

**CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY  
BY-LAWS RELATING TO DOGS AND CATS**

**The Municipal Manager of the City of Johannesburg Metropolitan Municipality hereby, in terms of section 13(a) of the Local Government : Municipal Systems Act, 2000 (Act No. 32 of 2000), publishes the Amendments to the By-laws relating to Dogs and Cats for the City of Johannesburg Metropolitan Municipality as approved by its Council, as set out hereunder.**

The By-laws relating to Dogs and Cats as published under Notice 1334 in Provincial Gazette No 135 dated 10 April 2006 are hereby amended as described below.

**AMENDMENTS TO SECTION 2**

1. (1) Section 2 is amended by the insertion after paragraph (g) of section 2(3) of the following paragraphs (h) and (i):
  - “ (h) is a tenant, occupant or in charge of premises of which he or she is not the owner, then such tenant, occupant or person in charge of premises -
    - (i) may not keep any dog on the premises if the owner of the premises has not given his or her written permission for a dog to be kept on the premises; or
    - (ii) may only keep the number of dogs as described in sub- section 1 or such lesser number to which the owner of the premises has given his or her written permission for such number of dogs to be kept on the premises;
  - (i) is the owner, tenant, occupant or in charge of premises that are part of a share block development in terms of the Share Blocks Control Act , 1980, or sectional title development in terms of the Sectional Titles Act, 1986, or township where a home owners association has the authority to determine whether animals

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may be kept on the premises, then such tenant, occupant or person in charge of premises –

- (i) may not keep any dog on the premises if the corporate body, home owners association or similar body that has authority to determine whether animals may be kept on the premises has not given its written permission for a dog to be kept on the premises; or
- (ii) may only keep the number of dogs as described in subsection 1 or such lesser number to which the corporate body, home owners association or similar body that has authority to determine whether animals may be kept on the premises has given its written permission for such number of dogs to be kept on the premises.”

### AMENDMENTS TO SECTION 3

- 2. Section 3(2) is amended by the insertion of the words: ”, must specify the number of additional dogs” after the words “subsection (1) must be in writing on a prescribed form”

### AMENDMENTS TO SECTION 9

- 3. (1) Section 9(2) and (3) are replaced by the following -
  - “(2) Subsection (1) comes into operation on 1 January 2010.
  - (3) Subsection (1) does not apply to any person who –
    - (a) is the holder of a permit issued in terms of section 9(4) read with section 3 to keep a greater number of cats;
    - (b) is the holder of a permit issued in terms of section 134 of the Public Health By-laws to keep a cattery;
    - (c) is the owner or manager or is in charge of, a pet shop and who has written proof that all the cats under the control of such owner or manager have been

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vaccinated against cat flu and feline respiratory diseases;

- (d) is the owner or manager of a veterinary clinic.”
- (e) is a tenant, occupant or in charge of premises of which he or she is not the owner, then such tenant, occupant or person in charge of premises -
  - (i) may not keep any cat on the premises if the owner of the premises has not given his or her written permission for a cat to be kept on the premises; or
  - (ii) may only keep the number of cats as described in sub-section 1 or such lesser number to which the owner of the premises has given his or her written permission for such number of cats to be kept on the premises;
- (f) is the owner, tenant, occupant or in charge of premises that are part of a share block development in terms of the Share Blocks Control Act, 1980, or sectional title development in terms of the Sectional Titles Act, 1986, or township where a home owners association has the authority to determine whether animals may be kept on the premises, then such tenant, occupant or person in charge of premises –
  - (i) may not keep any cat on the premises if the corporate body, home owners association or similar body that has authority to determine whether animals may be kept on the premises, has not given its written permission for a cat to be kept on the premises; or
  - (ii) may only keep the number of cats as described in sub-section 1 or such lesser number to which the corporate body, home owners association or similar body that has authority to determine whether animals

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may be kept on the premises has given its written permission for such number of cats to be kept on the premises.

- (2) Subsection (3) of section 9 is renumbered as subsection “(4)”.

### AMENDMENTS TO SECTION 12

4. Section 12(1)(g) and 12(2) to 12(5) are replaced with the following -

- “(2) Any person referred to in (1) above may only take into custody a dog referred to in section 5 or sub-section (1)(a) to (f) above if he/she has given the owner or person in control of the premises where the dog is kept (if the dog is kept on premises) such reasonable notice as the circumstances allow (if any)
- (a) of his/her intention to take the dog into custody and of the reason therefor;
- (b) of the owner’s right to object and to appeal to the municipal manager of the City of Johannesburg against the decision to take the dog into custody.
- (3) Any dog kept in contravention of the provisions of section 2 may be taken into custody after consultation with the owner.
- (4) Any person referred to in (1) above may enter any premises into which the dog enters in an effort to escape being taken into custody.
- (5) Any person may on premises of which he or she is the owner or occupier, take into custody any dog found trespassing thereon or therein for the purpose of having it impounded.
- (6) Notwithstanding the provisions of sub-sections (1) and (4), no person may take any dog into custody for the purpose of having it impounded if there are reasonable grounds to believe that the dog is a female dog

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with unweaned young, unless such dog and unweaned young are taken into custody together.

- (7) Any person who has taken a dog into custody in terms of this section –
- (a) must ensure that the dog is not ill-treated; and
  - (b) may, when the pound is closed, keep the dog in his or her custody until the pound re-opens; and
  - (c) must, insofar as the circumstances allow, give the owner notice of the fact that the dog has been impounded and of the address where the dog will be kept.
- (8) No person may free any dog which has been taken into custody, or is being kept in custody in terms of this section or which has been impounded in terms of section 11.”

### AMENDMENTS TO SECTION 13

5. (1) Section 13(1) is hereby amended by –
- (a) placing the words at the end of the section: “is kept in contravention of section 9.” into a new sub-paragraph (a); and
  - (b) inserting the following sub-paragraphs (b) to (d):
    - “(b)is at large and apparently ownerless;
    - (c) suffers from an infectious or contagious disease;
    - (d)overturns, damages or tears any refuse receptacle or refuse bag.”
- (2) Subsection (2) of section 13 is replaced by the following subsections (2) to (8) –

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- (2) Any person referred to in (1) above may only take into custody a cat referred to in sub-section (1)(a) to (d) above if he/she has given the owner or person in control of the premises where the cat is kept (if the cat is kept on premises) such reasonable notice as the circumstances allow (if any)
- (a) of his/her intention to take the cat into custody and of the reason therefor;
  - (b) of the owner's right to object and to appeal to the municipal manager of the City of Johannesburg against the decision to take the cat into custody.
- (3) Any cat kept in contravention of the provisions of section 9 may be taken into custody after consultation with the owner.
- (4) Any person referred to in sub-section (1) above may enter any premises into which the cat enters in an effort to escape being taken into custody.
- (5) Any person may on premises of which he or she is the owner or occupier, take into custody any cat found trespassing thereon or therein for the purpose of having it impounded.
- (6) Notwithstanding the provisions of sub-sections (1) and (4), no person may take any cat into custody for the purpose of having it impounded if there are reasonable grounds to believe that the cat is a female cat with unweaned young, unless such cat and unweaned young are taken into custody together.
- (7) Any person who has taken a cat into custody in terms of this section –
- (a) must ensure that the cat is not ill-treated; and
  - (b) may, when the pound is closed, keep the cat in his or her custody until the pound re-opens; and

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- (c) must, insofar as the circumstances allow, give the owner notice of the fact that the cat has been impounded and of the address where the cat will be kept.
- (8) No person may free any cat which has been taken into custody, or is being kept in custody in terms of this section or which has been impounded in terms of section 11.”

### AMENDMENTS TO SECTION 15

6. Section 15(1) is hereby replaced by the following –

- 15. (1) Whenever a dog or cat that has been impounded by the poundmaster has not been claimed within seven days after impoundment and, if the address of the owner is known, after service of a written notice to the owner, the poundmaster must sell or deal with the animal in his or her discretion, provided that the poundmaster may destroy the animal, irrespective of the condition of the animal, if the animal cannot be disposed of otherwise.

### NEW SECTION 17

7. The following new section 17 is hereby inserted, the existing sections 17 to 20 are consecutively renumbered from 18 to 21 and the Index to the By-laws is amended accordingly:

#### “DUTIES OF OWNER

- 17. Any owner who keeps a dog or cat must-
  - (a) maintain the premises on which the dog or cat is kept and shelters, utensils  
and bedding in a clean and sanitary condition free of grime, waste,  
and  
pests;

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- (b) remove all faeces and other waste matter from the premises at least once every 24 hours and place it in an approved receptacles;
- (c) maintain the premises or any part thereof, including any shelter and bedding, free from offensive odours;
- (d) de- worm, de- flea and de- tick any dog and/ or cat when required;
- (e) ensure that no dog or cat disturbs the comfort, convenience, peace and quiet of the public.

CITY MANAGER  
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METROPOLITAN CENTRE  
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