

COMMUNICATION 131123

Received From: Pascal Meunier, Director of Protective Services
Addressed To: Committee of the Whole
Date: October 27, 2020
Topic: Animal Control By-Law Amendment

SUMMARY

To provide Council with a proposed amendment to the Animal Control By-law 122-2018 which would address the issue of feeding of wild animals and the Right of Entry to be in compliance with Section 436 of the Municipal Act, 2001, if Council chooses to give the Municipal Law Enforcement Officers the right of entry.

BACKGROUND

Through the process of review, a loophole in the existing By-law was identified which allows homeowners to use an attractant to draw to and/or keep wild animals on their property.

DISCUSSION

To close the loophole, staff recommends an amendment to Animal Control By-law 122-2018 which would add definitions and clarifications on the use of wild animal attractants. The inclusion of a right of entry section, as per Section 436 of the Municipal Act, 2001, would allow Municipal Law Enforcement Officers to determine if a homeowner or resident is purposely attracting wild animals.

The Right of Entry provision can be accommodated in one of two ways:

1. Council may choose to include the provision in each by-law as they are presented to Council; or
2. They may direct Staff to draft a single right of entry by-law which would create inspection and enforcement powers for all by-laws of the Town.

If Council chooses the second option, Staff would remove the Section 13 of the proposed amendment to Animal Control By-law 122-2018.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this By-law.

STAFF RECOMMENDATION

THAT Council approves amending Animal Control By-law 122-2018 in accordance with the Director of Protective Services' Report dated October 27, 2020; and

THAT Council direct staff to develop a right of entry by-law addressing inspection and enforcement powers for applicable Town by-laws.