

BY-LAW NO. 66

A BYLAW TO PROHIBIT THE FEEDING OF WILDLIFE IN THE TOWN OF LUNENBURG

Definitions

1. In this Bylaw:
 - (a) “Town” means the Town of Lunenburg.
 - (b) “wildlife” means vertebrates that in their natural habitat are usually wild by nature and includes
 - (i) domestic organisms that are physically similar to their wild counterparts,
 - (ii) exotic wildlife,
 - (iii) hybrid descendants of wildlife or of wildlife and a domestic organism,
 - (iv) the eggs, sperm or embryos of wildlife, and
 - (v) any other organism designated as wildlife by the Governor in Council in accordance with the Wildlife Act R.S. c. 504 and the regulations thereunderbut does not include wild birds.

Prohibition

- 2.1 No person other than an authorized Provincial or Town employee acting in the performance of their duties, or a person acting under their direction, shall provide wildlife with food either directly or by leaving or placing in, on, or about any land or premises located within the Town of Lunenburg food, food waste, or any other material for the purpose of feeding wildlife.
- 2.2 For certainty, the prohibition in Section 2.1 does not apply in relation to:
 - (a) Farm operations operating with a valid Town permit pursuant to the Town’s Land Use Bylaw and any other applicable legislation which has the indirect and unintended effect of attracting wildlife;
 - (b) fruit or vegetable gardening for human consumption;
 - (c) ornamental plants and flowers; or
 - (d) the use of bait during legal hunting periods only within Town limits as permitted by Provincial legislation.
- 2.3 The feeding of wild birds in Town shall be conducted in a manner that does not create a public nuisance.
- 3.1 Any person who contravenes or violates any provision 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. Where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

3.2 A person who commits an offence under this Bylaw is liable upon conviction to a fine of not less than \$50. and not more than \$1,000. payable to the Town of Lunenburg.

General

- 4. In this Bylaw the singular includes the plural and the masculine includes the feminine gender.
- 5. The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.
- 6. If any portion of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.
- 7. This Bylaw shall come into force and take effect from and after the date of the final passing and publication thereof.

Repeal

- 8. The Bylaw to Prohibit the Feeding of Wildlife in the Town of Lunenburg passed by Council on September 13, 2016 is hereby repealed.

Clerk's Annotation For Official By-Law Book regarding Revised By-law #66,

A BYLAW TO PROHIBIT THE FEEDING OF WILDLIFE IN THE TOWN OF LUNENBURG

Date of first reading: December 13, 2016

Date of advertisement of Notice of Intent to Consider: January 4 and 11, 2017

Date of second reading: January 24, 2017

Date of advertisement of passage of By-Law: February 8, 2017

Date of mailing to Minister a certified copy of the By-Law: February 21, 2017

I certify that By-Law #66, A By-law to Prohibit the Feeding of Wildlife in the Town of Lunenburg, was adopted by Council and published as indicated above.

Bea Renton
Clerk

Date