

**Bylaw 99-10**  
**Village of Breton**

A Bylaw of the Village of Breton, in the Province of Alberta, to govern the control of Stray Feline animals within the Municipal Boundaries of the Village of Breton.

**WHEREAS**, the Council of the Village of Breton deems it in the best interest of the public in general for the Village to regulate control of Stray Feline animals within its boundaries;

**WHEREAS**, under the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1 with amendments, the Council has the authority to pass such a Bylaw;

**THEREFORE**, the Council of the Village of Breton, in the Province of Alberta, duly assembled, hereby enacts as follows

**TITLE:** This Bylaw may be cited as “The Cat Bylaw”.

**PART I. DEFINITIONS**

1. *Animal Control Officer* – shall mean a person whose duties entail carrying out the provisions of this Bylaw; and dealing with complaints, verbal and written, documenting same and providing reports as required by the Village Council for Breton and its administrative supervisors.
2. *Cat* – shall mean any member of the species *Felis Catus* or *Felis domesticus* (Felidae)
3. *Collar* – shall mean any device made of leather, chain, etc. capable of having metal tags securely fastened to it, and designed and solely intended to be worn around the neck of a Cat.
4. *Communicable Disease* – shall be such diseases as can be passed from Cat/domestic animal to Cat/ domestic animal or Cat/domestic animal to human being.
5. *Day* – shall mean a continuous period of twenty-four hours or part thereof.
6. *Kennel* – means a dwelling, shelter, room or place so considered, housing or keeping three (3) or more Cats over the age of three (3) months;
7. *Owner* – shall mean any person, partnership or association owning, possessing or having control over any Cat, harbouring any Cat, or suffering or permitting any Cat to remain about his or her house or premises, either temporarily or permanently.
8. *Peace Officer* – shall mean each and every member employed and duly sworn in as a Bylaw Enforcement Officer or Special Constable in the Village of Breton. It shall also mean any R.C.M.P. Officer.
9. *Pound* – shall mean the designated place which the Municipal Administrator for the Village of Breton has established for the impounding and keeping of tagged Cats caught in traps whose Owners are not available for the immediate return of the Cat.
10. *Stray* – shall mean a Cat without an Owner who is responsible for the housing, feeding and health of the Cat.
11. *Village* – shall mean the Village of Breton, in the Province of Alberta.
12. *Village Council or Council* – shall mean the duly elected Village Council for the Municipal Corporation of the Village of Breton.

**PART II. IDENTIFICATION TAGS AND PROVISIONS**

1. The Owner of every Cat over the age of 8 weeks shall obtain an identification tag for same from the Village for the fee as shown in Schedule "A" of this Bylaw.
2. The Owner of a Cat shall obtain an identification tag for it on the first Day when the Village Office is open for business after he or she becomes the Owner of a Cat.
3. Cat identification tags, or other means of identification approved by the Animal Control Officer, must be securely fastened to the Cat at all times. The said Cat shall not be deemed tagged if the Cat is not wearing a Collar with the valid tag.
4. No person shall keep or harbour more than two (2) Cats whatever sex or age at the time, with the exception of:
  - a) when a Cat has had a litter up to 8 weeks old;
  - b) special circumstances, as approved by the Animal Control Officer;
  - c) Kennels as regulated in this Bylaw.
5. The Municipal Administrator or Designate for the Village of Breton shall keep a book in which the following shall be recorded:
  - a) name and address of Owner
  - b) breed, colour, sex and name of each Owner's Cat or Cats
  - c) any identifying marks or tattoos which may be distinctive for identification purposes
  - d) date of identification tag purchase
  - e) the number stamped on each license tag issued to the Owner
  - f) the amount of fee paid by the Owner
  - g) pictures of cat
6. Upon losing a Cat identification tag, an Owner of the Cat shall apply to the Village Office for a new Cat identification tag which will be issued to the said Owner at the cost to the Village as established by Schedule "A", attached to this Bylaw and said cost shall be set to cover all costs involved with the re-issuing of said tag.
7. Non-Village residents who wish to purchase an identification tag for their Cat, to ensure its identification should it be trapped, may do so in the same manner and at the same cost as Village residents.

**PART III. RESTRICTIONS AND RESPONSIBILITIES**

1. No person shall:
  - a) hinder, delay, or obstruct any person or persons employed by the Village of Breton, engaged in taking to the Pound any Cat liable to be impounded under the provisions of this Bylaw;
  - b) remove or attempt to remove any untagged Cat from the possession of the Animal Control Officer, Pound Keeper or any other persons authorized to enforce any of the provisions of this Bylaw
  - c) use the traps set out by the Animal Control Officer for personal use.
2. The Animal Control Officer shall strictly monitor the traps for a twenty-four (24) hour period once the traps are set.
3. The Animal Control Officer shall have a signed Release from a homeowner before placing traps on private property.

**PART IV. IMPOUNDMENT**

1. It shall be the responsibility of the Municipal Administrator to establish one or more Pounds for the impounding or keeping of tagged Cats that are trapped but whose registered Owners are not immediately available for delivery of the tagged Cat once removed from the trap.

The said Municipal Administrator is hereby authorized and empowered to make all such rules and regulations, not inconsistent with this Bylaw and the rules and regulations of the S.P.C.A. as he/she shall consider necessary for the conduct and regulation of such Pound or Pounds. Council shall enter into an agreement and appoint a Pound Keeper and such other persons as it shall deem necessary for the carrying into effect of the provisions of this Bylaw and make such rules and regulations for their conducts as it deems necessary.

2. It shall be the duty of the Animal Control Officer and such person or persons as shall be authorized and appointed by the Council to place traps in areas where deemed necessary by the Animal Control Officer.

3. The Animal Control Officer shall attempt to identify any Cats trapped, either by means of the identification tag or any specific identifying tattoos or marks. If the trapped Cat is identified the Animal Control Officer shall attempt to return said Cat to the registered Owner. Should the registered Owner not be immediately available for receipt of the Cat, the Animal Control Officer shall deliver the Cat to the designated Pound. The Owner of said Cat shall be notified of the holding of the Cat at the Pound by way of notice attached to the residence at the entrance which appears to be most used. The Pound shall retain the Cat as per their time regulations. The Pound shall collect a holding fee as set out in Schedule "A" for the holding of the Cat.

4. It shall be the duty of the Animal Control Officer to attempt, to the best of his/her abilities to ascertain the name of the owner of a tagged, trapped Cat. Upon obtaining the name of the same owner, the Animal Control Officer shall attempt to return the cat to the said owner. If this is not immediately possible the Animal Control Officer shall serve said owner with a Notification Tag, by leaving said Notification Tag at the residence of the registered owner.

**PART V RELEASE OF ANIMALS**

1. All fees are to be paid before any Cat is released from the Pound.

**PART VI DATE OF EFFECT**

This Bylaw shall come into full force and effect upon third and final reading.

READ a first time this 31<sup>st</sup> day of August, 1999.

READ a second time this 12<sup>th</sup> day of October, 1999.

READ a third time this 12<sup>th</sup> day of October, 1999.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Administrator

**VILLAGE OF BRETON  
SCHEDULE "A"**

Cat Identification Tag Fees and Pound Holding Fees

- |    |  |                      |
|----|--|----------------------|
| 1. | Each female Cat or Male Cat  | \$35.00 lifetime tag |
| 2. | Where a female Cat be spayed or a male Cat be neutered, the owner, upon production of a certificate from a duly qualified veterinary surgeon as proof of such Cat being spayed or neutered | \$25.00 lifetime tag |
| 3. | Replacement Tags   | \$5.00               |

**POUND OR KENNEL FEES**

The Pound or Kennel fees as set by the Pound Keeper for every twenty four (24) hour period or fraction thereof the Cat has been held.

**Village of Breton  
Bylaw 99-10 "Cat Bylaw"  
Release**

**Name of Resident:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

I hereby permit the Village of Breton to place an Animal Trap(s) on the property at the above noted address on the following Terms and Conditions.

1. The period of placement of the Trap(s) is at the discretion of the Animal Control Officer.
2. I acknowledge and agree that the Animal Control Officer or designate shall have permission to check the Trap(s) at his/her discretion.
3. I acknowledge and agree that any domestic pet caught in the said Trap(s) immediately becomes the property of the Village of Breton and the disposition of any and all such animals shall be determined at the discretion of the Village's Animal Control Officer.
4. I do hereby remise, release, and forever discharge the Village of Breton, its servants, agents, successors and assigns of and from all manner of action and actions, causes and causes of action, suits, debts, dues, sums of money, general damages, special damages, costs, claims and demands whatsoever at law or in equity which I might ever have by reason of the placing of the said Trap(s).

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

\_\_\_\_\_  
Signature of Resident

Time : \_\_\_\_\_

\_\_\_\_\_  
Legal location of Trap:

\_\_\_\_\_  
Witness: Animal Control Officer  
Village of Breton

**Result of Placement**

Date Trap(s) were removed from property: \_\_\_\_\_

Number and type of animal(s) caught: \_\_\_\_\_

**Village of Breton  
Bylaw 99-10 Cat Bylaw**

Name of Resident: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

I hereby assume responsibility in using the Village of Breton's Animal Trap for use on my own personal property, at the above noted address, on the following terms and conditions.

1. The period of placement of the Trap(s) is at the discretion of the Animal Control Officer.
2. I acknowledge and agree that the Animal Control Officer or designate shall have permission to check the Trap(s) at his/her discretion.
3. I acknowledge and agree that any domestic pet caught in the said Trap(s) immediately becomes the property of the Village of Breton and the disposition of any and all such animals shall be determined at the discretion of the Village's Animal Control Officer.
4. I do hereby remise, release, and forever discharge the Village of Breton, its servants, agents, successors and assigns of and from all manner of action and actions, cause and causes of action, suits, debts, dues, sums of money, general damages, special damages, costs, claims and demands whatsoever at law or in equity which I might ever have by reason of the placing of the said Trap(s).

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

\_\_\_\_\_  
Signature of Resident

\_\_\_\_\_  
Legal location of Trap:

Witness: Animal Control Officer

\_\_\_\_\_  
Village of Breton