



PORT PIRIE REGIONAL COUNCIL

CATS BY-LAW 2016

By-law No. 6 of 2016

A By-law to limit the number of cats kept on premises 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. 6 of the Port Pirie Regional Council.

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:

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

4. Commencement, revocation and expiry

4.1. The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation:

4.1.1 By-law No. 6 – Cats 2013.

4.2. This By-law will expire on 1 January 2024.

5. Application

This By-law applies throughout the Council's area and operates subject to the Council's *Permits and Penalties By-law 2016*.

6. Interpretation

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

- 6.1. **Act** means the *Local Government Act 1999*;
- 6.2. **cat** (except in clause 8) 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 Port Pirie Regional Council;
- 6.4. **keep** includes the provision of food or shelter;
- 6.5. **nuisance** means:
 - 6.5.1 unreasonably interfering with the peace, comfort or convenience of a person, including but not limited to a cat(s) displaying aggressive nature or creating unpleasant noise or odour;
 - 6.5.2 injurious to a person's real or personal property; or

- 6.5.3 obnoxious, offensive or hazardous to health;
- 6.5.4 wandering onto land without the consent of the owner or occupier of the land.
- 6.6. **premises** includes land whether used or occupied for domestic or non-domestic purposes and any part thereof.

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 –CAT CONTROLS

7. Limits on cat numbers

- 7.1. Subject to clause 7.2, 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.
- 7.2. Clause 7.1 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.

8. Cats not to be a nuisance

- 8.1. 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.
- 8.2. For the purposes of this clause, cat means an animal of the species *felis catus*.

PART 3 – ENFORCEMENT

9. Orders

- 9.1. If a person engages in conduct that is a contravention of this By-law, an authorised person may order that person:
 - 9.1.1 if the conduct is still continuing – to stop the conduct; and
 - 9.1.2 whether or not the conduct is still continuing – to take specified action to remedy the contravention.
- 9.2. A person must comply with an order under this clause.
- 9.3. 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.
- 9.4. 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 at a meeting of the Port Pirie Regional Council held on the 22 June 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.



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Andrew Johnson
Chief Executive Officer