

**THE CORPORATION OF
THE TOWNSHIP OF THE ARCHIPELAGO
BY-LAW NO. 12- 31**

BEING a By-law to prohibit the feeding of bears within the geographic boundaries of the Township of The Archipelago

WHEREAS the *Municipal Act, 2001, S.O. 2001, c.25* gives a municipality the following authorities under Part II;

- i) Subsection 10 (2) 6 to pass by-laws respecting the health, safety and well being of persons; and
- ii) Subsection 10 (2) 9 to pass by-laws respecting animals;

AND WHEREAS the Township contains a substantial population of bears, some of which wander in areas of human habitation;

AND WHEREAS bears can become both a nuisance and hazard to the safety of humans and domestic animals;

AND WHEREAS the intentional artificial feeding of bears by humans causes an escalation in the threat to the public health, safety and well being of the residents of the Township of The Archipelago;

NOW THEREFORE BE IT ENACTED AS A BY-LAW of the Council of the Corporation of the Township of The Archipelago as follows:

1. SHORT TITLE

This By-law shall be known as the Prohibition of Feeding Bears By-law.

2. SCOPE

This By-law shall apply to all the land within the geographic limits of the Township of The Archipelago.

3. DEFINITIONS

As used in this By-law, the following terms shall have meanings indicated:

- i) **Attractant:** includes any substance that could reasonably be expected to attract bears, other wildlife or domestic animals, including but not limited to food products, refuse, pet food, pellets, feed, fruit, grain, salt or vegetables.
- ii) **Bear:** a black bear (*Ursus americanus*).
- iii) **Bear resistant container:** a fully enclosed container with a metal lid which can be completely closed with a latching mechanism that prevents access by bears.
- iv) **Bear resistant enclosure:** a structure with four enclosed sides, roof, doors and a latching device of sufficient design and strength to prevent access by bears.

- v) Feed: to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing bears or other wildlife, but does not include baiting during legal bear hunting activities.
- vi) Grease Barrel: any container used to store usable or unusable cooking oil or grease.
- vii) Refuse: includes all substances and materials which are an attractant to bears.
- viii) Wildlife: includes any animal which is wild by nature and not normally domesticated in Ontario.

4. PROHIBITION OF FEEDING AND ATTRACTING BEARS

- i) No person shall feed a bear by knowingly or willingly storing or in any manner providing a bear access to food. (The exception to this is when done as baiting during legal bear hunting activities.)
- ii) No person shall intentionally place or store an attractant outdoors for the purpose of attracting and/or feeding bears. No person shall recklessly place or store an attractant outdoors which a reasonable person would know would attract a bear. (The exception to this is when done as baiting during legal bear hunting activities).

No person shall keep a grease barrel except in a bear resistant container or enclosure.
- iii) Owners of a bear resistant container or enclosure shall keep it closed, clean and secure when waste is not being deposited and if the container becomes damaged, shall repair it in a timely fashion.

5. AUTHORITY

The enforcement of this By-law shall be assigned to those employees or contract workers that have been designated by Council as By-law Enforcement Officers.

6. PENALTY

Every person who contravenes any provision of this By-law is guilty of an offence and shall upon conviction thereof forfeit and pay a penalty of not more than Five Thousand Dollars (\$5,000.00) exclusive of costs, and every such fine is recoverable under the *Provincial Offences Act, 1990, cP33, s.61*, as amended.

- 7. This By-law shall come into force and take effect on the day of the final passing thereof.

READ and FINALLY PASSED in OPEN COUNCIL this 20th day of July, 2012.


REEVE


CHIEF ADMINISTRATIVE OFFICER/CLERK

