



Local Law No. 10 Responsible Cat Ownership

Bayside City Council

Local Law No. 10
2010

Responsible Cat Ownership Local Law

Version 2
24 November 2009

Bayside City Council
Local Law No. 10
Responsible Cat Ownership

PART 1 - PRELIMINARY

TITLE

1. This Local Law is the *Bayside City Council Local Law No. 10 – Responsible Cat Ownership*, and referred to below as 'this Local Law'.

OBJECTIVES OF THIS LOCAL LAW

2. The objectives of this Local Law are to:-
 - (a) amend *Bayside City Council Local Law No.2 – Environment*;
 - (b) minimise the adverse effects of cats in the Bayside City Council area;
 - (c) protect the welfare of wildlife;
 - (d) minimise the nuisance caused by cats;
 - (e) encourage responsible breeding, selling, transferring, and ownership of cats

AUTHORISING PROVISION

3. The Council's authority to make this Local Law is contained in Section 111 of the *Local Government Act 1989*.

COMMENCEMENT

4. This Local Law comes into operation on 1 January 2010.

DATE THIS LOCAL LAW CEASES OPERATION

5. Unless this Local Law is revoked sooner, its operation will cease on the same day on which *Bayside City Council Local Law No.2 – Environment* ceases to operate.

SCOPE OF THIS LOCAL LAW

6. This Local Law applies throughout the whole of the Municipal District, except where it is apparent from its wording that a clause or schedule applies to a specific area or areas, and its provisions apply to the extent that they are not inconsistent with any Act, Regulation or Planning Scheme applicable to the Council or its Municipal District.

PART 2 – AMENDMENTS TO BAYSIDE CITY COUNCIL LOCAL LAW NO.2 - ENVIRONMENT

7. In Part 1 Preliminary of *Bayside City Council Local Law No.2 – Environment* insert in the appropriate alphabetical order in Clause 9 Definitions, the following words and phrases and meanings or extended meanings.

WORDS AND PHRASES	MEANING OR EXTENDED MEANING
Applicable Organisation	has the same meaning as contained in Section 3(1) of the <i>Domestic (Feral and Nuisance) Animals Act 1994</i>
Cat	means a cat over the age of 12 weeks, but less than ten years of age
De-sexed	means subjected to a procedure carried out by a Veterinary Practitioner involving the removal of all or part of the reproductive system of the animal, by which it has been rendered sterile
Domestic Animal Business	has the same meaning as contained in Section 3(1) of the <i>Domestic (Feral and Nuisance) Animals Act 1994</i>
Veterinary Practitioner	a person registered as a Veterinary Practitioner under the <i>Veterinary Practice Act 1997</i>

AMENDMENT TO PART 7 – ANIMALS

8. In Part 7 of the *Bayside City Council Local Law No.2 – Environment*, after clause 45 insert:-

45A. Straying Cats - Curfew

The owner of a cat must ensure that the cat is confined to the property, either within the dwelling or within a suitable escape proof building or structure –

- (a) during any period of Summer Time under the *Summer Time Act 1972*; between the hours of 9pm and 6am the next day.; or
- (b) at any other time between 8pm and 6am the next day.

PENALTY 20 Penalty Units

45B. Responsible Breeding, Sale, Transfer and Ownership of Cats

- (1) A person, other than:-
- (a) a proprietor of a Domestic Animal Business, or
 - (b) a member of an Applicable Organisation with which the cat is registered;

must not sell or give to any person or allow to be given or sold to any person any cat that has not been de-sexed.

- (2) A person must not own a cat that is not de-sexed unless: -
- (a) the person conducts a Domestic Animal Business; or
 - (b) the person is a current member of an Applicable Organisation, and the cat is registered with that organisation; or
 - (c) the person has furnished to the Council, or an authorised officer, written advice, of a Veterinary Practitioner which advice states that the health of the cat is liable to be significantly prejudiced if it is de-sexed.

PENALTY 20 Penalty Units

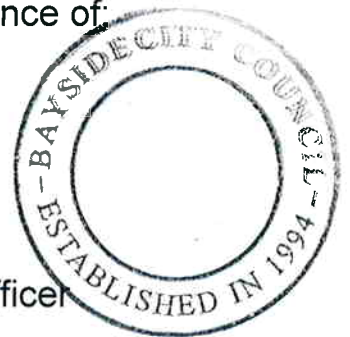
Resolution for the making of this Local Law was agreed to by the Council on the 24th Day of November 2009.

The Common Seal of **BAYSIDE CITY COUNCIL** was affixed,

this 19th day of... JANUARY... 2010 in the presence of:

.....  Mayor / Councillor

.....  Chief Executive Officer



Notices of the proposal to make and of the making of this Local Law were included in the Victorian Government Gazette date the 30th Day of July 2009 and the 17th Day of December 2009.

Public Notices of the proposal to make and confirmation of this Local Law were inserted in the Age Newspaper on the 25th Day of July 2009 and on the 17th Day of December 2009.

A copy of this Local Law was sent to the Minister for Local Government on 22 December 2009.