CITY OF Playford

By-law made under the Local Government Act 1999
and the Dog and Cat Management Act 1995

CATS BY-LAW 2022

By-law No. 5 of 2022

For the management and control of cats within the Council's area.

Part 1 – Preliminary

1. **Short Title**

This by-law may be cited as the *Cats By-law 2022*.

2. **Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. **Definitions**

3.1 In this by-law:

3.1.1 **authorised person** has the same meaning as in the *Dog and Cat Management Act 1995*;

3.1.2 **cattery** means a building, structure, premises or area approved by the relevant authority pursuant to the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016* for the keeping of cats on a temporary or permanent basis;

3.1.3 **cat** means an animal of the species *Felis catus* over three months of age;

3.1.4 **keep** includes the provision of food or shelter;

3.1.5 **premises** includes:

3.1.5.1 land;

3.1.5.2 a part of any premises or land;

3.1.6 **prescribed premises** means:

3.1.6.1 a cattery;

3.1.6.2 a veterinary practice;

3.1.6.3 a pet shop; or

3.1.6.4 any premises for which the Council has granted an exemption;

3.1.7 **public notice** has the same meaning as in Section 4(1aa) of the *Local Government Act 1999*;

3.2 For the purposes of this by-law:

3.2.1 the **prescribed limit**, in respect of the number of cats to be kept on premises, is two cats;

3.2.2 the **prescribed manner** in which a cat is to be identified at all times while the cat is not effectively confined to premises of which the owner of the cat is the occupier is by means of a collar around its neck to which a tag is attached legibly setting out:

3.2.2.1 the name of the owner of the cat, or of a person entitled to possession of the cat; and

3.2.2.2 either:

(a) the address of the owner or other person; or

(b) the telephone number of the owner or other person.

Part 2 – Identification of Cats

4. **Identification of Cats**

4.1 Every cat must be identified in the prescribed manner at all times while the cat is not effectively confined to premises of which the owner of the cat is the occupier.

4.2 If a cat is not identified in the prescribed manner required by paragraph 4.1, any person who owns or is responsible for the control of the cat is guilty of an offence.

4.3 A person is not guilty of an offence by reason of the fact that the cat is not identified in the prescribed manner if:

4.3.1 the cat:

4.3.1.1 is travelling with the person; and

4.3.1.2 is not usually kept within the area of the Council; or

4.3.1.3 is suffering from injury, disease or sickness to the extent that the wearing of a collar would be injurious to the health of the cat; or

4.3.2 the person is responsible for the control of the cat only by reason of the cat being kept, for business purposes, at prescribed premises; or

4.3.3 the Council has granted the owner of the cat an exemption from the requirements of this paragraph or an extension of time within which to comply with the requirements.

Part 3 – Cat Management and Control

5. **Limit on Cat Numbers**

5.1 A person must not, without permission, keep any cat on any premises where the number of cats on the premises exceeds the prescribed limit.

5.2 Permission under this paragraph may be given if the Council is satisfied that:

5.2.1 no insanitary condition exists on the premises as a result of the keeping of cats;

5.2.2 a nuisance is not caused to any neighbour as a result of the keeping of cats on the premises; and

5.2.3 all cats kept on the premises are desexed and microchipped in accordance with any requirements of the *Dog and Cat Management Act 1995.*

5.3 The prescribed limit does not apply to prescribed premises.

Part 4 – Miscellaneous

6. **Revocation**

Council's *By-law No. 5 – Cats*, published in the *Gazette* on 1 October 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Playford held on the 23rd day of August 2022 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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Mr Sam Green
Chief Executive Officer