

CITY OF NANAIMO

BYLAW NO. 7183

A BYLAW TO REGULATE, PROHIBIT AND IMPOSE REQUIREMENTS RESPECTING THE
USE OF BODY-GRIPPING TRAPS OR DEVICES

WHEREAS the Council of the City of Nanaimo wishes to enact a bylaw to regulate, prohibit and impose requirements respecting body-gripping traps or devices for animals and wildlife;

AND WHEREAS body-gripping traps may pose a risk to the safety of animals not intended to be caught by such traps and devices and to humans;

AND WHEREAS Section 8 of the *Community Charter* empowers a Council to regulate, prohibit, and impose requirements respecting persons, property, things, and activities;

NOW THEREFORE, the Council of the City of Nanaimo in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as the City of Nanaimo "TRAPPING BYLAW 2013 NO. 7183".

2. Definitions

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| "Animal" | includes any wildlife or animal; |
| "Body-Gripping Trap" | means a trap or device that is designed or used to capture an animal by its body or body parts, including but not limited to, leg-hold traps, conibear traps, and snares except cage traps, box traps, nets, suitcase type traps and mouse and rat traps; |
| "City" | means the City of Nanaimo; |
| "Government of British Columbia" | has the same meaning as in the <i>Interpretation Act</i> , R.S.B.C. 1996, c. 238, as amended; |
| "Person" | includes an individual, association, corporation, firm, body politic, co-partnership, or similar organization and their heirs, executors, successors and assigns or other legal representatives, whether acting alone or by a servant, agent or employee; |
| "Wildlife" | has the same meaning as in the Definition of "Wildlife" Regulation. B.C. Reg. 427/2003, as amended; and |
| "Wildlife Act" | means the <i>Wildlife Act</i> , R.S.B.C. 1996, c. 488, as amended. |

3. Regulations

- (a) No Person shall use or suffer or permit to be used a body-gripping trap within the city.
- (b) Section 3(a) of this Bylaw shall not apply to the use of body-gripping traps by the City and the Government of British Columbia or their employees, agents, or officers or to First Nations people residing in British Columbia exempted under the *Wildlife Act*.

4. Penalty

- (a) Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw or who neglects to do or refrains from doing any act or thing which violates any of the provision of this Bylaw shall be liable to the penalties hereby imposed, and each day that such violation is permitted to exist shall constitute a separate offence.
- (b) Any person who violates any of the provisions of this Bylaw shall, upon summary conviction, be liable to a penalty of not less than \$500 and not more than \$10,000, plus the cost of the prosecution, or to a term of imprisonment not exceeding six (6) months, or both.

PASSED FIRST READING 2013-NOV-18
PASSED SECOND READING 2013-NOV-18
PASSED THIRD READING 2013- NOV-18
APPROVED BY MINISTRY OF FOREST, LANDS AND
NATURAL RESOURCES OPERATIONS _____
ADOPTED _____

MAYOR

CORPORATE OFFICER