

THE CORPORATION OF THE TOWNSHIP OF PRINCE

By-Law No. 2015-07

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 that can either reasonably be expected to attract wildlife, or actually does attract wildlife. The term includes but is not limited to: food, food products, pet food, feed, pellets, vegetables, grain, fruit, salt, corn, bait and similar substances. The terms “attract” and “attracting” have corresponding meanings. The term excludes the following:

- i. Vegetables located in vegetable gardens, greenhouses, or pots;
- ii. Flowers in flower gardens, beds, or pots;
- iii. Landscaped lawns;
- iv. Landscaping vegetation (such as cedar hedges);
- v. Fruit on fruit trees, whether naturally occurring or planted; and
- vi. Compost stations.

“feed or feeding” means the act of giving, exposing, depositing, distributing, scattering or making available any material that has the effect of feeding, attracting or enticing to eat.

“Prince Township” means the geographic area under the jurisdiction of the Corporation of the Township of Prince.

“wildlife” means any non-domesticated animals, including but not limited to: foxes, coyotes, raccoons, deer, bears, cougars and wolves.

1.2 No person shall feed any wildlife on private or public property within Prince Township.

1.3 No person shall leave feed or attractants of any type or in any form out of doors in such a manner as to attract, or be accessible by wildlife on private or public property within Prince Township.

1.4 All persons shall remove any 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 wildlife.

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 wildlife; and
- (b) Feeding practices of squirrels and chipmunks does not attract wildlife; 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 wildlife.

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

- (a) any feeding or harbouring of livestock on a farm that has the indirect effect of attracting wildlife;
- (b) the growing of crops on a farm;
- (c) vegetables located in vegetable gardens, greenhouses or pots;
- (d) the planting or existence of fruit trees on property;
- (e) the leaving of feed 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.
- (f) the leaving of feed 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.
- (g) the leaving of feed as bait for the purpose of legal hunting providing all other by-laws are adhered to.

(h) the leaving of feed 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 10th day of February, 2015.



Reeve, Ken Lamming



CAO/Clerk-Treasurer, Peggy Greco