



Wildlife Attractant Control

Bylaw 1411

Effective January 2024

CASTLEGAR

Wildlife Attractant Control

Bylaw 1411

A bylaw to regulate garbage, organics, recyclables and other wildlife attractants within the City.

WHEREAS Council wishes to minimize human – wildlife conflicts by reducing, to the greatest extent possible, the likelihood of garbage, organics and recycling being stored or disposed of in a manner that might reasonably be expected to attract wildlife.

AND WHEREAS Section 8(3) of the *Community Charter* authorizes the Council of the City of Castlegar, by bylaw, to regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community;

NOW THEREFORE the Council of the City of Castlegar, in open meeting assembled, enacts as follows:

1. **TITLE**

This bylaw may be cited as the City of Castlegar "Wildlife Attractant Control Bylaw No. 1411"

2. **DEFINITIONS**

"Authorized Representative" means the person appointed by the City Council for the purposes of administering and enforcing this Bylaw, and includes the City's Bylaw Enforcement Officer.

"Composting" means a technique used to promote the decomposition of only plant matter.

"Commercial Waste" means discarded matter originating from an income producing property and includes Garbage, grease, oils, fats, noxious, offensive, and unwholesome materials.

"Curbside Collection" means the collection of garbage, recyclable materials and organic materials from collection carts and containers placed at the curb adjacent to eligible properties.

"Garbage" means discarded matter and includes refuse, waste, noxious, offensive, and unwholesome materials, but does not include organic materials, recyclable materials, ICI waste or prohibited and hazardous materials.

"Garbage Collection Cart" means the collection cart provided by the City to each eligible property for garbage to be set at the curb for collection.

"Organic Collection Cart" means the collection cart provided by the City to each eligible property for organics materials to be set at the curb for collection.

"Organic Materials" means food waste vegetative matter, yard and garden waste, and other residential organic wastes for inclusion in curbside collection.

"Person" means any individual, company, corporation, owner, partnership, firm, association, society or party.

"Prohibited or Hazardous Materials" means any explosive, volatile, corrosive materials, dangerous chemicals, or any other material dangerous to the health and/or safety of the curbside collection service provider personnel or other members of the public.

"Recyclable Materials" means any paper, paper packaging and cardboard, plastic containers, cartons and paper cups, aluminum containers, steel containers, glass bottles and jars, flexible plastics, foam packaging and/or return-for-refund beverage containers.

"Wildlife" means any native or non-native undomesticated free-ranging animal.

"Wildlife Attractant" means antifreeze, paint, food products, food waste, compost, fruit and nut producing trees or shrubs, bird feeders, domestic pet food, barbeques, and any other waste that could reasonably attract Wildlife.

"Wildlife Resistant Container" means a fully enclosed metal or hard plastic container with a sturdy cover that can be fully closed and secured with a latching mechanism of sufficient strength and design to prevent access to Wildlife.

3. **GENERAL REGULATIONS**

- (a) No person shall store any Composting, Garbage, Commercial Waste, Organic Materials, Recyclable Materials and Prohibited or Hazardous Materials in such a manner that is accessible to Wildlife.
- (b) No person shall feed Wildlife.
- (c) A person must not leave, place or store outdoors any Garbage unless stored in a Garbage Collection Cart, or a Wildlife Resistant Container.
- (d) A person must not leave, place or store outdoors any Organic Materials unless stored in an Organic Collection Cart, or a Wildlife Resistant Container.
- (e) A person must not leave, place or store outdoors any Prohibited or Hazardous Materials unless stored in a Wildlife Resistant Container.
- (f) A person must not leave, place or store outdoors any Commercial Waste unless stored in an appropriate Wildlife Resistant Container or grease bin.
- (g) Storage of grease bins must be secured and stored in such a way as it is not accessible to Wildlife and kept clean of grease on the outside at all times.
- (h) All Recyclable Materials, including items not included with Curbside Collection, must be cleaned and odour free.
- (i) Every owner or occupier of real property shall ensure that a Garbage Collection Cart and an Organic Collection Cart located on the property is maintained in good working condition and kept in a clean and sanitary condition, kept closed and secured when not being deposited or emptied and if damaged, is repaired within seven (7) days of the damage occurring.
- (j) Every owner or occupier of real property shall ensure that fruit and/or nuts fallen from a tree or bush on such real property is removed from the ground of such real property within three (3) days.
- (k) Every owner or occupier of real property shall ensure that bird feeders containing bird feed, nectar or suet is suspended on a cable or other deterrent device in such a manner that it is inaccessible to Wildlife other than birds, and that the area below the bird feeder shall be kept free of accumulations of food sources.

- (l) Every owner or occupier of real property shall store or place an outdoor fridge or freezer that contains Wildlife Attractants in a locked or secured manner that is inaccessible to Wildlife.
- (m) Every owner or occupier of real property shall ensure that any barbeque, hibachi or grill that is stored outdoors must be clean and free of residual food or grease.
- (n) Bees and beehives are kept in such a manner so as not to attract Wildlife or are kept in such a manner so that they are reasonably inaccessible to Wildlife.
- (o) No person shall fail to take remedial action to avoid contact or conflict with Wildlife after being advised by the City's Authorized Representative that such action is necessary.
- (p) After an initial contact or conflict with Wildlife, no person shall continue to provide, or otherwise fail to secure or remove, any Wildlife Attractant.

4. **EXEMPTIONS**

- (a) An owner or occupier of real property shall be exempt from 3(c) and 3(d) between the hours of 4:01 a.m. and 7:00 p.m. on a day that is the parcel's designated Curbside Collection date.
- (b) A person is exempt from 3(c) and 3(d) for special events such as weddings, sports tournaments, outdoor conventions, holiday events, or City-permitted events if the Garbage or Organic Materials are emptied into a respective cart or Wildlife Resistant Container by 12:00AM of that special event date.
- (c) Composting is exempt from the provisions of this Bylaw so long as it is maintained in such a manner so as not to attract Wildlife.

5. **OFFENCES**

- (a) Any person who violates any provision of this Bylaw, or who causes, permits or allows any act or thing to be done in violation of this Bylaw, or who neglects to or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence against this Bylaw and each day that a violation continues is deemed to be a separate offence against this Bylaw.
- (b) Any person who violates a provision of this Bylaw, or who causes, permits, or allows an act or thing to be done in violation of a provision of this Bylaw, or who neglects or refrains from doing anything required by a provision of this Bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding the maximum set out in the City's Municipal Ticketing Bylaw and as per the *Offence Act*, as amended.

6. **SEVERABILITY**

- (a) If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this bylaw.
- (b) In this bylaw, references to statutes, regulations, bylaws or policies and to positions, titles or ministries include the same as they may be, from time to time, amended, replaced or succeeded by.

7. REPEAL

City of Castlegar Wildlife Attractant Control Bylaw No. 1198 and all amendments thereto are hereby repealed upon the date of adoption for this Bylaw.

READ A FIRST TIME this 18th day of December, 2023.

READ A SECOND TIME this 18th day of December, 2023.

READ A THIRD TIME this 18th day of December, 2023.

ADOPTED this 15th day of January, 2024.



Mayor



Director of Corporate Services