

**THE CORPORATION OF THE TOWNSHIP OF FARADAY**

**BY-LAW NO. 5-2010**

A By-Law to regulate the keeping of cats within the municipality and for restricting the number of cats that may be kept by any person or that may be kept in or about any dwelling unit and for regulating the being at large of cats.

**WHEREAS** Council of municipalities have the authority under Section 11 of the Municipal Act, 2001, to pass by-laws respecting matters within various spheres of jurisdiction, including "animals";

**AND WHEREAS** the Council of the Corporation of the Township of Faraday is desirous to enact a By-Law respecting the keeping of cats within the municipality; and the for the purpose of prohibiting cats being at large;

**NOW THEREFORE** the Council of the Corporation of the Township of Faraday **ENACTS AS FOLLOWS:**

**1. DEFINITIONS**

For the purpose of this By-Law the following definitions shall apply:

- (a) **CAT** means any cat or cats, male or female;
- (b) **DWELLING UNIT** means a separate set of living quarters provided for human habitation which has a private entrance from outside the building or from a common hallway or stairway inside a building;
- (c) **MUNICIPALITY** means the Corporation of the Township of Faraday;
- (d) **ANIMAL CONTROL OFFICER** means the person so designated by the Municipality for the purpose of carrying into effect the provisions of this by-law;
- (e) **CLERK** shall mean the Clerk of the Corporation of the Township of Faraday.

**2. GENERAL PROVISIONS**

- (a) No person shall keep more than five cats in or about any dwelling unit;
- (b) Notwithstanding paragraph 2(a), kittens that have not been weaned and are under the age of twelve weeks, shall not be counted in determining the number of cats on a premises. The keeping of such kittens shall not exceed four months.
- (c) No person shall allow a cat to defecate on any property, including public land, other than the property of its owner or other private property;
- (d) Cats being at large are prohibited. The owner of any cat found being at large is guilty of an offence under this By-Law and liable on conviction to the penalty provided in this By-Law.
- (e) Any Cat caught being at large in the Municipality may be seized and/or destroyed (killed), by any such officer or person as may be designated by the Municipality
- (f) The Animal Control Officer, may capture every cat being at large contrary to the provisions of this By-Law;

**3. PENALTY**

Every person who contravenes any provision of this By-Law is guilty of an offence and upon conviction shall be liable to a fine prescribed and recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended, for each offence committed, Provided that prosecution under the provisions of this By-Law shall not be a bar to the Municipality pursuing any other remedies available to it;

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4. It is the declared intention of the Council of the Corporation of the Township of Faraday that any section or part of a section of this By-Law which may subsequently be held to be illegal shall be severable from the remainder of the By-Law.
5. All By-Laws or parts of By-Laws heretofore passed inconsistent with the provisions hereof and respecting the regulating of cats within the municipality are hereby repealed.
6. This By-Law shall come into force and take effect upon the final passage.

**READ** a first, second and third time and finally passed this the 7<sup>th</sup> day of April, 2010.

C. A. Tinney - Reeve

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Brenda Vader - Clerk