

CITY OF SURREY

BY-LAW NO. 13548

A by-law to establish and regulate spay/neutering  
of certain animals within the City of Surrey

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**As amended by By-laws: 13844, 09/20/99; 17325, 01/10/11; 18596, 12/14/15; 18988, 12/19/16; 19434, 12/18/17; 19555, 04/23/18**

THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

WHEREAS:

- (a) Cat identification will provide cats protection under the law equal to that afforded dogs, by establishing ownership which, in turn, will encourage cat owners to take full responsibility for their pets' welfare.
- (b) Cat identification will protect cats, as dogs are now protected, by establishing minimum holding periods for cats released to or impounded by the Poundkeeper.
- (c) A program to require cat identification will facilitate the return of owned cats.
- (d) Cat identification will provide a method to distinguish between owned and unowned cat populations.
- (e) Cat identification will advance the reduction of the at large cat population, thereby reducing the untold suffering of cats at large in our urban community.
- (f) Cat identification will reduce the number of unowned cats at large, thereby reducing unwanted litters, overpopulation, and the costs to the City for euthanizing owned cats at large.

- (g) Unsterilized cats allowed outside impregnate other cats and give birth to kittens outside, adding to the City's large unwanted, unowned feral cat population.

THEREFORE, the City Council of the City of Surrey, in open meeting assembled,  
ENACTS AS FOLLOWS:

CAT IDENTIFICATION PROGRAM

- 1. In the construction and for the purposes of this By-law, the following words and terms shall have the meaning hereby assigned to them unless repugnant to the context hereof:
  - (a) "At large" means:
    - (1) on the premises of a person other than an owner of the cat, without the consent of an occupant or owner of such premises; or
    - (2) on a public street, on public or private school grounds, or in any other public place, except when under the control of an owner by leash, cord, chain or other similar means of physical restraint that is not more than eight feet in length.
  - (b) "Identification" means:
    - (1) a collar or tag worn by a cat which includes the current name, address and telephone number of the owner **Amended B/L 13844 09/20/99**
    - (2) a traceable tattoo; and **Amended B/L 13844 09/20/99**
    - (3) a traceable microchip. **Inserted B/L 13844 09/20/99**
  - (c) "Impounded cat" means any cat released to or under the custody of or control of the Poundkeeper.
  - (d) "Person" includes corporations, estates, associations, partnerships and trusts,

and one or more individual human beings.

- (e) "Poundkeeper" means the person appointed from time to time by the Council of the City for the purposes of enforcing and carrying out the provisions of "Surrey Pound By-law, 1958, No. 1669" and shall include any assistant poundkeeper or any person appointed by the Council of the City to carry out the provisions of this By-law.
- (f) "Sterilized" means spayed or neutered, as the case may be, by a veterinarian.
- (g) "Unsterilized cat" means any cat that has not been spayed or neutered, as the case may be, by a veterinarian.

#### IDENTIFICATION REQUIRED

- 2. It shall be unlawful for any person to be an owner of a cat that is actually or apparently over six months of age unless the person maintains an identification worn by the cat. This section shall not apply to cats in quarantine and cats brought into the City exclusively for the purposes of entering them in a cat show or cat exhibition and not allowed to be at large.

#### OWNER - EXCEPTION

- 3. "Owner" means any person owning, harbouring or keeping, or providing care or sustenance for a cat, whether registered or not, or having custody of a cat, whether temporarily or permanently. This definition shall not apply to any person who has notified the Poundkeeper of the cat at large that the person has taken into possession and:
  - (a) who is or will be transporting the cat to the Poundkeeper; or
  - (b) who has made arrangements with the Poundkeeper to have the cat picked up by the Poundkeeper.

#### REMOVAL OF CAT IDENTIFICATION

- 4. It shall be unlawful for any person other than an officer of or a person authorized by the Poundkeeper to remove any identification from any cat not owned by the person.

## CATS RELEASED TO THE POUNDKEEPER

5. Any person who takes into the person's possession any cat that he or she believes to be an unsterilized cat shall immediately notify the Poundkeeper and shall release the cat to the Poundkeeper upon request.
6. In the case of any cat released to the Poundkeeper wearing an identification, the Poundkeeper shall make a reasonable attempt to notify the owner by telephone, and shall send written notice to the owner. The cat shall be held by the Poundkeeper for not less than five days, after which time the Poundkeeper may return the cat to the person who had released the cat to the Poundkeeper, offer the cat for adoption, or euthanize the cat, if not sooner recovered by the owner. An owner wishing to recover the cat shall pay a daily impoundment fee as specified in *Surrey Fee-Setting By-law, 2001, No. 14577*, as amended for each full day, or fraction thereof, that the cat is held by the Poundkeeper.
7. In the case of any cat released to the Poundkeeper not wearing an identification, the Poundkeeper shall hold the cat for not less than five days, after which time the Poundkeeper may return the cat to the person who had released the cat to the Poundkeeper, offer the cat for adoption, or euthanize the cat, if not sooner recovered by a person claiming ownership. If a person claiming ownership seeks to recover the cat, the person shall pay a daily impoundment fee as specified in *Surrey Fee-Setting By-law, 2001, No. 14577*, as amended for each full day, or fraction thereof, that the cat is held at the Poundkeeper.
8. Any cat released to the Poundkeeper with a "notched ear", indicative of a sterilized feral cat, may be held at the Poundkeeper for not less than five days, after which time the Poundkeeper may return the cat to the person who had released the cat to the Poundkeeper, offer the cat for adoption, or euthanize the cat, if not sooner recovered by a person claiming ownership. If a person claiming ownership seeks to recover the cat, the person shall pay a daily impoundment fee as specified in *Surrey Fee-Setting By-law, 2001, No. 14577*, as amended for each full day, or fraction thereof, that the cat is held at the Poundkeeper.
9. If a cat released to the Poundkeeper is not recovered by the owner, the person who had released the cat to the Poundkeeper shall have the right of first refusal for permanent custody and ownership of the cat.

## STERILIZATION OF CATS

10. It shall be unlawful for any person to be or become an owner of a cat that is actually or apparently over six months of age unless the cat has been sterilized or unless the person holds a valid cat breeding permit for an unsterilized cat as provided for in this By-law.
11. It shall be unlawful for any person to allow an unsterilized cat that is actually or apparently over six months of age to be at large whether or not the person holds a valid cat breeding permit for the cat as provided for in this By-law.

## CAT BREEDING PERMITS

12. The Poundkeeper may prescribe the form of application required by any person who wishes to obtain a cat breeding permit that will exempt that person from the provisions of Section 10 during the life of the permit.
13. The Poundkeeper may, upon receiving an appropriate application form and the fees for a cat breeding permit, issue a cat breeding permit, which permit will be valid for a period of three years from the date of issuance.
14. An owner who holds a cat breeding permit is responsible for ensuring that the cat to which the permit relates is not permitted to be at large in the City.
15. The fee for a cat breeding permit issued pursuant to this By-law is as specified in *Surrey Fee-Setting By-law, 2001, No. 14577*, as amended plus applicable taxes.

## ENFORCEMENT

16. If a cat, with or without identification, has not been sterilized, the person claiming ownership may be cited by an officer of the Poundkeeper for a violation of Section 10. The penalty for violating Section 10 shall be waived upon:
  - (a) purchase of a cat breeding permit as provided for in this By-law; or
  - (b) proof that the cat has been sterilized being furnished to the Poundkeeper within 30 days after the date the citation was issued.

17. The Poundkeeper, or his or her authorized designates, is hereby authorized to enter at all reasonable times upon any property subject to any of the regulations of this By-law in order to ascertain whether such regulations are being obeyed.

PENALTY

18. Any person found guilty of violating any of the provisions of this By-law shall be fined \$100.00.

GENERAL

19. This By-law may be cited for all purposes as "Surrey Spay/Neuter By-law, 1998, No. 13548".

PASSED THREE READINGS on the 28th day of September, 1998.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 5th day of October, 1998.

"D.W. MCCALLUM" MAYOR

"D.B. KENNY" CLERK