

CORPORATION OF THE TOWN OF GANANOQUE

BYLAW NO. 2013-047

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BEING A BY-LAW TO PREVENT PUBLIC NUISANCES WHEN BIRDS SPOIL AND ROOST ON PROPERTY WITHOUT THE OCCUPIERS OR OWNERS CONSENT CAUSED WHEN PERSONS FEED OR ATTRACT BIRDS TO THEIR PRIVATE PROPERTY BUT FAIL TO LIMIT OR CONTROL THEM FROM NEIGHBOURING PROPERTIES, AND THROUGH REGULATION AND PROHIBITION COUNCIL WISHES TO PROMOTE THE USE AND ENJOYMENT OF PROPERTY IN A HEALTHY AND SANITARY MANNER FREE FROM UNWANTED PESTS.

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WHEREAS the Municipal Act R.S.O. 2001, c. M.25, Section 11, authorizes the Councils of municipalities to pass by-law with respect to animals;

AND WHEREAS Section 128 of the Municipal Act, permits by-law for prohibiting and regulating public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS the Council of The Corporation of the Town of Gananoque deems it necessary to pass such a by-law.

NOW THEREFORE the Council for The Corporation of the Town of Gananoque enacts as follows:

1. The said by-law, being By-law 2011-074 is hereby amended by replacing Section 2 to read as follows::

2. Prohibition

2.1 No person shall feed or in any manner attract pigeons or geese or allow, cause or permit the feeding or attraction of pigeons or geese where the pigeons and/or geese so attracted are likely to interfere with the reasonable use and enjoyment of private property.

2.2 No person shall on property owned or occupied by the governments of Canada, Ontario, a municipality or local board thereof, cause or permit the feeding or attraction of pigeons or geese where the pigeons and/or geese so attracted are likely to interfere with the reasonable use and enjoyment of public property.

2.3 No property owner shall permit their property to be used to feed or attract in any manner pigeons or geese where the pigeons and/or geese so attracted are likely to interfere with the reasonable use and enjoyment of private property.

2. By-law Repealed

By-law 2012-072 is hereby repealed.

3. Effective Date

This by-law shall be in force and take effect upon passing of the by-law.

READ A FIRST, SECOND, AND THIRD TIME; and finally passed this 18<sup>th</sup> day of June, 2013.

  
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Mayor, Erika Demchuk

  
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Deputy Clerk, Kelly Shipclark