

Appendix 3: 2020 Municipal Scan - Wildlife Feeding Fines

Jurisdiction	By-laws pertaining to wildlife feeding	Definitions	By-law Measures	Penalty Measures	Contact Discussion
Brampton	Park Lands By-law 161-83	By-law does not define “feed” or “feeding” or “wildlife”	<p>3. CONDUCT OF PERSONS USING PARKS OR PROPERTIES</p> <p>(2) No person shall throw or dump, or cause to be thrown or dumped, or leave any refuse, garbage or any other material or litter within the parks, except in receptacles that may be provided for such purposes. (Page 3)</p> <p>4. CONDUCT OF PERSONS USING WATER AREAS</p> <p>(2) No person shall (b) feed, or in any other way attract, birds to a lake, lake area or watercourse (153-87). (Page 6-7)</p>	<p>11. PENALTIES</p> <p>(1) (a) Every person who contravenes any of the provisions of this by-law may be ordered off parkland, property or water areas. (b) Every person who contravenes any of the provisions of this by-law is guilty of an offence, is liable to a fine as provided for in the Provincial Offences Act (152-2003). (Page 14)</p>	<p>Two by-laws help address wildlife feeding; Park Lands By-law and Property Standards By-law. These by-laws attempt to address wildlife feeding by enforcing littering and yard cleanliness.</p> <p>Animal Services does not enforce either of these by-laws. This would be the responsibility of either Property Standards or By-law Enforcement.</p> <p>There has been discussions between the Enforcement groups on whether to include ‘wildlife’ within either of the by-laws.</p> <p>If food was being left on city or private property to feed or attract wildlife, an investigation under the Refuse and Dumping By-law 381-2005 could occur and the person would be liable to a fine of not more than \$5,000.00</p>
	Minimum Maintenance By-law 104-96 (Property Standards)	By-law does not define “feed” or “feeding” or “wildlife”	<p>Yard</p> <p>7. (1) A yard shall be kept clean and free from: (e) anything that may attract or harbour rodents or insects (By-law 135-2008).</p>	<p>PART VII PENALTIES</p> <p>51. (1) An owner who fails to comply with an order that is final and binding is guilty of an offence</p>	<p>No charges have been laid in the last couple of years.</p>

			(Page 10)	<p>and on conviction is liable to a fine of not more than \$50,000.00 for a first offence and to a fine of not more than \$100,000.00 for any subsequent offence (By-law 101-98, 186-2008).</p> <p>(2) Despite subsection (1), if a corporation is convicted of an offence, the maximum penalty that may be imposed upon the corporation is \$100,000.00 for a first offence and \$200,000.00 for any subsequent offence (By-law 101-98, 186-2008). (Page 34)</p>	
	Refuse and Dumping By-law 381-2005	By-law does not define “feed” or “feeding” or “wildlife”	REMOVAL OF REFUSE 5. Owners and occupants of Private Property shall remove Refuse, Graffiti or Stagnant Water from their property so that the property is in a clean and tidy condition. (Page 4)	PENALTY 15. In addition to any other remedy, every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.00 exclusive of costs. (Page 6)	

Burlington	Lot Maintenance By-law 59-2018	<p>“feed or feeding” means leaving food on a property or permitting food to be left on a property and does not include compost kept in accordance with this By-law or birdseed kept in a well-maintained bird feeder; (Page 2)</p> <p>“wildlife” means an animal that belongs to a species that is wild by nature, but does not include an animal that is kept in accordance with; a) the City’s Animal Control by-law; b) research undertaken by a university, college or similar provincially or federally recognized research institution. (Page 4)</p>	<p>6. COMPOST, PET AND ANIMAL FOOD AND FEEDING OF WILDLIFE</p> <p>6.1 An owner of property shall have no more than two compost heaps on the property, provided that: a) the piles are located in the rear yard; b) each pile is no larger than one metre square; c) the height of the pile is not greater than 1.8 metres; d) the piles are enclosed on all sides by concrete blocks, a lumber structure, a metal frame or a commercial plastic compost container.</p> <p>6.2 All compost, pet food and animal food stored on a property shall be stored in such a manner so as not to allow offensive odours to affect the surrounding neighbourhood or attract rodents, vermin, insects or other pests to the property.</p> <p>6.3 No person shall feed any wildlife on private property or public property except: a) the licensed members of the Trumpeter Swan Coalition for the purpose of banding and tagging trumpeter swans for research; b) in accordance with this by-law (Page 6-7)</p>	<p>14. OFFENCES</p> <p>14.1 Every person who contravenes any of the provisions of this by-law or who obstructs or attempts to obstruct a By-law Enforcement Officer in carrying out his or her duties under this by-law is guilty of an offence and is liable, upon conviction, to maximum fines as established pursuant to the Provincial Offences Act. R.S.O. 1990, c.P.33, as amended. (Page 9)</p>	<p>Lot Maintenance By-law is used to enforce wildlife feeding.</p> <p>Under 6.3 of the by-law a person caught feeding wildlife would be subjected to a \$300 set fine and a total fine of \$365.</p> <p>Received 1 complaint in 2019 and 0 in 2018. Very difficult to enforce and would have to catch a person in the act of feeding in order to issues a PON and would need permission to enter private property for means of an investigation.</p> <p>By-law enforcement enforces wildlife feeding.</p>
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Calgary	Parks and Pathways By-law 11M2019	The by-law does not define “feed” or “feeding” or “wildlife”	PROTECTION OF NATURAL AREAS, ECOSYSTEMS AND HABITATS Wildlife 23. A person must not engage in any activity in a park that causes distress or harm to any wildlife or that interrupts natural behaviours, including: (a) feeding wildlife; (b) disrupting nesting sites; (c) introducing or tracking noxious materials into wildlife habitat including weeds, seeds, herbicides, pesticides and litter; or (d) creating excessive light near a wildlife habitat. (Page 10)	SCHEDULE A MINIMUM AND SPECIFIED PENALTIES 23 Disturb wildlife in a park Minimum penalty: \$200 Specified penalty \$300 (Page 16)	<p>Parks & Pathway By-law is used to enforce wildlife feeding but the Community Standards By-law could also be used.</p> <p>Under the Parks and Pathway By-law the specified fine is \$300 and under the Community Standards By-law to specified fine is \$500.</p> <p>Under the Community Standards By-law there have been no fines issued, only Remedial orders and they have gain compliance.</p>
	Community Standards By-law 5M2004	The by-law does not define “feed” or “feeding” or “wildlife” or “pests”	Accumulation of Materials 8. (1) No owner or occupier of a Premises shall allow on the Premises, the accumulation of: (a) any material that creates unpleasant odors; (b) any material likely to attract pests; or (c) animal remains, parts of animal remains, or animal feces. (3) No owner or occupier of a Premises shall allow the following to accumulate on the Premises such that the accumulation is visible to a Person viewing from outside the property: (a) loose garbage; (f) yard waste, including grass, tree and hedge cuttings but excluding the contents of a Composting Pile as defined in this Bylaw. (Page 11)	SCHEDULE “A” SPECIFIED AND MINIMUM PENALTIES 8(1) Accumulation of Offensive Material Minimum Penalty: \$200 Specified Penalty: \$500 (Page 30)	<p>Not aware of any tickets issued in the last year.</p> <p>A person found committing is the best option for a conviction but witness evidence which includes a statement, photos or videos of the offence is helpful.</p> <p>Calgary Police can also enforce these by-laws.</p>

Guelph	Animal Control By-law (2016)-20122	<p>By-law does not define 'feed' of 'feeding'</p> <p>“Wild Animal” is an animal that is, as a matter of common knowledge, naturally ferocious, unpredictable, dangerous, mischievous, or not by custom devoted to the service of mankind at the time and in the place in which it is kept. (Page 2)</p>	<p>Feeding of Wild Animals</p> <p>37. No person shall feed any Wild Animal, or leave outdoors any food that might attract a Wild Animal, except if the person:</p> <p>a) Is leaving bird food for songbirds on land owned or occupied by the person, and the person:</p> <p>i. Places the bird food in a bird feeding device which, by its construction or height above grade, is not accessible by Animals other than birds,</p> <p>ii. Ensures that the bird food does not attract large flocks of homing birds, such as pigeons,</p> <p>iii. Promptly removes any bird food spilled on the ground, and disposes of it in such a way as not to attract any Wild Animal,</p> <p>iv. Removes any accumulation of bird feces, and</p> <p>v. Ensures that the birds that are attracted to the bird food do not interfere with the normal use or enjoyment of other land; or</p> <p>b) Is authorized under this By-law or any other legislation to leave food as bait for Wild Animals. (Page 7)</p>	<p>Offence and Enforcement</p> <p>39. Every person who contravenes any provision of this By-law is guilty of an offence, and on conviction is liable to a maximum fine of \$10,000 for each offence. (Page 7)</p>	<p>No response from jurisdiction.</p>
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<p>Hamilton</p>	<p>Wildlife Feeding By-law No. 12-130</p>	<p>"feed", in all of its forms, includes the regular or intermittent supply of food, but does not include baiting during lawful activities; (Page 1)</p> <p>"wildlife" means an animal that belongs to a species that is wild by nature, but does not include: (a) an animal being kept in accordance with the Hamilton Responsible Animal Ownership By-law; (b) an animal exempted from the Hamilton Responsible Animal Ownership By-law under section 3.2 of that By-law; or (c) an animal being fed in accordance with: (i) any by-law, statute or regulation; or (ii) research undertaken by a university, college or similar provincially or federally recognized research institution (Page 2)</p>	<p>PROHIBITION</p> <p>2. No person shall feed or permit the feeding of wildlife.</p> <p>3. (1) For the purposes of paragraph 3(2)(a) "bird" does not include waterfowl that are wildlife.</p> <p>(2) Despite section 2, a person may feed or permit the feeding of: (a) a bird, if: (i) the bird is fed on premises owned or occupied by the person; (ii) there is no accumulation of bird feces; (iii) there is no interference with the normal use or enjoyment of any other premises; or (b) a feral cat, if the feral cat belongs to a colony of stray or feral cats identified for the purposes of trap, neuter or spay and release programs approved by the Hamilton / Burlington Society for the Prevention of Cruelty to Animals. (Page 2-3)</p>	<p>ADMINISTRATION AND ENFORCEMENT</p> <p>8. Every person who fails to comply with section 2 is guilty of an offence and is liable: (a) on a first conviction, to a maximum fine of not more than \$10,000; and (b) on any subsequent conviction, to a maximum fine of not more than \$25,000. (Page 3)</p>	<p>The Wildlife Feeding By-law directly allows for the enforcement of wildlife feeding.</p> <p>The set penalty for this offence is \$100 the tickets issued since 2018 are: 2018: 10 2019: 6 2020: 5 (as of July)</p> <p>Animal Services is the only section that enforces this by-law.</p> <p>The Officer starts with a warning. If the issue persists, the Officer needs to see food being left outside for animals to eat. Photos of the food and a statement from a complainant. Hamilton includes feeding stray cats to be a violation of "feeding wildlife" unless the person is a registered TNR Colony Caregiver as well as all best practices must be followed to avoid the charge.</p>
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<p>Kitchener</p>	<p>Chapter 408 Animal Regulation</p>	<p>408. 1. 8 Feed or Feeding - defined "feed" or " feeding" means furnishing or making food available and shall include leaving food outdoors in such a manner as to attract or be accessible to an animal, but does not include baiting during lawful activities and also shall not include any activity on land zoned Agricultural (A- 1) under Zoning By- law 85- 1 of the City. (Page 5)</p> <p>408. 1. 25 Wild Animal - defined "wild animal" shall mean an animal that belongs to a species that is wild by nature or an animal living in its natural habitat but does not include: a) a permitted animal kept in accordance with the requirements of this Chapter; b) a prohibited or restricted animal permitted to be kept by section 408.2. 13 of this Chapter and kept in accordance with the requirements of this Chapter; c) a bird; d) a feral cat; or e) an animal being fed as part of research undertaken by a university, college, or similar provincially or federal (Page 7)</p>	<p>Article 6 FEEDING - WILD ANIMAL</p> <p>408.6. 1 Nuisance to - owner/occupant of any property No person shall feed or permit the feeding of a wild animal in a manner that creates a nuisance to an owner or occupant of any property.</p> <p>408.6. 2 Removal of food - owner/occupant of property Every owner and occupier of property shall immediately remove any food placed on the property in violation of this Chapter. 408.6. 3 Feeding device - not allowed - any property No person shall place a feeding device on any property.</p> <p>408.6. 4 Removal of feeding device - owner/occupant Every owner and occupier of property shall immediately remove any feeding device placed on the property in violation of this Chapter.</p> <p>408.6. 5 Feeding Wild Birds - Duties of owner/occupant of property No person shall feed or permit the feeding of a wild bird unless: a) having the permission of the owner or occupant of the property where the bird is fed; b) ensuring there is no accumulation of bird feces; c) making food reasonably inaccessible to wild animals and ensuring that food does not unreasonably attract wild animals in a manner that creates a nuisance to occupants of any property; d) promptly removing and disposing of excessive spilled seed or other food to ensure it does not attract wild animals; and e) ensuring that the feeding does not interfere with the normal use or enjoyment of any property." By- law 2016- 085, 29 August, 2016. (Page 19-20)</p>	<p>Article 8 ENFORCEMENT</p> <p>408.8. 1 Fine - for contravention Every owner who contravenes any provision of this Chapter or, an Order issued pursuant to this Chapter, is guilty of an offence and is liable, upon conviction, to a fine not exceeding Five Thousand Dollars (\$ 5000), exclusive of costs, for each offence, recoverable under the Provincial Offences Act. By- law 98- 186, 30 November, 1998; By-law 2008-96, 20 May, 2008. (Page 23)</p>	<p>No response from jurisdiction</p>
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Markham	Animal Protection and Services By-law 2018-91	<p>The by-law does not define 'feed' or 'feeding'</p> <p>"Wildlife" - means any Animal that is indigenous to North America, wild by nature or disposition (ferae natural), but does not include the domestic ferret; (Page 5)</p>	<p>SECTION 12- FEEDING OF WILDLIFE</p> <p>12.1 (1) No person shall intentionally feed a wild animal or leave food or attractants of any type or in any form out of doors in such a manner as to attract, or be accessible by a wild animal, feral or stray domestic animal on private or public property.</p> <p>(2) Where the feeding of wildlife is occurring on a property contrary to the by-law, the owner or occupant is deemed responsible unless he or she can prove, on a balance of probabilities that he or she is not feeding wildlife.</p> <p>(3) Section 12.1 does not apply to the feeding of song birds on a property, provided the following feeding requirements are met by the owner or occupier:</p> <p>(a) seed is placed in a bird feeding device that is sufficiently above grade as to not attract or be accessible by wild animals; and (b) bird feeding practices do not attract large flocks of homing birds such as wild, feral and domestic pigeons or gulls, ravens and birds of prey and (c) spillage of seed upon the ground is removed by the property owner or occupier forthwith and disposed of in such a manner that it does not attract wild animals, feral or stray domestic animals.</p> <p>12.3 Section 12.1 does not apply in the following situations:</p> <p>(a) the leaving of food as bait in a trap by a property owner to capture a nuisance animal inhabiting or habituating their property pursuant to the Fish and Wildlife Conservation Act, 1997, S.O.1997, c.41</p> <p>(b) the leaving of food as bait by a licensed trapper, and employee of a licensed wildlife or pest control agency, Municipal Law Enforcement Officer, or a Police Officer, in the performance of their work.</p> <p>(c) The leaving of food for a colony of stray or feral cats for the purposes of trap, neuter or spay and release program approved by the City.</p> <p>(Page 17)</p>	<p>SECTION 23 - PENALTIES</p> <p>23.1 (1) Pursuant to Section 429 of the Municipal Act, every Person who is guilty of an offence under this By-law shall be subject to the following penalties:</p> <p>a) Upon a first conviction, to a fine of not less than \$500.00 and not more than \$50,000.00.</p> <p>b) Upon a second or subsequent conviction for the same offence, to a fine of not less than \$500.00 and not more than \$100,000.</p> <p>c) Upon conviction for a continuing offence, to a fine of not less than \$100.00 and not more than \$10,000 for each day or part of a day that the offence continues. The total of the daily fines may not exceed \$100,000.00.</p> <p>d) Upon conviction for a Multiple Offence, for each offence included in the Multiple Offence, to a fine of not less than \$100.00 and not more than \$10,000. The total of all fines for each included offence is not limited to \$100,000.</p> <p>(2) Where a Person convicted of an offence is a corporation, the corporation is liable to a fine not less than \$500.00 and not more than \$100,000.00.</p> <p>(Page 22)</p>	<p>Animal Protection and Services By-law is used to enforce wildlife feeding.</p> <p>The set fine for this office is \$240.00 but there has been no tickets administer to date.</p> <p>It is very difficult to enforce, video evidence is the best, however witness statements along with pictures of the food source helps.</p> <p>All of our officers can enforce the by-law, however our Animal Control Officers will do it as they are more familiarized with it.</p>
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Toronto	Chapter 608 Parks	<p>The By-law does do define ‘feed’ or ‘feeding’</p> <p>WILDLIFE - Includes any coyote, fox, raccoon, bird, waterfowl, fish, goose or other animal. (Page 8)</p>	<p>§ 608-36. Protection of wildlife.</p> <p>While in a park, no person shall C. Feed or attempt to feed or deposit food for consumption by wildlife; or (Page 25)</p>		<p>Municipal Chapter 608 is used to enforce wildlife feeding.</p> <p>A fine for this offence is \$365.00 and includes a victim surcharge. Have issued 6 tickets in the last 3 years with an average fine amount of \$235.</p>
	Chapter 548 Littering and Dumping	<p>The by-law does not define “feed” or “feeding” or “wildlife”</p>	<p>§ 548-3. Littering and depositing waste prohibited</p> <p>A. No person shall throw, place, deposit or permit or cause to be thrown, placed or deposited any waste on any highway within the City. B. In the case of land that is not a highway, no person shall throw, place or deposit or permit or cause to be thrown, placed or deposited any waste on any land not including buildings, within the City, including ponds, lakes, rivers and watercourses, without the consent of the owner or occupant of the property. (Page 4)</p> <p>§ 548-4. Waste dumping prohibited.</p> <p>A. No person shall place, dump or deposit or permit to be placed, dumped or deposited any quantity of waste on any land, not including buildings, within the City, including ponds, lakes and streams, except as required or permitted under Chapter 841, Waste Collection, Commercial Properties, and Chapter 844, Waste Collection, Residential Properties. B. No person shall place, dump or deposit their privately generated waste into: (1) Public litter and recycling bins/receptacles; or (2) Regulation containers belonging to another person or entity, without that person or entity's consent. (Page 4)</p> <p>§ 548-5. Cleaning and clearing.</p> <p>The owner of land on which waste has been thrown, placed, dumped or deposited shall immediately clean and clear the waste from the land. (Page 4)</p>		<p>The officer would need to observe the infraction occurring in order to issue the charge. Municipal Standards Officers are responsible for enforcing this section of the municipal chapter.</p> <p>Municipal Licensing an standards can investigate and bring charges against residents under Chapter 548 and 629. These refer to waste and property standards.</p>

	Chapter 629 Property Standards	The by-law does not define “feed” or “feeding” or “wildlife”	<p>§ 629-9. Pest control.</p> <p>All properties shall at all times be kept free of rodents, vermin, insects and other pests and from conditions which may encourage infestation by pests. (Page 11)</p> <p>§ 629-10. Maintenance of yards and property.</p> <p>B. All yards and any other part of a property shall be kept clean and free from accumulations of junk, rubbish, brush, refuse, litter, garbage and other debris, and any conditions that are health, fire or other hazards. (Page 11)</p> <p>§ 629-22. Garbage and debris storage and disposal</p> <p>A. Garbage and refuse shall be stored in receptacles and removed in accordance with other City by-laws. (Page 28)</p>		
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Oakville	Parks By-law 2013-013	The by-law does not define “feed” or “feeding” or “wildlife”	Protection of Property 8. No person shall, in any Park engage in the following activities, permit or direct someone to engage in the following activities or otherwise use Parkland for the following purposes: (i) feed any wildlife, including coyotes and waterfowl such as geese or ducks; (Page 6-7)	General 20. Every person who contravenes any of the provisions of this by-law is guilty of an offence. Every person convicted of an offence is liable to a fine of not more than \$5,000 exclusive of costs as provided in the Provincial Offences Act, R.S.O. 1990, c. P.33. (Page 13)	<p>The three by-laws mentioned could be used to enforce wildlife feeding.</p> <p>Under the Lot Maintenance By-law a person can be liable of a fine of \$300 for garbage and debris.</p> <p>No fines issued in the recent past, but a property was ordered to be cleaned to remove garbage and attractants.</p> <p>There is no charge for the act of feeding, only leaving garbage and debris</p> <p>Municipal Enforcement would be the group to enforce these wildlife feeding related by-laws, not the Humane Society.</p>
	Property Standards By-law 2017-007	The by-law does not define “feed” or “feeding” or “wildlife”	Multiple Sections of the By-law can address garbage and debris left on a property This is used to address wildlife feeding		
	Lot Maintenance By-law 2017-008	The by-law does not define “feed” or “feeding” or “wildlife” “Undesirable material” includes; Refuse, rubbish, garbage, brush, waste, litter, debris; (Page 3)	3. Lot Maintenance Standards (1) No Owner or Occupant shall have, or permit to have, Undesirable Material on their Lot. (Page 4)		

Mississauga	Animal Care and Control By-law 98-04	<p>“Feed or Feeding” means the deliberate act of furnishing, or making food or other substances available which is likely to be consumed by wild animals, strays, feral or abandoned animals; (242-11) (Page 4)</p> <p>“Wild Animal” means all mammals other than domestic animals; (242-11) (Page 6)</p>	<p>PART IV: FEEDING OF WILDLIFE</p> <p>10) No person shall intentionally feed a wild animal or leave food or attractants of any type or in any form out of doors in such a manner as to attract, or be accessible by, a wild animal, feral or stray domestic animal on private or public property. (242-11)</p> <p>11) Section 10 does not apply to the feeding of song birds on a property, provided the owner or occupier places seed in a bird feeding device that is sufficiently above grade and maintained in a sanitary condition. (242-11, 141-13)</p> <p>12) Section 10 does not apply in the following situations: (242-11) (1) the leaving of food as bait in a trap by a property owner to capture a nuisance animal inhabiting or habituating their property pursuant to the Fish and Wildlife Conservation Act, 1997, S.O.1997, c.41 (2) the leaving of food as bait by a licensed trapper, and employee of a licensed wildlife or pest control agency, a Municipal Law Enforcement Officer, an Ontario Society for the Prevention of Cruelty to Animals Inspector or a Mississauga Police Officer, in the performance of their work. (3) the leaving of food for a colony of stray or feral cats by a TNR Operator; (195-17) (Page 7-8)</p>		<p>The Animal Care and Control By-law is used to enforce wildlife feeding and the Property Standards By-law enforces prevention of wildlife feeding.</p> <p>A fine for wildlife feed is \$125.00, enforcement remains to be very difficult due to the lack of evidence.</p> <p>Animal Services enforce the Animal Care and Control By-law and Compliance and Licensing enforces the Property Standards By-law.</p> <p>Coyote program is under review and staff are assessing the feasibility of increasing the fine amount.</p>
	Property Standards By-law 654-98	<p>The by-law does not define “feed” or “feeding” or “wildlife”</p>	<p>40. COMPOST, PET FOOD AND ANIMAL FEED STORAGE</p> <p>All compost, pet food and animal feed shall be stored and kept on a property in a reasonable manner so as not to allow offensive odours to effect the surrounding neighbourhood or attract rodents, vermin, pests, or other animals to the property. (89-04). (Page 25)</p>		