

**CORPORATION OF THE TOWN OF BLIND RIVER**

**BY-LAW NO. 2119**

Being a by-law to prohibit the feeding and attracting of pigeons, seagulls and Canada geese on private property within the Town of Blind River.

WHEREAS feeding and attracting pigeons and seagulls may create a nuisance by causing pigeons, seagulls and Canada geese to foul or roost on neighbouring properties without the consent of the owners or occupiers of the neighbouring properties;

AND WHEREAS Section 11(9) of the Municipal Act, S.O. 2001, Chapter 25, as amended, authorizes the municipal council to pass by-laws regulating animals;

AND WHEREAS the Council of the Town of Blind River wishes to promote the use and enjoyment of properties free from unwanted pigeons, seagulls and Canada geese;

NOW THEREFORE, the Council of the Corporation of the Town of Blind River ENACTS AS FOLLOWS:

**SECTION 1 – DEFINITIONS:**

1. “Town” means the Corporation of the Town of Blind River.
2. “Feed” or “Feeding” means providing regular or intermittent supplies of food or allowing or placing or maintaining the supply of food on a regular or intermittent basis which food is accessible by pigeons and/or seagulls.
3. “Other Property” means property that is located 75 metres or less from the property line of private property where feed is being consumed by pigeons, seagulls and/or Canada geese or 75 metres or less from the property line where feeding or otherwise attracting of pigeons, seagulls and/or Canada geese is occurring.
4. “Public Nuisance” is deemed to include:
  - a) Pigeons, seagulls and/or Canada geese roosting, landing, or nesting on private property;
  - b) Pigeons, seagulls and/or Canada geese defecating on private property or persons; and
  - c) Pigeons, seagulls and/or Canada geese causing any interference with the quiet enjoyment of private property.
5. “Private Property” means property owned by an individual, corporation or other legal entity but does not include property owned or occupied by the Government of Canada, the Province of Ontario, the municipality or a local board thereof.

**SECTION 2 – ADMINISTRATION:**

2.1 This by-law shall be administered and enforced by the by-law enforcement officer.

**SECTION 3 – PROHIBITION:**

3.1 No person shall feed or otherwise attract pigeons, seagulls and/or Canada geese or allow, cause or permit the feeding of pigeons, seagulls and/or Canada geese on private property such that the pigeons, seagulls and/or Canada geese cause a public nuisance on other property.

3.2 This by-law shall not apply to any person who is a member in good standing with the Canadian Racing Pigeon Union.

**SECTION 4 – PENALTY:**

4.1 Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a penalty in accordance with the provisions of the Provincial Offences Act, as amended.

**SECTION 5 – EFFECTIVE DATE:**

5.1 This by-law comes into effect on the date of its final passing.

READ THREE times and passed in open Council this 5<sup>th</sup> Day of October, 2009.

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MAYOR

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CLERK

**CERTIFICATION BY THE CLERK:**

I, K. Corbiere, Clerk-Administrator of the Corporation of the Town of Blind River, do hereby certify that the above is a true certified copy of By-Law No. 2119 which was passed on the 5<sup>th</sup> Day of October, 2009.

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K. CORBIERE