

THE CORPORATION OF THE CITY OF BELLEVILLE

BY-LAW NUMBER 2012-200

A BY-LAW FOR THE PROHIBITING AND REGULATING THE BEING AT LARGE OR TRESPASSING OF CATS AND OTHER ANIMALS (OTHER THAN DOGS)

WHEREAS Section 10 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws respecting animals;

AND WHEREAS Section 103 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides for the seizure and impounding of animals being at large or trespassing and the sale of impounded animals;

AND WHEREAS Section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to impose fees or charges for services or activities provided by or done on behalf of it;

AND WHEREAS it has been deemed expedient to enact such a By-Law for The Corporation of the City of Belleville;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF BELLEVILLE ENACTS AS FOLLOWS:

1. In this By-Law:

- (a) **"By-Law Enforcement Officer"** means a person employed by The Corporation of the City of Belleville to enforce By-Laws and shall include a Police Officer.
- (b) **"cat"** means cat or cats whether or not male or female, spayed or neutered
- (c) **"control"** means being kept on a leash or otherwise physically restrained by its owner or another person acting on the owner's behalf.
- (d) **"dwelling unit"** means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals. Dwelling unit shall, for the purpose of this By-Law, include all accessory buildings associated therewith.

(e) **"other animal"** means any animal (other than dogs) owned by any person whether wild or domesticated

(f) **"owner"** of a cat or other animal includes any person who possesses or harbours a cat or other animal and "owner" and "owned" have a corresponding meaning.

(g) **"pound"** means premises that are used for the detention, maintenance or disposal of dogs, cats or other animals that have been impounded pursuant to a by-law of a municipality or the *Dog Owners' Liability Act*.

(h) **"redemption period"** means three days, excluding the day on which the cat or other animal was impounded, and holidays shall not be included in calculating the redemption period.

2. Every owner of a cat or other animal shall prevent such cat or other animal from being at large within the municipal limits of the City of Belleville.

3. For the purpose of this By-Law, a cat or other animal shall be deemed to be at large if it is found in any place other than the premises of the owner of the cat or other animal and not under control.

4. Any cat or other animal, when on the land of The Corporation of the City of Belleville or any local board thereof, shall be under control.

5. Every cat or other animal found to be at large within the municipal limits of the City of Belleville may be seized and impounded by any By-Law Enforcement Officer.

6. The owner of a cat or other animal may reclaim the cat or other animal within the redemption period by paying to the pound the cost of its maintenance while impounded and the fee of twenty-five (\$25.00) dollars.

7. Every cat or other animal not reclaimed within the redemption period may be sold or disposed of.

8. A cat or other animal shall be deemed to have been impounded when it has been delivered into the custody of the operator of a pound.

9. (a) The number of cats in any dwelling unit in the City of Belleville shall be restricted to ten (10).

(b) All cats must be immunized and proof of immunization must be available upon request by a Bylaw Enforcement Officer.

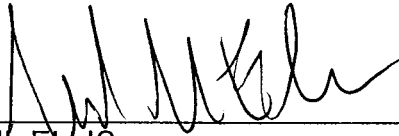
- (c) Subsections 9(a) and (b) shall only apply to cats aged six (6) months or older.
- 10. (a) Every owner of a cat or other animal who contravenes any of the provisions of this By-Law shall be guilty of an offence and upon conviction is liable to a penalty as provided for under the Provincial Offences Act.  
  
(b) Upon a conviction being entered, the Court in which the conviction was entered and any Court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed in this By-Law, make an Order prohibiting the continuation or repetition of the offence by the person convicted.
- 11. If any section, clause or provision of this By-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention of Council for the City that all remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof may have been declared invalid.
- 12. THAT By-Law Number 14212 be and the same is hereby repealed.

THIS BY-LAW SHALL COME INTO FORCE AND TAKE EFFECT IMMEDIATELY ON AND AFTER THE PASSING THEREOF.

Read a first time this **26<sup>th</sup>** day of **November 2012**.

Read a second time this **26<sup>th</sup>** day of **November 2012**.

Read a third time and finally passed this **26<sup>th</sup>** day of **November 2012**.

  
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NEIL ELLIS MAYOR

  
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MATT MACDONALD ACTING CITY CLERK