

CITY OF CASTLEGAR

BYLAW# 1198

A BYLAW TO REGULATE REFUSE AND OTHER WILDLIFE ATTRACTANTS

WHEREAS Council of the City of Castlegar deems it advisable to regulate refuse and other attractants so as not to attract wildlife;

AND WHEREAS Section 8(3) (h) of the *Community Charter authorizes* the Council of the City of Castlegar, by bylaw, to regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community in relation to matters relating to *nuisances, disturbances and other objectionable situations*;

NOW THEREFORE the Council of the City of Castlegar, in open meeting assembled, enacts as follows:

Citation

1. This bylaw may be cited as the "City of Castlegar Wildlife Attractant Control Bylaw".

Interpretation

2. In this Bylaw:

"Composting" means a technique used to promote the decomposition of plant matter;

"Refuse" means discarded household and trade materials, substances and objects;

"Wildlife" means a bear, wild cat, coyote, raccoon, skunk, ravens, crow, wild turkey or domesticated animal running at large; (*Bylaw 1231*)

"Wildlife Attractant" means antifreeze, paint, food products, food waste, compost, and other edible products or waste that could attract Wildlife;

"Wildlife Resistant Container" means a fully enclosed metal or plastic container with a sturdy cover that can be fully closed and secured with a latching mechanism of sufficient strength and design to prevent access by Wildlife; (*Bylaw 1358*)

"Wildlife Resistant Enclosure" means a fully enclosed structure with no more than a 1 ern gap or opening at any location, containing four walls, a roof, and door(s) capable of being securely latched and of sufficient strength and design to prevent access by Wildlife;

Storage of Refuse

3. No person shall:

- (a) Store any Refuse or Wildlife Attractant in such a manner that it is accessible to Wildlife; or
- (b) feed Wildlife.

4. A person storing Refuse that is a Wildlife Attractant in a container shall:

use a Wildlife Resistant Container and shall store the Container in a Wildlife Resistant Enclosure or secured by sufficient means to prevent access by Wildlife. (*Bylaw 1358*)

5. Every owner or occupier of real property shall ensure that a Wildlife Resistant Container or Wildlife Resistant Enclosure on such real property is:

maintained in good condition and kept in a clean and sanitary condition; kept closed and secure when Refuse is not being deposited or emptied; and if damaged, repaired within 7 days of the damage occurring.

Refuse Collection Day

7. A person is exempt from sections 3 and 4 on refuse collection day designated for the real property between the hours of 7:00a.m. and 7:00p.m. on that day.

Special Events

8. A person is exempt from sections 3 and 4 for wedding, sports tournaments, outdoor conventions, Canada Day and other temporary special events if refuse containers required for the special event are emptied into a container in accordance with section 4 by midnight each day.

Other Wildlife Attractants

9. Every owner or occupier of real property shall ensure that fruit fallen from a tree or bush on such real property is removed from the ground of such real property at least every three days when fruit and nuts is on the ground of such real property. (*Bylaw 1358*)

10. Composting is exempt from the provisions of this Bylaw as long as it does not attract wildlife.

11. Every owner or occupier of real property shall ensure that a bird feeder containing bird feed on such real property is suspended on a cable or other device in such a manner that it is inaccessible to Wildlife.

12. Every owner or occupier of real property shall store or place an outdoor fridge or freezer containing food products on such real property in such a manner that it is inaccessible to Wildlife.

13. Every owner or occupier of real propetiyy shall store antifreeze and paint on such real property in a manner that it is inaccessible to Wildlife.

Offence

14. Any person who violates a provision of this Bylaw shall be guilty of an offence and shall be liable to a fine set out in "Schedule A" attached to and forming part of this Bylaw to a maximum penalty upon a summary conviction not exceeding \$2000.

Separate Offence

15. Each day that a contravention or violation of or failure to perform any provision of this bylaw continues to exist will be deemed to be a separate offence.

Severability

16. If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this bylaw.

READ FIRST TIME this 11th day of August, 2014. READ

A SECOND TIME this 11th day of August, 2014. READ

A THIRD TIME this 15th day of September, 2014.

ADOPTED this 6th day of October, 2014.



Mayor


Director of Corporate Services

List of Amending Bylaws

1231 March 21, 2016
1358 June 28, 2021

CITY OF CASTLEGAR

WILDLIFE ATTRACTANT CONTROL BYLAW 1198

APPENDIX "1"

OFFENCE	BYLAW SECTION NO.	FINE
Refuse accessible to wildlife	3	\$50.00
Failure to store refuse in wildlife resistant container and enclosure or secured by other means	4	\$50.00
Failure to maintain wildlife resistant container or	5	\$50.00
Failure to secure wildlife resistant container or	5	\$50.00
Failure to repair wildlife resistant container or	5	\$50.00
Failure to remove fruit and nuts from ground	9	\$100.00
Bird feeder accessible to wildlife	11	\$50.00
Outdoor fridge or freezer accessible to	12	\$50.00
Antifreeze or paint accessible to wildlife	13	\$200.00

(Bylaw 1358)