

**TOWN OF MAGRATH**  
**BYLAW NO. 1288**  
(Prohibit Feeding of Deer)

**A BYLAW OF THE TOWN OF MAGRATH IN THE PROVINCE OF ALBERTA TO PROHIBIT THE FEEDING OF DEER.**

**WHEREAS**, by virtue of the power conferred on it by the *Municipal Government Act* R.S.A. 2000, Chapter M-26, the Council of the Town of Magrath, in the Province of Alberta, duly assembled, enacts as follows:

**SECTION 1 - SHORT TITLE**

- 1.1 This Bylaw shall be known and may be cited as the "Prohibit Feeding Deer Bylaw" of the Town of Magrath.

**SECTION 2 - INTERPRETATION**

- 2.1 In this bylaw the following terms (unless the context specifically requires otherwise) shall have the following meanings:
- a. "Bylaw" means a bylaw of the Town of Magrath and includes amendments thereto.
  - b. "Bylaw Enforcement Officer" means an individual appointed as such in accordance with the Bylaw Enforcement Officer Bylaw #1278.
  - c. "Chief Administrative Officer" or "CAO" means the individual appointed by Council to the position of Chief Administrative Officer under section 205 of the *Municipal Government Act*.
  - d. "Conservation Officer" means a wildlife officer appointed under section 1.1(1) of the *Wildlife Act*; Chapter W-10.
  - e. "Council" means the Town's Municipal Council.
  - f. "Enforcement Officer" means any member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, or any person appointed by Council to enforce this Bylaw.
  - g. "Town" means the Town of Magrath, a municipal corporation of the Province of Alberta, and includes, where the context so requires, the area contained within the boundaries of the Town of Magrath.

### SECTION 3 – PROHIBITION AGAINST FEEDING OF DEER

- 3.1 No person shall provide deer with food either directly or by leaving or placing in, on or about land or premises food, food waste or any other material that is or is likely to be attractive to deer for the purpose of feed deer, other than a conservation officer acting in the performance of his duties, or a person acting under the direction of or with the permission of a conservation officer.
- 3.2 For Certainty, the prohibition in section 3.1 does not apply in relation to:
- a. Farm operations, except where feed or bales have been stored negligently;
  - b. Fruit or vegetable gardening for human consumption; or
  - c. Ornamental plants and flowers.

### SECTION 4 – ENFORCEMENT AND ENTRY

- 4.1 At any reasonable time, an Enforcement Officer may enter upon any property in order to ascertain whether the provisions of this Bylaw are being observed.
- Where an Enforcement Officer believes that, as a result of a breach of this bylaw, a deer is located on or near the property and has endangered or harmed a person or a domestic animal, or presents an imminent threat to the safety of any person, the officer may take steps to prevent, avert, reduce or mitigate the harm or threat or provide assistance. In so doing, the officer may seek the assistance of a Conservation Officer or a police officer as may be reasonable or necessary in the circumstances.
- 4.2 A person must not obstruct or interfere with an Enforcement Officer who has entered onto property pursuant to section 4.1, or another person assisting the officer.
- 4.3 The Chief Administrative Officer or their designates may prescribe any form, notice or ticket or other administrative matter required pursuant to this Bylaw.

### SECTION 5 – OFFENCE AND PENALTY

- 5.1 A person who contravenes any provision of this bylaw is guilty of an offence and is liable on summary conviction of a fine as follows:

1 <sup>st</sup> Offence	\$100.00
2 <sup>nd</sup> Offence	\$200.00
3 <sup>rd</sup> and Subsequent Offence	\$500.00

- 5.2 Severability

In the event that any provision of this Bylaw is found to be contrary to law by any Court of competent jurisdiction then that provision shall be severed and the remainder of the Bylaw shall be of full force and effect.

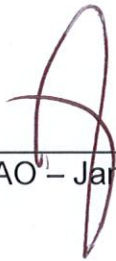
This bylaw will come into force on the date of third and final reading.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

READ a second time this 25 day of October, 2022.

READ a third time and finally passed this 25 day of October, 2022.

  
\_\_\_\_\_  
Mayor – Byrne Cook

  
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CAO<sup>1</sup> – James Suffredine