



# THE CORPORATION OF THE MUNICIPALITY OF RED LAKE

By-Law No. 41-2015

## A BY-LAW TO PROHIBIT THE FEEDING OF WILDLIFE WITHIN THE BOUNDARIES OF THE MUNICIPALITY OF RED LAKE

**WHEREAS** pursuant to Section 10(2)(9) of the Municipal Act, 2001, S.O. 2001, c. 25 a single tier municipality may pass by-laws respecting animals;

**WHEREAS** pursuant to Section 128(1) of the Municipal Act, 2001, S.O. 2001, c. 25 a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

**NOW THEREFORE** the Council of The Corporation of the Municipality of Red Lake **HEREBY ENACTS AS FOLLOWS:**

### 1. Definitions

- 1.1 "Attractant" shall include any substance which could be reasonably expected to attract wildlife or other animals or does attract wildlife or other animals, including, but not limited to: food products, garbage, pet food, grain, salt, pellets, pet feces, or fallen fruit.
- 1.2 "Container" shall mean a receptacle manufactured for or adapted for the use of the collection of garbage.
- 1.3 "Device" shall include, but is not limited to: feeding stands, salt and mineral blocks.
- 1.4 "Feed" or "Feeding" shall mean the deliberate act of furnishing, or otherwise making available, food or other substances which is likely to be consumed by wildlife.
- 1.5 "Garbage" shall mean all animal, mineral and vegetable matter in any form or state abandoned, discarded or thrown out by any person or generated from a property or dwelling.
- 1.6 "Licensed Wild Life Custodian" shall mean a person who is the legal owner of a wild animal of which is kept under a valid certificate or permit and is in compliance with any municipal, provincial or federal permitting requirements.
- 1.7 "Natural" shall mean food or other substances consumed by wildlife produced by, or existing in nature, not artificial.
- 1.8 "Nuisance Birds" shall include birds which are wild by nature and are normally viewed as unwanted visitors including ravens, crows and seagulls.
- 1.9 "Peace Officer" shall include any Police Officer, By-Law Enforcement Officer or Conservation Officer.
- 1.10 "Wildlife" shall include:
  - a) any animal which is wild by nature and not normally domesticated in Ontario.
  - b) Nuisance birds and mammals other than domestic pets including, but not limited to: coyotes, wolves, deer, bears and foxes.

### 2. Prohibited Feeding

- 2.1 No person within the Municipality of Red Lake shall intentionally feed, cause to be fed or provide or make available food attractants or other substances for the consumption by wildlife within the boundaries of the Municipality of Red Lake.
- 2.2 No person shall place or allow any device or other material to be placed outdoors for the purpose of attracting or feeding wildlife.

- 2.3 Every person shall compost in a manner that avoids odours.
- 2.4 No person shall accumulate, store or collect any attractant in such a manner as to promote an increase in wildlife activity.
- 2.5 Every person shall take remedial action to avoid contact or conflict with wildlife after being advised by any Peace Officer that such action is necessary. Remedial action may include, but not be limited to: removal of attractants and items such as barbeques and devices.
- 2.6 Any person disposing of garbage shall place the waste in a container or in a building between collection days.
- 2.7 Persons responsible for a special event shall collect garbage from the grounds of the event at the close of each day.

**3. Exemptions**

- 3.1 This by-law shall not apply to any natural product that is growing on a particular land where feeding of wildlife is occurring.
- 3.2 Licensed Wild Life Custodian.
- 3.3 Bird feeders.
- 3.4 Licensed trappers, bear management area operators, wild game farms and wildlife or animal control officers for work or business purposes.

**4. Enforcement**

- 4.1 Any person who contravenes any of the provisions of this by-law is guilty of an offense and is liable upon conviction to a penalty as authorized by the Provincial Offences Act.

**5. Short Title**

- 5.1 This By-Law may be cited as the Municipality of Red Lake's "Feeding of Wildlife By-Law".

**6. Effective Date**

- 6.1 By-Law No. 255-03 shall be repealed on the date the Ministry of the Attorney General approves the Set Fines under By-Law No. 41-2015.
- 6.2 This By-Law shall come into force and effect on the date the Ministry of the Attorney General approves the Set Fines under By-Law No. 41-2015.

**READ a FIRST and SECOND TIME** this 22<sup>nd</sup> day of June, 2015.

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Phil T. Vinet, Mayor

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Shelly L. Kocis, Clerk

**READ a THIRD TIME and FINALLY PASSED** this 22<sup>nd</sup> day of June, 2015.

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Phil T. Vinet, Mayor

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Shelly L. Kocis, Clerk

**SET FINES**

**“PART 1 PROVINCIAL OFFENCES ACT”**

**THE CORPORATION OF THE MUNICIPALITY OF RED LAKE**

**FEEDING OF WILDLIFE BY-LAW NO. 41-2015**

<b>ITEM #</b>	<b>COLUMN 1 (Short form wording)</b>	<b>COLUMN 2 (Provision creating or defining offence)</b>	<b>COLUMN 3 (SET FINES)</b>
<b>1.</b>	Intentional feeding of wildlife.	Section 2.1	\$300.00
<b>2.</b>	Intentionally make available food attractants or other substances for consumption by wildlife.	Section 2.1	\$300.00
<b>3.</b>	Place or allow to be placed any device or material outdoors to attract or feed wildlife.	Section 2.2	\$200.00
<b>4.</b>	Fail to maintain compost in manner that avoids odours.	Section 2.3	\$200.00
<b>5.</b>	Accumulate (store)(collect) attractant to promote increase in wildlife activity.	Section 2.4	\$300.00
<b>6.</b>	Fail to take remedial action to avoid contact or conflict with wildlife.	Section 2.5	\$300.00
<b>7.</b>	Fail to place waste in container or building between collection days.	Section 2.6	\$300.00
<b>8.</b>	Fail to collect garbage from grounds of event at the close of each day.	Section 2.7	\$200.00

“NOTE: the general penalty provision for the offences listed above is Section 4.1 of By-Law No. 41-2015 a certified copy of which has been filed and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.”