



**MUNICIPAL COUNCIL OF ROXBY DOWNS**

**CATS BY-LAW 2016**

**By-law No. 3 of 2016**

A By-law to limit the number of cats kept on premises, to establish a registration scheme for cats and for the management and control of cats in the Council area.

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**PART 1 – PRELIMINARY****1. Title**

This By-law may be cited as the *Cats By-law 2016* and is By-law No. 3 of the Municipal Council of Roxby Downs.

**2. Authorising law**

This By-law is made under section 90(5) of the *Dog and Cat Management Act 1995* and section 246 of the Act.

**3. Purpose**

The objects of this By-law are to control and manage cats in the Council area and:

- 3.1. to establish a scheme for the registration of cats;
- 3.2. to promote responsible cat ownership;
- 3.3. to reduce the incidence of public and environmental nuisance caused by cats;
- 3.4. to protect the comfort and safety of members of the public; and
- 3.5. for the good rule and government of the Council area.

**4. Expiry**

This By-law will expire on 1 January 2024.

**Note-**

Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.

**5. Application**

- 5.1. This By-law operates subject to the Council's *Permits and Penalties By-law 2015*.

**6. Interpretation**

In this By-law, unless the contrary intention appears:

- 6.1. **Act** means the *Local Government Act 1999*;
- 6.2. **Cat**, except for in clause 9, means an animal of the species *Felis catus* which is three months of age or has lost its juvenile canine teeth;
- 6.3. **Council** means the Municipal Council of Roxby Downs;
- 6.4. **keep** includes the provision of food or shelter;
- 6.5. **nuisance** means a cat that:
  - 6.5.1 unreasonably interferes with the peace, comfort or convenience of a person, including but not limited to by way of a cat displaying aggressive behaviour or creating unpleasant noise or odour;

- 6.5.2 is injurious to a person's real or personal property; or
  - 6.5.3 is obnoxious, offensive or hazardous to health; or
  - 6.5.4 wanders onto land without the consent of the owner or occupier of the land; and
- 6.6. **premises** includes land whether used or occupied for domestic or non-domestic purposes.

**Note-**

Section 14 of the *Acts Interpretation Act 1915* provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-law is made.

## **PART 2 – REGISTRATION OF CATS**

### **7. Registration of cats**

- 7.1. A person must not keep a cat in the Council's area for more than 14 days unless the cat is registered in accordance with this By-law.
- 7.2. An application for registration of a cat must:
  - 7.2.1 be made to the Council in the manner and form prescribed (if any) and accompanied by the fee (if any) prescribed by the Council by resolution; and
  - 7.2.2 nominate a person of or over 16 years of age who consents to the cat being registered in his or her name; and
  - 7.2.3 identify with reference to an address the premises at which the cat is kept.
- 7.3. Clause 7.1 does not apply to a person operating a business involving the keeping of cats provided that the business is operating in accordance with all required approvals and consents.
- 7.4. Registration under this By-law remains in force until June 30 next after registration has been granted and may be renewed from time to time for further periods of 12 months.

## **PART 3 – MANAGEMENT OF CATS**

### **8. Limits on cat numbers**

- 8.1. Subject to clause 8.2, a person must not, without the Council's permission, keep, or cause, suffer or permit to be kept, more than two cats on any premises:
- 8.2. Clause 8.1 does not apply to premises comprising a business involving the keeping of cats provided that the business is operating in accordance with all required approvals and consents.

**9. Cats not to be a nuisance**

- 9.1. An owner or occupier of premises is guilty of an offence if a cat or cats kept or allowed to remain on the premises causes a nuisance.
- 9.2. For the purpose of this clause 9, cat means an animal of the species *Felis catus*.

**PART 4 – ENFORCEMENT****10. Orders**

- 10.1. If a person engages in conduct that is a contravention of this By-law, an authorised person may order that person:
- 10.1.1 if the conduct is still continuing – to stop the conduct; and
- 10.1.2 whether or not the conduct is still continuing – to take specified action to remedy the contravention.
- 10.2. A person must comply with an order under this clause.
- 10.3. If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may seek to recover its costs of any action so taken from the person to whom the order was directed.
- 10.4. However, an authorised person may not use force against a person under this section.

**Note-**

For example, an authorised person may order a person to:

- cease keeping more than the permitted number of cats on that person's premises; or
- take the necessary steps to mitigate a nuisance caused by cats.

This By-law was duly made and passed by resolution of the Acting Administrator of the Municipal Council of Roxby Downs on the 28 September 2016 in accordance with section 12 of the *Roxby Downs (Indenture Ratification) Act 1982* and section 246 of the Act.



Geoff Whitbread  
Acting Administrator