

**The Corporation of the  
Township of Selwyn  
By-law Number 2015-084**

**Being a By-law to Prohibit the Feeding of Waterfowl, Seagulls  
and Pigeons on Designated Municipal Lands in the Township of Selwyn**

**Whereas** the Ontario Municipal Act, 2001, S.O. 2001, c. 25, Section 2, as amended, states that municipalities are created by the Province of Ontario to be responsible and accountable governments with respect to matters within their jurisdiction, and as such, municipalities are given powers and duties under this Act, and many other Acts, for the purpose of providing good government with respect to those matters; and

**Whereas** the Ontario Municipal Act, 2001, S.O. 2001, c. 25, Section 5.3, as amended, states that a municipal power shall be exercised by By-law unless the municipality is specifically authorized to do otherwise; and

**Whereas** Policy L-1(3) of the Trent Source Protection Plan through the Clean Water Act, S.O. 2006, c. 22, as amended, directs the municipality to establish a By-law to prohibit the feeding of waterfowl at municipally owned parks and mown areas in the Intake Protection Zones 1 and 2 for the Lakefield Municipal Drinking Water System for the purpose of protecting the municipal drinking water source; and

**Whereas** Council deems it appropriate to set rules to prohibit the feeding of waterfowl, seagulls and pigeons to prevent public nuisances and protect the species as feeding them is detrimental to the birds and their environment in many significant ways including a cause of malnutrition, dependency, disease, water pollution and environmental degradation; and

**Now Therefore** the Council of the Corporation of the Township of Selwyn hereby enacts as follows:

**1. Definitions**

- a) **“Authorized sign”** shall mean any sign, notice, or other device placed or erected in or upon Municipal Lands, under the authority of this By-law;
- b) **“Feed or Feeding”** shall mean the deliberate act of furnishing, or making food or other substances available which is likely to be consumed by waterfowl, seagulls or pigeons; and shall include the regular or intermittent supply of food, or allowing the placing or maintenance of a supply of food on a regular or intermittent basis, which is accessible to or accessed by waterfowl, seagulls or pigeons;
- c) **“Municipal Lands”** shall mean all lands and property owned by the Township of Selwyn including, but not limited to parks, open spaces, boulevards, road allowances, sidewalks;
- d) **“Intake Protection Zones 1 and 2”** shall mean the areas identified in Schedule “A” attached hereto.

**2. General**

This By-law shall apply to all Municipal Lands within the Corporation of the Township of Selwyn designated in the Source Water Protection Area and attached hereto as Schedule “A” and forming part of this By-law.

**3. Feeding of Waterfowl, Seagulls or Pigeons**

No person shall intentionally feed waterfowl, seagulls or pigeons or leave food or attractants of any type or in any form outdoors in such a manner as to attract, or be accessible by waterfowl, seagulls or pigeons on any municipal lands identified on Schedule “A” attached hereto and forming part of this By-law.

#### **4. Signage**

Township staff or designates shall post authorized signage on any municipal lands in the Source Water Protection Area (see Schedule "A") frequently used by the public to feed waterfowl, seagulls or pigeon prohibiting the activity in accordance with the provisions of this By-law.

#### **5. Severability**

If, for any reason, any section, clause or provision of this By-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part which was declared to be invalid.

#### **6. Effective Date**

This By-law shall come into force and effect on the date it is enacted by Council which shall come into force and effect upon final passing thereof.

Read a First, Second and Third time and finally passed this 24<sup>th</sup> day of November, A.D., 2015.

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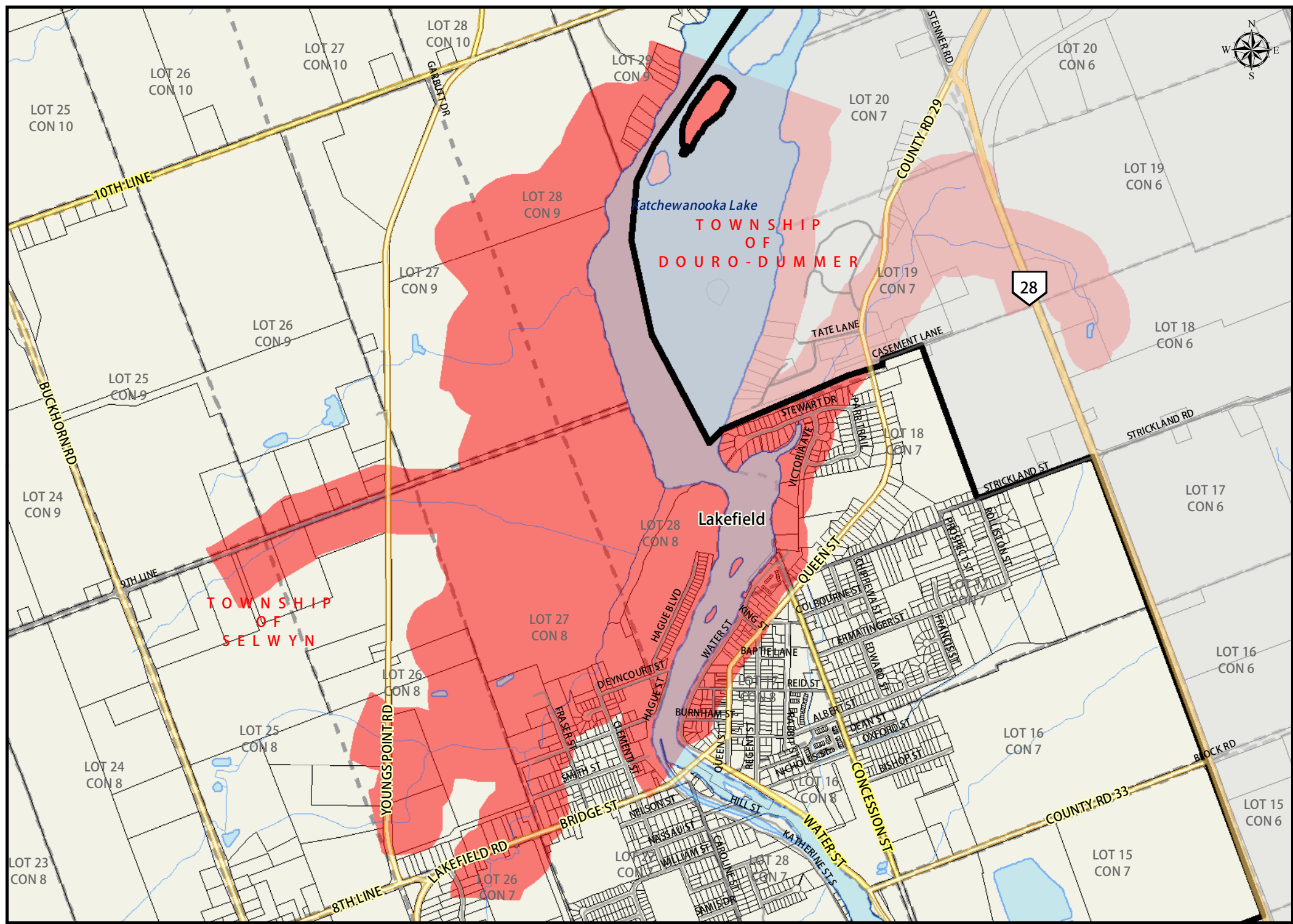
Mayor Mary Smith

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Clerk, Angela Chittick

Corporate Seal

**1. Map of Intake Protection Zones 1 and 2 for the Lakefield Municipal Surface Water System**



LOT 25 CON 10

LOT 26 CON 10

LOT 27 CON 10

LOT 28 CON 10

LOT 25 CON 9

LOT 26 CON 9

LOT 27 CON 9

LOT 28 CON 9

LOT 20 CON 7

LOT 19 CON 7

LOT 18 CON 6

LOT 19 CON 6

LOT 20 CON 6

LOT 25 CON 8

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LOT 28 CON 6

 Applicable Area

 Municipalities

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