • Proof of Rabies vaccination required annually
Dog Licence Tag - Unneutered Male	\$35.00	\$30.00	December 31	<ul style="list-style-type: none"> • Proof of Rabies vaccination required annually
Dog Licence Tag - Spayed Female	\$25.00	\$20.00	December 31	<ul style="list-style-type: none"> • Proof of Rabies vaccination required annually • Proof of Spaying required
Dog Licence Tag - Neutered Male	\$25.00	\$20.00	December 31	<ul style="list-style-type: none"> • Proof of Rabies vaccination required annually • Proof of Neutering required
Replacement Dog Licence Tag			December 31	<ul style="list-style-type: none"> • \$5.00
Impounding Fees	First Occurrence	Each Subsequent Occurrence	Maintenance Fee Per Day	Comments
For Each Dog Seized and Impounded	\$50.00	\$50.00 + \$10.00 for each subsequent occurrence	\$10.00	<ul style="list-style-type: none"> • All license fees, animal control service fees, impound fees, maintenance fees and any other applicable fee to be paid prior to the release of any impounded dog
ANIMAL CONTROL SERVICE FEES: In accordance with Section 4.14.10.0.0 as determined from time to time by the City Clerk				

CATS:				
Class of Licence	New License Fee	Renewal License Fee	Expiry Date	Comments
Cat Licence Tag – Unspayed Female	\$35.00	\$35.00	December 31	<ul style="list-style-type: none"> • Proof of rabies vaccinations annually
Cat Licence Tag – Unneutered male	\$35.00	\$35.00	December 31	<ul style="list-style-type: none"> • Proof of rabies vaccinations annually
Cat Licence Tag – Spayed Female	\$10.00	\$10.00	December 31	<ul style="list-style-type: none"> • Proof of rabies vaccinations annually • Proof of spaying required
Cat Licence Tag – Neutered Male	\$10.00	\$10.00	December 31	<ul style="list-style-type: none"> • Proof of rabies vaccinations annually • Proof of neutering required
SENIOR CITIZENS: Where the cat to be licensed has been spayed or neutered and is owned by a Senior Citizen as defined within this by-law, the renewal license fee only, as set out in this Table shall be waived.				
Impounding Fees	First Occurrence	Each Subsequent Occurrence	Maintenance Fee Per Day	Comments
For Each Cat Seized and Impounded	\$50.00	\$50.00 + \$10.00 for each subsequent occurrence	\$10.00	<ul style="list-style-type: none"> • All license fees, impound fees, maintenance fees and any other applicable fee to be paid prior to the release of any impounded cat

3. **THAT** Section 4.14.2.2.0 be amended by deleting the words “Section 4.14.14.0.0” and replacing them with the words “Section 4.14.16.0.0.”

4. **THAT** Section 4.14.2.11.0 be amended by deleting the words “Section 4.14.14.0.0” and replacing them with the words “Section 4.14.16.0.0.”

5. **THAT** Section 4.14.3.1.0 be amended by deleting the words “Section 4.14.14.0.0” and replacing them with the words “Section 4.14.16.0.0.”

6. **THAT** this By-law shall come into force and have effect on the 1st day of January, 2007.

READ a first and second time this 30th day of October, 2006.

READ a third time and finally passed this 30th day of October, 2006.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR - R. J. HAMILTON

CLERK - JOHN R. SISSON