

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO  
REGULATE WILDLIFE ATTRACTANTS**

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The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

**1: TITLE**

- 1.1. This bylaw shall be known as the “Wildlife Attractant Bylaw.”

**2: INTERPRETATION**

- 2.1. Words which have been defined in the *Municipal Government Act*, or the *Interpretation Act* as amended shall have the same meaning when used in this bylaw unless otherwise defined in Section 2.
- 2.2. For the purposes of this bylaw, a substance is considered something that may attract dangerous wildlife if it is a food substance or other edible substance accessible to wildlife.
- 2.3. In this bylaw:

**"wildlife attractant"** means any substance that could be reasonably expected to attract dangerous wildlife.

**“dangerous wildlife”** means bear, cougar, coyote or wolf; or a wildlife species deemed dangerous by a Peace, Fish and Wildlife or Conservation Officer.

**“violation tag”** means a municipal tag or similar document in a form approved by the Town, authorized under the *Provincial Offences Procedures Act* as amended, issued for any offence in which a penalty may be paid out of court in lieu or appearing to answer a summons.

**“violation ticket”** means a ticket issued pursuant to the *Provincial Offences Procedures Act*, as amended, and the regulations thereunder.

**3: PROVISIONS**

- 3.1 No person or owner other than a Peace Officer or a person appointed by the CAO who is acting in the course of their duties shall store, collect, handle or dispose of wildlife attractants in such a way that the wildlife attractants are accessible to or may attract dangerous wildlife.

- 3.2 No person or owner of a parcel of land shall permit a wildlife attractant, including but not limited to fruit from a crabapple or mountain ash tree or shepherdia (buffaloberry) bush, or otherwise located on a parcel of land, to accumulate on the tree, bush or ground.

*Amended 2019-08-26 by Bylaw 2019-23*

- 3.3 No person or owner shall feed, attempt to feed or permit the feeding of dangerous wildlife and must not feed other animals in a manner that is likely to attract wildlife.

- 3.4 Notwithstanding section 3.3, a person or owner may place or permit the placement of an outdoor bird feeder containing bird feed, seeds, suet, nectar or any other attractant provided that:

- a) the bird feeder is suspended on a cable or other device in such a manner that it is inaccessible to wildlife other than birds and
- b) the area below any bird feeder is kept free of accumulations of any wildlife attractants.

3.5 Notwithstanding Section 3.4, no person or owner shall place or permit the placement of outdoor bird feeders containing bird feed, seeds, suet, nectar or any other attractant between April 1<sup>st</sup> and November 30<sup>th</sup> of each year.

3.6 Notwithstanding Sections 3.4 and 3.5, no property owner and no person shall place, or cause to be placed, on or near the property of that person, any matter which has the effect of attracting pigeons.

#### **4: ENFORCEMENT AND PENALTIES**

4.1. Any person or owner who contravenes any provision of this bylaw is guilty of an offence and is liable for a minimum penalty in accordance with Schedule A of this bylaw, and not exceeding \$10,000.

4.2. Any person or owner who contravenes any provision of this bylaw for which a penalty is not set out in Schedule A of this bylaw is liable for a minimum penalty of \$250.

4.3. For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee's employment with the person, or in the course of the agent exercising the powers or performing the duties on behalf of the person under their agency relationship.

4.4. If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership that authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence

4.5. A peace officer is hereby authorized and empowered to issue a violation tag to any person or owner, who a peace officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.

4.6. The violation tag shall state:

- a) the name of the accused;
- b) the nature of the offence;
- c) the penalty payable for the offence; and
- d) and the time period within which the penalty must be paid to avoid issuance of a violation ticket.

- 4.7. The person to whom a violation tag is issued may, in lieu of being prosecuted for the offence, pay to the Town of Canmore the penalty specified on the violation tag.
- 4.8. If the penalty specified on a violation tag has not been paid within 14 days, then a peace officer is hereby authorized and empowered to issue a violation ticket pursuant to the *Provincial Offences Procedure Act*, as amended.
- 4.9. Notwithstanding section 4.8 of this bylaw, a peace officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to the *Provincial Offences Procedure Act*, as amended, to any person who a peace officer has reasonable grounds to believe has contravened any provision of this bylaw.
- 4.10. A violation tag or ticket may be issued to such person or owner:
  - a) either personally; or
  - b) by mailing a copy to such person or owner at their last known address.
- 4.11. Where a contravention of this bylaw is of a continuing nature, further violation tags may be issued by the peace officer, provided however, that no more than one violation tag shall be issued for each day that the contravention continues.

## **5: ENACTMENT/TRANSITION**

- 5.1. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 5.2. Schedule A forms part of this bylaw.
- 5.3. This bylaw comes into force on the date it is passed.

FIRST READING: May 2, 2017

SECOND READING: May 2, 2017

THIRD READING: May 2, 2017

This version is a consolidation of Bylaw 2017-10 with amending Bylaw 2019-23.

**SCHEDULE A**

*Amended 2019-08-26 by Bylaw 2019-23*

**Penalties**

Minimum Penalty: \$250 unless otherwise specified below.

Section	Description	Minimum Specified Penalty
3.3	Feeding Wildlife	\$500.00
3.2	Failure to remove fruit	\$250.00
3.4	Bird feeder or bird feed/nectar accessible to wildlife	\$250.00