

TOWN OF GIBSONS



**Wildlife Attractant
BYLAW No. 1294, 2021**

Adopted: JULY 20th, 2021

TOWN OF GIBSONS

Bylaw No. 1294, 2021

A Bylaw to establish a Wildlife Attractant Bylaw in the Town of Gibsons

WHEREAS Council for the Town of Gibsons desires to prevent bears and other wildlife from accessing food sources under the control of human activity.

THEREFORE, the Municipal Council of the Town of Gibsons, in open meeting assembled, enacts as follows:

SECTION 1 GENERAL PROVISIONS

1.1 SHORT TITLE

This Bylaw may be cited for all purposes as " Wildlife Attractant Bylaw No.1294, 2021".

SECTION 2 DEFINITIONS

2.1 DEFINITIONS

In this Bylaw;

“DANGEROUS WILDLIFE” means a bear, cougar, coyote or wolf as any animal prescribed as such under the BC Wildlife Act.

“REFUSE” means any discarded or abandoned food, substance, material, or object, whether from domestic/household, commercial, industrial, institutional or other use.

“SPECIAL EVENT” means a temporary, outdoor gathering or concert; a sporting event; a wedding; or a convention, parade, public display, festival or similar gathering.

“WILDLIFE” means dangerous wildlife, raccoons, members of the family Cervidae (deer), birds and rodents.

“WILDLIFE ATTRACTANT” means any substance or material, with or without an odour, that attracts or is likely to attract wildlife, including food or other edible products—whether intended for humans, animals or birds—grease and compost other than grass clippings, leaves or branches.

“WILDLIFE RESISTANT CONTAINER” means a fully enclosed waterproof container with a lid and a latching device of sufficient design and strength to prevent access by dangerous wildlife, rodents, racoons, birds and other pests.

“WILDLIFE RESISTANT ENCLOSURE” means a structure which has four enclosed sides, a roof, doors, and a latching device of sufficient design and strength to prevent access by dangerous wildlife.

SECTION 3 GENERAL REGULATIONS

- 3.1 Except as permitted in this bylaw, a person must not cause or allow any refuse that is a wildlife attractant to be stored, deposited or placed on any parcel or highway within the Town in such a manner that it is accessible to wildlife.
- 3.2 A person must not store, deposit or place outdoors any refuse that is a wildlife attractant except in a wildlife resistant container or enclosure in accordance with Garbage and Organics Collection and Disposal Bylaw No. 1252, 2018.
- 3.3 any person responsible for a site that is used for active construction, a special event, a catered event or filming is exempt from sections 3.1 and 3.2 but must ensure that any wildlife attractants are disposed of in a designated wildlife resistant container or wildlife resistant enclosure at the end of the event each day.
- 3.4 A person must not feed wildlife, except for birds away from roadways and sidewalks.
- 3.5 Every owner or occupier of real property must ensure that:
 - 3.5.1 any fruit or nuts from a tree, bush or shrub on a parcel is maintained and stored in such a manner so as not to attract wildlife;
 - 3.5.2 any bird feeder containing bird feed, suet or nectar is suspended on a cable or other device in such a manner that it is inaccessible to wildlife, other than birds., and the area below any bird feeding devices or activity is kept free of accumulated of seeds and similar Wildlife Attractants;
 - 3.5.3 any composting activity is carried out and any composting device or equipment is maintained in such a manner so as not to attract wildlife;
 - 3.5.4 barbecue equipment and tools that remain out of doors must be clean and free of residual food or grease;
 - 3.5.5 no refrigerator, freezer, storage container or similar appliance, device or apparatus that contains wildlife attractants of any type shall be located outside;
 - 3.5.6 any grease or petroleum product is stored in such a manner that it is inaccessible to wildlife;
 - 3.5.7 No poultry or beehives are to be kept on the property as per Zoning Bylaw 1065;
 - 3.5.8 Any home delivery items that are left outdoors are stored in such a manner so as to not attract wildlife.

SECTION 4 RIGHT OF ENTRY

4.1 A Bylaw Enforcement Officer or any Town employee may enter onto a property or premises at a reasonable time and a reasonable manner to ascertain whether the provisions of this Bylaw are being observed.

SECTION 5 PENALTY

5.1 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a section of this bylaw commits an offence and each day a violation continues or is allowed to continue constitutes a separate offence.

5.2 Every person who commits an offence under this bylaw is liable on summary conviction to a fine not exceeding the maximum allowed by the Offence act.

5.3 Every person who commits an offence under this bylaw shall be liable for fines and penalties established in the Town of Gibsons Bylaw Notice Enforcement Bylaw No.1125, 2010 as amended from time to time.

SECTION 6 SEVERABILITY

6.1 If any provision of this bylaw is held to be invalid by any court of competent jurisdiction, that provision shall be severed and its severance shall not affect the validity of the remainder of this bylaw.

Read a First time this	20 TH	day of	APRIL,	2021
Read a Second time as amended this	13 TH	day of	JULY,	2021
Read a Third time this	13 TH	day of	JULY,	2021
Adopted this	20 TH	day of	JULY	2021

Bill Beamish
Mayor

Rebecca Anderson LL.B
Corporate Officer