

Resort Village of Candle Lake

Bylaw 14 of 2017

A Bylaw Respecting Wild Animal Care and Control

A BYLAW TO BE ALSO KNOWN AS THE FEEDING OF WILDLIFE BYLAW

The Council of the Resort Village of Candle Lake in the Province of Saskatchewan enacts as follows:

INTERPRETATION:

1. In this Bylaw:

- a. **Appropriate Disposal Site** means the Resort Village of Candle Lake Landfill Site or containers set up by the RVCL for garbage collection purposes.
- b. **Approved Wildlife Resistant Container** means a fully enclosed container sufficient in design to prevent access by wildlife.
- c. **Administrator** means the administrator of the Resort Village of Candle Lake as defined in *The Municipalities Act* for the Province of Saskatchewan;
- d. **Deer** means any member of the family *Cervidae*.
- e. **Enforcement Officer** means any member of the Royal Mounted Police, Bylaw Enforcement Officer, Saskatchewan Conservation Officer, or any other person appointed by Council to enforce this bylaw pursuant to S. 373 of *The Municipalities Act*.
- f. **Feed** means providing, leaving or placing in, on or about land or premises food, food waste or any other substance with the intention that wildlife be attracted to the land or premises or with the intention that such be eaten by wildlife.
- g. **Occupant** means a tenant or guest of an invitee to premises in or on a parcel of land.
- h. **Parcel** means any lot, block or other area in which land is held or into which it is subdivided, but does not mean a highway.
- i. **Refuse** will include all substances and materials that are an attractant to wildlife.

- j. **Wildlife** shall include any mammal that is not normally domesticated, including but not limited to bear, coyotes, deer, elk, foxes, lynx, mountain lions, raccoons and skunks, moose, wolves.
- k. **Wildlife attractants** means a substance which could or does attract dangerous wildlife and includes but is not limited to:
 - i) Coolers;
 - ii) Food;
 - iii) Garbage or wrappings;
 - iv) Dishes or pots;
 - v) Bottles or cans;
 - vi) Any items associated with food preparation or dishwashing;
 - vii) Containers of any items listed in subclauses (i) to (vii);
 - viii) Salt;
 - ix) Fish or animal carcasses.

l. **Resort Village** means the Resort Village of Candle Lake (RVCL);

2. PROHIBITION AGAINST FEEDING DEER:

2.1 No person shall feed or attempt to feed deer within the Resort Village of Candle Lake, either directly or by leaving or placing in, on or about land or premises, food or any other wildlife attractants that is or is likely to be attractive to deer for the purpose of feeding deer, other than under the authority of a permit issued by the Ministry of Environment.

2.2 For certainty, the prohibition of Section 2.1 does not apply in relation to:

- a) Farm operations;
- b) Fruit and vegetable gardening for human consumption; or
- c) Ornamental plants and flowers

3. DISPOSAL OF DOMESTIC REFUSE:

3.1 No person shall place domestic refuse in any other than one of the following:

- a) A building, house or garage that is inaccessible to wildlife;
- b) An approved wildlife resistant container; or
- c) Deposited at an appropriate disposal site.

3.2 No person shall, if possible, place out for collection residential garbage before the morning of scheduled pick up in bear season, between April 1 to November 1.

3.3 No person shall place out for collection residential garbage after a weekend unless it is the day prior to scheduled pick up in bear season, between April 1 and November 1. Garbage must be transported to the appropriate disposal site prior to leaving the municipality.

4. WILDLIFE ATTRACTANTS:

4.1 No person shall store, handle or dispose of wildlife attractants in such a way that they are accessible to wildlife.

4.2 No person shall feed or attempt to feed wildlife, or deposit wildlife attractants in a place or manner that attracts wildlife.

4.3 No person shall place or allow a bird feeder on a parcel so that the birdfeeder is accessible to wildlife. Every person who occupies a parcel must keep the area below a feeder free of the accumulation of seeds and debris from the feeder.

4.4 No owner or occupant of a parcel shall permit or allow fruit from a tree or bush on a parcel to accumulate on the tree, bush or ground such that it attracts or is likely to attract wildlife.

5. PROVISIONS TO MINIMIZE WILDLIFE/HUMAN CONFLICTS:

5.1 No person shall fail to take remedial action to avoid contact or conflict with bears or other wildlife after being advised by an Enforcement Officer that such action is necessary. Remedial action may include, but not limited to: removal of any items associated with food preparation, pet food, bird feeders or any other wildlife attractants.

5.2 Further, after an initial contact or conflict with a bear or wildlife, no person shall continue to provide, or otherwise fail to secure or remove, any likely food source or wildlife attractant, including but not limited to items associated with food preparation, pet food or bird feeders.

6. ENFORCEMENT:

6.1 an Enforcement Officer may prescribe any form, notice, ticket or other administrative matter required pursuant to this bylaw.

6.2 Where an Enforcement officer believes that, as a result of a breach of this bylaw, a deer, bear or other wildlife is located on or near the property and has endangered or harmed a person or domestic animal, or presents an imminent threat to the safety of a person, the officer may take steps to prevent, avert, reduce or mitigate harm or threat or

provide assistance. In doing so, the officer may seek the assistance of a conservation officer, a police officer or other authorized person as may be reasonable or necessary in the circumstances.

7. OFFENCE AND PENALTY:

7.1 Any person who contravenes or violates any portion of this bylaw, fails or omits to do anything required under this bylaw, or who permits, suffers or allows any act or thing to be done or omitted to be done in contravention or violation of this bylaw, commits an offence: and where the offence is a continuing one, each day that offence is continued shall be a separate offence.

7.2 Upon being convicted of an offence under this bylaw, a person shall be liable to:

- a) a minimum fine of not less than \$100.
- b) a maximum fine of up to \$10,000
- c) In the case of a continuing offence, for each day that the offence continues either or both of:
 - i) A minimum fine under paragraph 7.2 a); or
 - ii) A maximum fine under paragraph 7.2 b).

8. COMMENCEMENT AND SEVERABILITY:

8.1 This bylaw shall come into full force and take effect on the date of receiving approval of the Council of the Resort Village of Candle Lake.

8.2 If any section or lesser portion of this Bylaw is held to be invalid by a Court, the invalid portion shall be severed without affecting the validity of the remaining portions of this bylaw.

Introduced and read for a first time this day of , 2018.

Read for a second time this day of , 2018.

Read for a third time and passed this day of , 2018.

Mayor

C.A.O.

SEAL