

1. Purpose

The purpose of this by-law is to provide regulations which address the impacts inappropriate feeding may have on the property and safety of residents and property owners in the town of Mahone Bay.

2. Definitions

In this by-law, unless the context otherwise indicates:

- (i) "Feeding" means the placing, exposing, depositing, distribution, or scattering of food or edible substances, in any manner intended to lure, attract, or entice wildlife to return, stay, relocate, or group in above average numbers to a location.
- (ii) "Town" means the Town of Mahone Bay
- (iii) "Wildlife" means any animal that is not domesticated.

3. Regulations

3.1 It shall be an offense against the by-law to feed wildlife in the Town of Mahone Bay.

3.2 For certainty, the prohibition in 3.1 does not apply in relation to:

- (ii) fruit or vegetable gardening for human consumption;
- (iii) ornamental plants and flowers; and
- (iii) backyard composters.

3.3 This section shall not be interpreted so as to prohibit backyard bird feeders; however, if a bird feeder is determined to be the cause of a public safety threat or nuisance, the bird feeder(s) and seed debris will be required to be removed within 72 hours.

4. By-law Enforcement and Penalties

4.1 Any person found to be in violation of the provisions of this By-law may be found guilty of an offense and be liable on summary conviction of a fine not less than \$50.00 and not more than \$1,000.00. Each day that a person violates any provision of this by-law is considered a separate offense.

4.2 Any person who continues an activity which has been deemed to be feeding wildlife, as defined in this by-law, after having been advised by the designated Town enforcement authority, shall be considered to be in violation of this By-law.

5. Severability

A decision by a court that any part of this by-law is illegal, void, or unenforceable severs that part, and does not affect the enforceability of the remainder of the by-law.

6. Force and Effect

This by-law is effective upon publication.

David W. Devenne, Mayor

Maureen Hughes, Town Clerk

This is to certify that the foregoing is a true copy of a by-law passed at a duly convened meeting of the Council of the Town of MAHONE BAY, held on the _____ day of _____, 2021.

Given under the hand of the Mayor and the Town Clerk and seal of the Town of Mahone Bay this _____ day of _____, 2021.

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| First Reading: | |
| "Notice of Intent" Publication: | |
| Second Reading: | |
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