

defeated

THE CORPORATION OF THE TOWNSHIP OF PRINCE

By-Law No. 2014-44

Being a by-law to amend By-Law 2013-24, being a by-law prohibit attracting dangerous wildlife

WHEREAS subsection 10(2)6 of the Municipal Act, 2001, S.O. 2001, c. 25 gives the Township of Prince the authority to pass by-laws respecting the health, safety and well being of persons; and

WHEREAS subsection 10(2)9 of the Municipal Act, 2001, S.O. 2001, c. 25 gives the Township of Prince the authority to pass by-laws respecting animals; and

WHEREAS wildlife can become a hazard to the safety of humans and domestic animals and that the intentional human feeding of wildlife causes an escalation in the threat to public health, safety and well being of the residents of the Township of Prince;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Prince enacts as follows:

1. DEFINITIONS AND GENERAL PROHIBITIONS

1.1 For the purpose of this section the following meanings shall apply:

“attractant” means any substance which could be reasonably expected to attract a wild animal or animals or does attract wild animals, strays, feral or abandoned animals.

“feed or feeding” means the deliberate act of furnishing, or making food or other substances available which is likely to be consumed by wild animals, strays, feral or abandoned animals.

“wild animal” means all mammals other than domestic animals or animals raised for agricultural purposes.

1.2 No person shall intentionally feed a wild animal, feral or stray domestic animal on private or public property.

1.3 No person shall leave food or attractants of any type or in any form out of doors in such a manner as to attract, or be accessible by a wild animal, feral or stray domestic animal on private or public property.

1.4 All persons shall remove any animal attractants once directed to do so by a Municipal Bylaw Enforcement Officer, Provincial Offences Officer, Police Officer or any duly appointed individual.

1.5 Sections 1.2 and 1.3 do not apply to the feeding of song birds on a property, provided the following feeding requirements are met by the owner or occupier:

- (a) Seed is placed in a bird feeding device that is sufficiently above grade so as not to attract or be accessible by wild animals; and
- (b) Bird feeding practices do not attract large flock of homing birds such as wild, feral or domestic pigeons; and
- (c) Spillage of seed upon the ground is removed by the property owner or occupier forthwith and disposed of in a manner that it does not attract wild animals, feral or stray domestic animals.

1.6 Sections 1.2 and 1.3 do not apply to the feeding of squirrels and chipmunks on a property provided the following requirements are met by the owner or occupier:

- (a) Feed is placed in a feeding device that is sufficiently above grade so as not to attract or be accessible by wild animals; and
- (b) Feeding practices of squirrels and chipmunks does not attract wild animals, feral or stray domestic animals; and
- (c) Spillage of feed upon the ground is removed by the property owner or occupier forthwith and disposed of in a manner that it does not attract wild animals, feral or stray domestic animals.

1.7 Sections 1.2 and 1.3 do not apply in the following situations:

- (a) the leaving of food as bait in a trap by a property owner to capture a nuisance animal inhabiting or habituating their property pursuant to the Fish and Wildlife Conservation Act, 1997, S.O. 1997, c. 41.
- (b) the leaving of food as bait by a licensed trapper, and employee of a licensed wildlife or pest control agency, a Municipal Law Enforcement Officer, an Ontario Society for the Prevention of Cruelty to Animals Inspector or a City of Sault Ste. Marie Police Officer or Ontario Provincial Police Officer, in the performance of their work.
- (c) the leaving of food as bait for the purpose of legal hunting providing all other by-laws are adhered to.
- (d) the leaving of food to care for a wild animal placed in the foster care of a property owner, as requested by a local authority (eg. Humane Society, local zoo, police, etc.), or in similar exceptional circumstances.

2. ENFORCEMENT

- 2.1 A Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer, or other duly appointed individual shall enforce the provisions of this by-law.
- 2.2 No person shall obstruct, hinder, or otherwise interfere with a Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer or other duly appointed individual in the lawful carrying out of their duties and responsibilities under the provisions of this by-law.

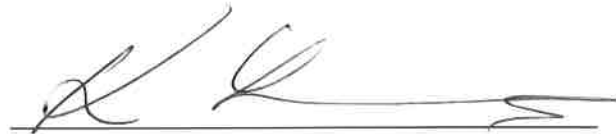
3. PENALTIES

- 3.1 Every person who contravenes any provision of this by-law is guilty of an offence and liable on conviction to a penalty as approved under the Provincial Offences Act, R.S.O 1990, c P.33, as amended.

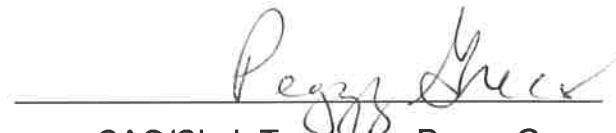
4. FORCE AND EFFECT

- 4.1 THAT this By-law shall come into force and take effect immediately upon passing.

READ three times and passed this 14th day of October, 2014.



Reeve, Ken Lamming



CAO/Clerk-Treasurer, Peggy Greco