

Dear Counsel

I speak to you today regarding the issue of stray cats. I have been waiting a long time to speak at this meeting and unfortunately I cannot attend today. As you are proposing individuals must obtain licenses for cats I would like to speak about exemptions you may have such as the Cat Coral program.

I have lived on Dalhousie Street for 28 years and take great pride in maintaining the property. I have not seen any stray cats in my neighbourhood in all of those years. We now have a neighbour that is part of the Cat Coral program which is great to an extent.

This lady has brought the cats from other neighbourhoods possibly her friends as we see her bringing them home on a regular basis. She leaves food out on her porch at night which attracts raccoons and skunks. We watch them nightly go to her door and eat the food. The cats are not getting none of it. This is not safe. I cannot even allow my dog outside at night due to the raccoon's problem we have.

By-law 5.0 indicates that you are allowed only 4 animals. I have called the SPCA and they do not attend inside the lady's home to see how many cats she has. I see them come and chat with her outside then leave.

By-law 7.3- States-No owner of a dog, cat or other animal shall permit that the dog, cat or other animal

to be at large, except when the dog, cat or other animal is:

- (a) on premises owned or occupied by the owner; or
- (b) on premises owned or occupied by a person who has given prior consent.

So why are these cats on my lawn? Are they exempt?

By-Law 8.

8.0 " Poop and Scoop for Animals

Every owner of an animal, except the owner of a service animal or a police animal, Shall immediately remove and dispose of any feces left by the animal on any premises except premises owned or occupied by the owner.

Every owner of an animal shall, in a timely manner, remove and dispose of any feces left by the animal on premises owned or occupied by the owner.

This is not done.

There is a page on your website which I have attached which indicates stray animals can carry diseases such as rabies and distemper, and they can also cause damage and destroy property.

The second page attached is also from your website on things a person can do to deter community cats from coming on your property and what you can do if cats are causing an issue.

Believe me I have called the SPCA many times and they advise she is a nice lady and leave it at that. I have tried everything to keep them off.

I recently acquired a dog and I cannot open my front door as the dark barks at the cats as they are either in my front yard or in the back. I would like to see that all individuals be responsible for their animals. I feel it is unfair that I have to suffer as the City allows the individual in the Cat coral program to pay a small fee to feed these cats and yet they don't clean up after them.

I have had very expensive trees damaged (250.00 for each tree) due to the cats she has spraying and peeing on the trees. My garden is now minimal in the summer. I can no longer allow my grandchildren to step on the grass due to the cat feces on the yard. I really don't understand why your website has the by-laws posted and information when the City does nothing. I have even been to your office to speak with my councillor and he can't even return a call. Yes Mr. Green I understand you do not think this is a problem, so let's bring your grandkids over to play in my yard. Better yet maybe the City should pay for my flowers and trees.

All in all no one is going to pay for a cat license and it is a waste of time. Make all home owners responsible.

Thank You

Kim Buswell



Community Cats

Community cats are cats that are not owned by anyone and live in the neighbourhood on their own. It is common in all neighbourhoods in Hamilton.

What to do with community cats

People should not try to care for community cats as they are conditioned to look after themselves.

- Avoid feeding stray community cats. Feeding healthy community cats that haven't been spayed or neutered can result in larger litters that increase the community cat population.
- Do not bring community cats into the shelter unless they are sick, injured, or aggressive cats that could pose a danger to the public.

If you want to help community cats, consider becoming a Colony Cat Caregiver of a Trap-Neuter-Return Colony through the [HBSPCA](http://hbspca.com/services/spayneuter/trap-neuter-return/) (<http://hbspca.com/services/spayneuter/trap-neuter-return/>). This program is intended to reduce the numbers of community cats and involves trapping them, having them spayed or neutered and returned to their community.

How to deter community cats from your property

There are several easy environmentally safe solutions that will help to keep cats out of your gardens, flower beds, and away from your house:

- Wash outside doors or walls. Get rid of the cat urine spray or the cats will return to refresh the scent. Vinegar, baking soda or cornstarch are good options. Avoid bleach.
- Clean up. Clutter provides homes to rodents which will attract stray cats to your property.
- Make digging difficult. Cats love soft soil to dig for a litter spot, so make it unattractive. Before you plant, line flower beds with chicken wire the vegetation will grow through the wire and will prevent cats from digging.
- Use mulch that's uncomfortable. Prickly cuttings from holly, rose clippings, pine cones, or other uncomfortable material helps to deter cats. It's also environmentally friendly.
- Avoid attractive plants. Cats love mint, and may be attracted to some types of honeysuckle. Instead, plant vegetation like rue, lavender, pennyroyal, Coleus canina, and lemon thyme throughout the garden.
- Use scents that are repulsive to cats. Cats have a strong sense of smell; you can make your own natural cat repellent. Rub a sliced onion around fence posts or deck chairs. Place used coffee grounds in your flower beds or garden that will keep most critters out.
- Tip for keeping cats off of cars. Office supply stores carry floor mats/chair mats designed for carpets that have a textured underside with little rubber nubs. Place these mats upside down on the hood, trunk, or roof of your car. Cats don't like the spiky feel of these mats and will avoid walking or resting on their surface.

Are neighbour's cats causing an issue on your property?

The [Responsible Animal Ownership By-law](http://www2.hamilton.ca/NR/2015-Bylaws/12-031amendments.pdf) (<http://www2.hamilton.ca/NR/2015-Bylaws/12-031amendments.pdf>) (PDF, 2.44 MB) prohibits cats from roaming off your property.

If a neighbouring cat is causing nuisance issues on your property, you can contact Animal Services at 905-574-3433 to file a complaint. Animal Services may start with a warning letter to the cat owner. If the problem persists, further enforcement action can be taken.

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Stray animals can:

- Carry diseases such as rabies and distemper
- Cause damage and destroy property
- Get in the road and cause accidents
- Attack people and other animals

By-law, on February 8, 2012 until the **dogs** licensed under the multiple **dog** licence have died or are otherwise disposed of.

4.19 The **Poundkeeper** may revoke any licence issued in error.

PART 5.0 – Number of Animals

5.1 For the purposes of Part 5.0, "**animal**" does not include a pigeon.

5.2 For the purposes of section 5.3, "**premises**" does not include **rural or agricultural premises**.

5.3 No person shall **keep** or permit to be **kept** on any one **premises** owned or occupied by them more than any combination of four animals.

5.4(1) Despite section 5.3, a person:

(a) who is lawfully **keeping** more than the maximum number of **animals** may continue to **keep** the **animals** until the **animals** have died or are otherwise disposed of if the person otherwise complies with this By-law;

(b) may **keep** an **animal**:

(i) following the birth of the **animal** until the age of 12 weeks;

(ii) on premises licensed as a **kennel** or a **pet shop** under the **City's** Licensing By-law No. 07-170;

(iii) if the premises where they keep the **animal** has been approved by the **Poundkeeper** in advance as an animal foster home.

(2)(a) Approval of an animal foster home under subparagraph 5.4(1)(b)(iii) may be given by the **Poundkeeper** after submission of a properly completed certification, accompanied by the applicable fee.

(b) The person submitting the certification under paragraph 5.4(2)(a) shall certify that:

- he or she will at all times operate and be responsible for the animal foster home
- he or she will comply with this By-law and all other applicable statutes, regulations and by-laws when operating the animal foster home
- the animal foster home will operate on a not-for-profit basis
- the animal foster home will provide temporary care for the animals

- 6.6 Every **owner** of a pigeon shall ensure that all pigeon droppings, refuse and dropped or scattered feed on the **owner's premises** are removed and disposed of at least twice each week.
- 6.7 Despite section 7.3, every **owner** of a pigeon shall ensure that the pigeon is **kept** in the pigeon enclosure at all times except during:
- (a) a maximum of two flights daily:
 - (i) before 9:00 a.m. or after 5:00 p.m. from April 1 to September 30 in any one year;
 - (ii) before 10:00 a.m. or after 3:00 p.m. from October 1 in any one year to March 31 in the following year; or
 - (b) a flight conducted by the Canadian Racing Pigeon Union Inc. or the Canadian Pigeon Fanciers' Association.
- 6.8 Each flight under subsection 6.7(a) shall:
- (a) include no more than one half of the total number of pigeons being kept by the **owner**; and
 - (b) be supervised by the **owner** or by a competent person on the **owner's** behalf.

PART 7.0 – Prohibiting Animals at Large, etc.

- 7.1 For the purposes of section 7.3, "**animal**" includes **livestock** or a horse.
- 7.2 For the purposes of subsection 7.3(b), "**premises**" does not include any part of:
- (a) non-residential or residential **premises** that serve as common areas for occupiers or owners; or
 - (b) non-residential **premises** that are open to the public.
- 7.3 No owner of a **dog**, **cat** or other **animal** shall permit that the **dog**, **cat** or other **animal** to be **at large**, except when the **dog**, **cat** or other **animal** is:
- (a) on **premises** owned or occupied by the **owner**; or
 - (b) on **premises** owned or occupied by a person who has given prior consent.
- 7.4 Despite section 7.3, a **dog**, except a **restricted pit bull** or a **dog** designated as potentially dangerous or dangerous, may be unleashed if:
- (a) the **dog** is under the control of the **owner** or a competent person on the **owner's** behalf and both the **dog** and the person are within:

sufficient to prevent the **dog** from leaving the **premises**.

- 7.7 Despite section 7.6, a **dog** may be outdoors on **rural or agricultural premises** or on **premises** 0.5 hectare (1.2 acre) or more in area if the **dog** is sufficiently trained so as to remain on the **premises**.
- 7.8 No **owner** of a **dog** shall permit the **dog** to:
- (a) behave in a manner that poses a menace to the safety of a person or domestic animal; or
 - (b) to **bite** or attack a person or domestic animal.
- 7.9 No **owner** of a **dog** shall **keep** the **dog** from dusk to dawn on **premises** that are not used primarily for residential purposes unless clearly visible signs are posted sufficient to give notice of the **dog** to persons entering the **premises**.
- 7.10 Every **owner** of an **animal** shall ensure that the place where the **animal** is **kept** is such that:
- (a) the **animal** may extend its legs, wings or body to their full natural extent;
 - (b) the **animal** may stand, sit or perch, or the place is otherwise adequate for the needs of the **animal**;
 - (c) the **animal** may be readily observed, unless the natural habits of the **animal** require otherwise; and
 - (d) the place is in a clean and sanitary condition.
- 7.11 In addition to complying with section 7.10, every **owner** of an **animal** shall ensure that any structure located in a yard where the **animal** is **kept** is:
- (a) in the rear yard;
 - (b) located not less than 1 metre from the boundary line between the **owner's premises** and any abutting **premises**;
 - (c) soundly constructed of hard, durable materials;
 - (d) impervious to water;
 - (e) constructed of materials that may be readily sanitized;
 - (f) maintained in a good state of repair free from cracks, holes, rust and other damage;
 - (g) kept in a way that minimizes as nearly as practicable the transfer of pathogenic agents; and

- (h) adequately ventilated for the health and comfort of the **animal** enclosed.

PART 8.0 – Poop and Scoop for Animals

- 8.1 Every owner of an **animal**, except the **owner** of a **service animal** or a **police animal**, shall immediately remove and dispose of any feces left by the **animal** on any **premises** except **premises** owned or occupied by the **owner**.
- 8.2 Every **owner** of an **animal** shall, in a timely manner, remove and dispose of any feces left by the **animal** on **premises** owned or occupied by the **owner**.

PART 9.0 – Designating Dogs as Potentially Dangerous or Dangerous

- 9.1 Where an **Officer** is satisfied that, in the absence of any **mitigating factor**, a **dog** has approached a person or domestic animal in a menacing fashion or apparent attitude of attack, including, but not limited to, behaviour such as growling or snarling, the Officer may issue a designation in writing to the **owner** designating the **dog** as potentially dangerous.
- 9.2 Where an **Officer** is satisfied that a **dog**:
- (a) has, in the absence of any **mitigating factor**, attacked, **bitten** or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;
 - (b) has, in the absence of a **mitigating factor**, significantly injured a domestic animal; or
 - (c) having been previously designated as potentially dangerous, is **kept** or permitted to be **kept** in violation of the requirements for a potentially dangerous **dog**,
- the **Officer** may issue a designation in writing to the **owner** designating the **dog** as dangerous.
- 9.3 No **owner** of a **dog** designated as potentially dangerous or dangerous shall transfer **ownership** of the **dog** without first having obtained the written consent of the **Poundkeeper**. In granting or refusing consent, the **Poundkeeper** shall consider the likelihood that all the applicable provisions of this By-law and the *Dog Owners' Liability Act*, including any orders under that Act, will be met.