

THE CORPORATION OF THE TOWN OF GORE BAY

BY-LAW NO. 2005-17

**BEING A BY-LAW TO PROHIBIT THE FEEDING OF DEER
WITHIN THE BOUNDARIES OF THE TOWN OF GORE BAY**

WHEREAS citizens in the Town of Gore Bay have expressed concern that the feeding of deer contributes to the destruction of private property, increases the potential for car/deer accidents, and the increased potential for contact with deer ticks that could result in contracting Lyme Disease;

AND WHEREAS Council deems the feeding of deer to cause a threat to public health, safety and welfare to the inhabitants of Gore Bay;

AND WHEREAS, Section 11(1) of The Municipal Act grants authority to a single tier municipality to pass by-laws respecting matters within a sphere of jurisdiction entitled "Animals";

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF GORE BAY ENACTS AS FOLLOWS:

1. Definitions

The following words, terms and phrases when used within this by-law, shall have the meanings described to them in this section, except where the context clearly indicates a different meaning:

- a) "Deer" means a white tailed deer, common north american species of deer, either male or female
- b) "Feed" or "Feeding" means the intentional act of furnishing, or otherwise making available, food or other substance which is likely to be consumed by deer.
- c) "Natural" means food or other substances consumed by deer produced by, or existing in nature, not artificial.

2. Prohibition of Feeding

- a) No Owner or occupier of land within the Town of Gore Bay shall intentionally feed, cause to be fed or provide or make available food or other substances for the consumption by deer within the boundaries of the Town of Gore Bay, either on private property or on public property;
- b) No Owner or occupier of land may place or allow any device or any fruit, grain, mineral, plant, salt, vegetable, pellets, or other material to be placed outdoors on any public or private property for the purpose of attracting or feeding deer;
- c) Each property owner or occupier shall have the duty to remove any materials placed on the owner's or occupier's property in violation of this by-law;
- d) Each property owner or occupier shall have the duty to remove any device placed on the owner's or occupier's property to which deer are attracted or from which deer actually feed.
Alternatively, a property owner or occupier may modify such a device or make other changes to the property that prevent deer from having access to or feeding from the device. Failure to remove such a device or to make such modifications within twenty-four (24) hours after notice is given by the Town of Gore Bay shall constitute a separate violation of this by-law.

3. Exemptions

- a) This by-law shall not apply to any natural product that is growing on a particular land owned or occupied where feeding of deer is occurring.

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ITEM #	SHORT FORM WORDING	OFFENCE CREATING PROVISION OR DEFINING OFFENCE	SET FINE
1.	Intentional Feeding of Deer	Section 2(a)	\$500.00
2.	Place or allow any device or material to attract deer	Section 2(b)	\$500.00
3.	Failure to remove materials	Section 2(c)	\$500.00
4.	Failure to modify or remove device	Section 2(d)	\$500.00

The penalty provision for the offences indicated above is Section 4 of By-law No. 2005-17, a certified copy of which has been filed.