

Priorities Committee Meeting_Oct20_2020

STRATEGIC INITIATIVE AND UPDATE

Report on the Implications of a Cat Bylaw

Report Purpose

To provide Priorities Committee with a report on the implications of a cat bylaw that covers the urban service area of Sherwood Park.

Our Prioritized Strategic Goals

Goal 1 - Build strong communities to support the diverse needs of residents

Goal 8 - Foster an environment for safe communities

Report

On September 10, 2019 Council asked that a report be provided by Administration on the implications of a cat bylaw that covers the urban service area of Sherwood Park. The first thing to note is that currently there are no municipal policies or rules to address cat control or cat-related issues such as licencing within the urban area of Sherwood Park. The *Alberta Animal Protection Act* is the most relevant piece of provincial legislation. The Act allows Peace Officers to take various enforcement actions such as:

- can take an animal into custody or otherwise relieved of distress if the Officer is of the opinion – on reasonable and probable grounds – that the owner or caretaker is not likely to provide for the animal
- can take an abandoned animal into custody – whether or not it is in distress; abandonment includes being left more than 24 hours without adequate food, water or shelter, or being left behind by former tenants of a rental property

In cases of animal abuse (including cats), the Alberta Society for the Prevention of Cruelty to Animals (SPCA) takes the investigative lead, along with the police force of jurisdiction. In Strathcona County, RCMP and Enforcement Services works with the SPCA as needed, in cases of animal abuse.

Housecats that are generally allowed to be off-leash or let outside regularly can be a nuisance to property owners and neighbours in the County. For example:

- cats are often an unwanted presence, in general, on a non-cat owner's property
- People may be allergic to cats, thus the presence of a cat nearby may be of concern, including some risk of a nuisance cat entering a private household where a person is allergic
- defecation in residential flower beds, gardens and property (rural and urban)
- noise, howling
- killing of bird species at higher risk due to ground nests or ground feeding

For incoming citizen reports about stray, nuisance or abandoned cats, there are no formal processes in place to guide our Community Peace Officers (CPOs).

- In such cases, a cat is typically reported to RCMP and Enforcement Services. This includes reports of a cat running loose (stray), cat defecation on private property, or being a nuisance, e.g., whether reported as a stray, abandoned or feral cat.

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- In most or all of these scenarios, RCMP and Enforcement Services is not able to assist.
- County residents have few options to deal with these cats. For instance, there is no County-run shelter, facility or holding area where such cats can be delivered by a citizen, or by a CPO.

A municipal review was conducted of 18 Alberta municipalities to determine if they have a cat bylaw, and the main features of the bylaw, e.g., licensing and cost, off-leash rules and fines, use of traps, process for trapping, shelter/holding period, disposal/euthanasia. This included the completion of a detailed survey to identify best practices; over 25 specific questions related to cat bylaw enforcement and management, cat shelters/facilities and cat licencing. The review determined:

- 7 municipalities have a cat bylaw which included Edmonton, Calgary, Leduc, Fort Saskatchewan, Red Deer, Wood Buffalo, Grande Prairie
- In 10 municipalities Bylaw Officers were not involved in capturing cats
- 14 municipalities have a humane trap program
- There is no "single" or perfect solution to the County's cat question
- Licencing of cats is the first step towards effective management of domestic cats
- Many municipalities have a humane trap program

A summary of the municipal review concluded that the implementation of a practical cat bylaw, and related bylaw management processes, must reflect a balanced approach. This includes:

- clearly written bylaw, including licencing rules, owner duties, and penalties for violations
- effective bylaw management and administrative processes that support and facilitate humane treatment of cats
- provision of quality services to County residents, related to bylaw enforcement and management

Based on review and analysis of the environmental scan and numerous conversations with other jurisdictions, there is no "single" or perfect solution to the County's cat question. There is a lot comparative information to process and many factors and program elements to consider before the County potentially implements a cat bylaw.

Licencing of cats is the first step towards effective management of domestic cats in Strathcona County. The primary purpose of licencing is to encourage owners to take responsibility for identifying their cat(s) and following the cat bylaw. An effective licencing program requires rules and processes to be clearly set out in the bylaw.

The more cats that are licenced (and identifiable with tags/tattoos/microchips/licencing-owner information), the easier it is to return them to their owner. Increased licencing helps to reduce the number of cats given up for adoption or euthanized.

A licensing program is not a mandatory requirement of the management of a cat bylaw. However, based on the environmental scan, some municipalities without a licensing program reported a smaller percentage of cats returned to owners. Without a licensing program, these municipalities rely heavily on partnerships with adoption/fostering agencies, and they also report higher rates of euthanasia.

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The environmental scan results also noted that many municipalities have a humane trap program. A cat's agility, speed and dislike of human contact make it notoriously difficult to capture, whether in the wild, or in rural or urban locations. As determined in the environmental scan, most municipalities have their Bylaw Officers use passive traps to capture roaming cats. At a minimum, a humane trap program requires equipment (traps and more), administration (rental fees, etc.) and facilities (location for traps and for captured cats).

Based on the municipal review here are the options for implementing a cat bylaw.

Option 1 – Full scope bylaw

This option would include:

- Addressing required licencing, fees, fines for violation, general rules and compliance, maximum holding period for captured cats, etc
- Full shelter facilities with veterinarian partnerships
- Full adoption program along with partnerships with third-party adoption and fostering agencies
- County responsible for all enforcement, administration and infrastructure
- Construction of a new County facility (shelter-kennel) or repurpose an existing facility/building for the management of the program, as well as housing of the cats
- Facility and operations to meet provincial animal welfare standards with 2 full time labourers for cleaning, feeding and maintenance of traps
- Cat Registry Software (for licencing records)
- 2 CPOs involved in bylaw enforcement, plus active involvement in capturing of stray/abandoned cats
- 2 Administration/support staff to manage the licencing, case management, adoption and fiscal concerns.

Option 1 cost table

Line Item	Start-Up (first year)	Annual
Administration, bylaw enactment and establish operational aspects	\$50,000 (cat tags, legal service assistance)	N/A
CPO Salary and benefits	\$242,000 (2 FTE)	\$242,000 (2 FTE)
Vehicle and equipment	\$110,000	\$110,000
Administrative/support staff and benefits <ul style="list-style-type: none"> • inclusive of licence administration (cat registry), trap rentals, other roles 	\$135,658 (2 FTE)	\$135,658 (2 FTE)
	\$250,000 software	
Building/infrastructure	\$500,000 – \$1,000,000 (small or medium/large), construction \$50,000 operating costs	\$50,000 (operating costs) (depending on maximum capacity, e.g., 20 to 40 cats)
Facility labourers	\$120,000 (2 FTE)	\$120,000 (2 FTE)
Facility Operations (food, litter, traps, etc.)		

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Cat Traps <ul style="list-style-type: none"> purchase, repair, replace 	\$3,000 (initial purchase, 25 traps)	\$500 (regular cleaning, plus repair and/or replace 4 per year)
Veterinary Services <ul style="list-style-type: none"> shots/examinations/spay/neuter euthanasia 	\$400 x 300 cats/annually = \$120,000 \$120 x 50 cats/annually = \$6,000	\$400 x 300 cats/annually = \$120,000 \$120 x 50 cats/annually = \$6,000
Awareness Campaign	\$10,000 (communication materials, pamphlets, newspaper ads, electronic boards, etc.)	\$2,000 (ongoing awareness/services campaign)
Total Cost	\$1,596,658 to \$2,096,658	\$786,158
Cost Recovery <ul style="list-style-type: none"> trap rental fees impoundment fees finest licensing 500 cats 	\$1,250 \$1,000 \$10,000 \$17,500	\$1,250 \$1,000 \$10,000 \$17,500
Total Recovery	\$29,750	\$29,750
Estimated Cost <i>(subject to correction and reassessment, these figures are broad estimates, with some line items based on current salary and labour costs)</i>	\$1,566,908 to \$2,066,908	\$756,408

Anticipated Outcomes

- County responsible for all enforcement, administration and infrastructure.
- This Bylaw creates a full program management with licensing as well as fines for violations
- This option would generally be responsive to citizen concerns about having a bylaw and a County-operated cat shelter/facility.

Potential Risks

- Initial start-up and construction costs are high.
- Ongoing annual operating costs may be significant, with some risk of annual increases.
- New types of violations/fines will be created, e.g., not having a cat licence.
- Achieving full compliance could be problematic, depending on citizen acceptance and understanding.

Option 2 - Partial Scope Implementation

This option would:

- Not have a licensing component or fines for violation
- It would not have any rules pertaining to the maximum number of cats

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- The Bylaw would have rules pertaining to stray, off-leash, abandoned and feral cats, granting authority to CPOs to capture and hold cats
- Construction of a new County facility to hold and maintain humane traps as well as cats pending transfer, to a local partner/adoption agency, or to a veterinarian for treatment/adoption or euthanasia
- Cats would be kept for a period of less than three days
- Facility and operations to meet provincial animal welfare standards with 1 full-time labourer for cleaning, feeding and maintenance of traps
- 1 CPO involved in bylaw enforcement, plus active involvement in capturing of stray/abandoned cats, return of claimed cats to owners, along with some minor maintenance of the facility
- 1 full-time Administration/Support staff to manage the seized cats, return of claimed cats to owners, case management, transfers, partnerships and fiscal concerns

Option 2 cost table

Line Item	Start-Up (first year)	Annual
Administration, bylaw enactment and establish operational aspects	\$50,000 (cat tags, legal service assistance)	N/A
CPO Salary and benefits	\$121,000	\$121,000
Vehicle and equipment	\$110,000	\$110,000
Administrative/support staff and benefit	\$64,000 (1 FTE)	\$64,000 (1 FTE)
Building/infrastructure	\$250,000 – \$500,000 (small facility), construction	\$10,000 (operating costs) capacity, e.g., 5 to 10 cats)
Facility labourer	\$60,000 (1 FTE)	\$60,000 (1 FTE)
Facility Operations (food, litter, traps, etc.)		
Cat Traps <ul style="list-style-type: none"> • purchase, repair, replace 	\$3,000 (initial purchase, 25 traps)	\$500 (regular cleaning, plus repair and/or replace 4 per year)
Veterinary Services <ul style="list-style-type: none"> • euthanasia 	\$120 x 100 cats/annually = \$12,000	\$120 x 100 cats/annually = \$12,000
Awareness Campaign	\$10,000 (communication material, pamphlets, newspaper ads, electronic boards, etc.)	\$2,000 (ongoing awareness/services campaign)
Total Cost	\$680,000 to \$930,000	\$379,500
Cost Recovery <ul style="list-style-type: none"> • trap rental fees • impoundment fees 	\$1,250 \$1,000	\$1,250 \$1,000
Total Recovery	\$2,250	\$2,250
Estimated Cost <i>(subject to correction and reassessment, these figures are broad estimates, with some line items based on current salary and labour costs)</i>	\$677,750 to \$927,750	\$377,250

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Anticipated Outcomes

- A Bylaw to give CPOs the required authority for seizure and management of stray cats.
- This option would address the majority of the concerns raised pertaining to stray cats, without a complex administrative process or citizen involvement.

Potential Risks

- Without a robust registration/licencing program, fewer cats will be returned to owners.
- There will need to be increased reliance on partnerships with local adoption/fostering agencies.
- There will be a higher rate of euthanization.

Option 3 - Bylaw Enactment and Enforcement, with Use of Contracted Service Provider (CSP)

Under this option there are two separate roles:

- County role
 - Full scope bylaw, addressing required licencing, fees, fines for violation, general rules and compliance, off-leash rules, traps, limit on number of cats per owner, etc.
 - County responsible for all enforcement and administration (including licencing), but not infrastructure
 - Cat Registry (for licencing records)
 - Contracted CPOs involved in bylaw enforcement
- Contract Service Provider role:
 - Will operate its own shelter/facility, with identified contract services provided to the County
 - Will be responsible for its own costs, e.g., facility staff and operations
 - Will administer the return of cats to their owner, adoption options, or euthanasia.
 - Contractor staff on request will capture and deliver stray/abandoned cats to a shelter facility
 - Contractor staff facility will receive delivered cats from residents directly

Option 3 cost table

COST OF CONTRACT with CONTRACT SERVICE PROVIDER (CSP)	Annual value of contracted services to the CSP is indeterminate, but might/could be based on a handling/drop-off charge, per cat. <ul style="list-style-type: none"> • 300 cats/year at \$400/cat = \$120,000 • 500 cats/year at \$400/cat = \$200,000 • 700 cats/year at \$400/cat = \$280,000 The \$400 fee could be inclusive of assistance with capture, plus delivery to the facility and subsequent handling and care of the cat, including adoption options and euthanasia.
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Anticipated Outcomes

- This option would generally be responsive to citizen concerns about having a bylaw and a County-based cat shelter/facility (privately-run, under contract to the County).

Potential Risks

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 Director(s): Wade Coombs, RCMP & Enforcement Services
 Associate Commissioner: Gord Johnston, Community Services
 Lead Department: RCMP and Enforcement Services

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- Finding a qualified contract service provider that meets all requirements may be a challenge. At the time of the report, there was no contractor available within the Edmonton Metropolitan Region able to provide a quote. As a result, the quoted prices originated from a contractor in Central Alberta.
- Ongoing annual costs for the Service Contract(s) may be subject to increases, in line with any negotiated or set contract terms.
- Citizen and County satisfaction levels with the Contractor need to be tracked, over time.
- Contract terms must allow for measures to ensure all services meet requirements, with an option to terminate the contract with notice.

In summary there is a risk of some citizen backlash if the County does not establish a cat bylaw. Based partly on e-mail history, citizen interactions with Councillors, and other anecdotal information, it is fair to say that a good number of residents would like to see a cat bylaw brought into force. For some, the status quo is not acceptable. It's possible though that the financial costs of any cat bylaw management program may be prohibitive or may be more costly or problematic than the status quo.

Council and Committee History

September 10, 2019	Counsellor Tonita put forth Motion 2019/248: THAT Administration provide a report, by the end of Q3 2020, on the implications of a cat bylaw that covers the urban service area of Sherwood Park, and includes: <ul style="list-style-type: none">• penalties for individuals found dumping cats in the rural areas;• information on the experiences of other municipalities in implementing such bylaws; and the costs associated with bringing forward a cat bylaw in Strathcona County. <i>The motion was carried.</i>
April 10, 2018	Mayor R. Frank put forth motion 2018/ 126 - Cat Bylaw: THAT Administration provide a report, by the end of Q3 2018, on the implications of a possible cat bylaw, the report to include information on the experiences of other municipalities in implementing such bylaws. <i>The motion was defeated, 5-4</i>

Other Impacts

Policy: N/A

Legislative/Legal: The Municipal Government Act, R.S.A. 2000 c. M-26 provides Councils with the authority to pass bylaws for municipal purposes.

Interdepartmental: RCMP and Enforcement Services and Legislative and Legal Services

Master Plan/Framework: N/A

Enclosure(s)

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| 1 | Strathcona County Report on Cat Bylaw Options and Implications |
| 2 | Presentation on Cat Bylaw Options and Implications |