



September 21, 2021

TO: Park Board Chair and Commissioners
FROM: General Manager – Vancouver Board of Parks and Recreation
SUBJECT: Park Board By-law Updates - Feeding Wildlife in Parks

RECOMMENDATION

- A. THAT the Vancouver Park Board approve the proposed amendments to the Parks Control By-Law regarding feeding wildlife in parks, as set out in Appendix A of this report;
- B. THAT the Vancouver Park Board approve the proposed amendments to the Park Board Ticket Offences By-law to set fines for contravention of feeding wildlife by-laws, as set out in Appendix B of this report; and
- C. THAT the Director of Legal Services be instructed to bring forward by-laws for enactment by the Park Board generally in accordance with Appendix A and Appendix B.

REPORT SUMMARY

Human feeding of wildlife interferes with normal foraging, hunting, and population numbers. It is physically unhealthy for animals, and encourages food-conditioning that can lead to aggressive behavior. While the BC Wildlife Act includes provisions against feeding 'dangerous wildlife', provincial enforcement resources are stretched, and the restrictions do not extend to other urban wildlife.

This report provides an overview of the issues related to feeding wildlife in Vancouver parks and proposes amendments to the Parks Control By-laws and the Park Board Ticket Offences By-law to help mitigate these issues and discourage this behavior.

BOARD AUTHORITY / POLICY

Per the [Vancouver Charter](#), the Park Board has exclusive jurisdiction and control over all areas designated as permanent and temporary parks in the City of Vancouver, including any structures, programs and activities, fees, and improvements that occur within those parks. The Board may pass, amend, and repeal by-laws for the control, regulation, protection, and government of these parks and of persons who may be therein.

[VanPlay](#), Vancouver's Parks and Recreation Services Master Plan's Goal 7 is to Restore Vancouver's wild spaces and vital biodiversity.

A [Biodiversity Strategy](#) goal is to increase the amount and ecological quality of Vancouver's natural areas to support biodiversity and enhance access to nature.

BACKGROUND

Vancouver's parks are essential to community well-being, and offer habitat to a wide variety of urban wildlife, including fish, amphibians, birds, and small and medium sized mammals. The Park Board encourages the public to experience urban habitats and co-exist with urban wildlife. Supporting biodiversity involves facilitating as close to natural ecological processes as possible while maintaining boundaries between humans and animals. Healthy habitat involves not developing physical or social relationships with animals through approaching, touching or directly or indirectly feeding them.

Animals are able to find the food they need in the habitats where they live, and population sizes fluctuate naturally based on the available resources. Human and domestic animal foods are detrimental to the health of wildlife and can become available to wildlife when foods are not contained effectively (e.g., garbage), intentionally left on the ground, or fed directly by humans. Species commonly found in Vancouver parks that are known to have been human fed, directly or indirectly, include Canada Geese, ducks, pigeons, squirrels, raccoons, and coyotes.

When wild animals associate humans with food, they can become conditioned or habituated, meaning they will approach humans in search of food and, sometimes, will become aggressive. This applies to all wildlife, including 'dangerous wildlife' (defined in BC as bears, cougars, wolves, and coyotes) and other species commonly found in urban areas (e.g., geese, raccoons, squirrels).

While the Park Board has jurisdiction over the management of human behavior in Vancouver parks, the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) has jurisdiction over all wildlife within the province. Attracting or feeding 'dangerous wildlife' is currently prohibited per the [Provincial Wildlife Act](#) (Section 33.1), however it is the responsibility of local authorities to regulate the behaviour of people interacting with or feeding all other wildlife. FLNRORD has advised that more proactive management of attractants left in parks, including Stanley Park, will contribute significantly to alleviating harm to wildlife.

Common practices currently used to manage feeding wildlife that have been applied to different degrees in Vancouver parks include:

- public education & signage;
- by-laws prohibiting leaving food, grain, or garbage in parks;
- wildlife-resistant waste bin styles to prevent access to indirect feeding;
- staff monitoring and removal of food attractants left exposed in parks.

The Stanley Park Ecology Society, City of Vancouver, Park Board, and Provincial Conservation Officers Service receive ongoing reports of wildlife feeding in parks, including hand feeding and depositing large amounts of domestic animal or human food on the ground with the intention of feeding wildlife. In some observed cases, this behaviour seems to be for the purpose of taking close-up wildlife photographs.

DISCUSSION

While current park by-laws prohibit leaving food or grain on any area in a park except in litter cans, they do not specifically address the direct feeding of wildlife or outline deterrent fines that can be issued for contravention of by-laws related to feeding and/or attracting wildlife. Amending the by-laws to clarify that feeding wildlife, both directly and indirectly, is prohibited and subject to fines

would assist with curbing this practice and is integral to supporting the Park Board's improved management of wildlife attractants and populations in parks.

Currently, the [Park Board By-laws](#) addresses the feeding of wildlife in Section 14 of the Parks Control By-law which states:

14. No person shall, without permission of the General Manager first had and obtained:
 - (l) deposit food or grain on any area in a park except in litter cans provided by the Board for the purpose of receiving garbage and litter;
 - (m) in any area of a park where litter containers are not provided, all litter shall be removed from the park by the persons responsible for its presence.

In order to address direct feeding of wildlife and clarify that this activity is prohibited, the Park Board's current by-laws require revision.

As noted previously, attracting or feeding dangerous wildlife is currently prohibited per the [Provincial Wildlife Act](#) (Section 33.1), which states:

- (1) A person must not:
 - (a) intentionally feed or attempt to feed dangerous wildlife, or
 - (b) provide, leave or place an attractant in, on or about any land or premises with the intent of attracting dangerous wildlife; and
- (2) A person must not leave or place an attractant in, on or about any land or premises where there are or where there are likely to be people, in a manner in which the attractant could
 - (a) attract dangerous wildlife to the land or premises, and
 - (b) be accessible to dangerous wildlife.

Although this section of the Wildlife Act only applies to dangerous wildlife, any amendments to the Park Board by-laws regarding feeding or attracting wildlife should align with the Province's approach. As well, staff have researched other municipalities to identify if there were any other factors that would be helpful to consider in the Park Board by-laws, and also to determine what levels of fine might be most effective. Some of the existing municipal wildlife feeding by-laws reviewed included those of [Cranbrook, BC](#); [Okotoks, AB](#); [Stony Plain, AB](#); [London, ON](#); and [Halifax, NS](#). They all vary based on local circumstances, with fines ranging from \$200 for a first offence to no greater than \$25,000 for first or subsequent offences. Many municipalities have a lower first offence fine followed by a higher fine for subsequent offences.

Parks Control By-law Amendments

Based on the above noted considerations, it is proposed that the Parks Control By-law be amended to include the following new section:

- 9A. A person must not:
 - (a) feed or attempt to feed wildlife in any park;
 - (b) provide, leave or place an attractant in any park in a manner that attracts or could attract wildlife.

The proposed amendments would also include two new definitions to support this added section:

- "ATTRACTANT" means food or food waste, meat, a carcass or part of a carcass of an animal or fish, compost or any other waste that could attract wildlife.
- "WILDLIFE" means all amphibians, reptiles, birds, and mammals, both native and not native to the Province, excluding any domesticated animal under the control of a human.

As noted in the definition for "wildlife", this new by-law would apply to all wildlife because feeding even small animals increases the amount of prey available for dangerous wildlife, which have greater potential risk to humans. Additionally, feeding wildlife is physically harmful for all animals.

The proposed new Section 9A, which expands upon and replaces Sections 14(l) and 14(m) of the current by-law, is further supported by the following existing by-laws addressing littering or leaving other materials in parks that could be considered attractants and therefore would remain unchanged:

- 14A. Except for litter which is deposited in compliance with section 14B, no person shall deposit any garbage, refuse or other waste material in a park.
- 14B. No person shall deposit litter in a park except in litter containers provided, maintained or authorized by the Board.
- 14C. In any area of a park where litter containers are not provided, all litter shall be removed from the park by the person responsible for its presence.
- 14D. No person shall discharge, throw or deposit any injurious, noxious or offensive thing or matter into a reservoir pond, pool, lake, stream or other water receptacle connected with a park, or on to the beach of a park, or on to the ice of a reservoir, pond, pool, lake stream or other receptacle for water where the water is frozen, or in any other way foul the water, or commit any unlawful damage or injury to the works, pipes or water, or encourage any other person to do the same.

All the proposed amendments to the Parks Control By-law are included in Appendix A.

Park Board Ticket Offences By-law Amendments

In order to support enforcement of the proposed new Parks Control By-laws with fines, the [Park Board Ticket Offences By-law](#) will need to be amended. As per the Vancouver Charter, this by-law is required to identify which offences are subject to municipal ticketing, who can issue the municipal ticket for each offence, and what penalties may be imposed for each offence.

Currently the Park Board Ticket Offences By-law only includes fines for offences related to the Smoking Regulation By-law, which range from \$250 to \$500 per offence, depending on the violation. At this time there is no option for increased fine amounts for repeat offences, which is the approach taken by many municipalities. This is an option that will be considered in a future comprehensive review of the consolidated Park Board by-laws.

In recognition that feeding wildlife can have significant and broad impacts on the health and safety of both humans and animals, a fine of \$500 per offence is suggested (see Appendix B for proposed amendments). The maximum fine allowed per the Parks Control By-law is \$2,000.

FINANCIAL & LEGAL CONSIDERATIONS

It is expected that increased efforts to enforce the by-laws would require additional staff resources and impact overall operating costs. This will be monitored and addressed during the budget approval process.

The proposed by-law amendments have been reviewed by Legal Services.

CONCLUSION & NEXT STEPS

The proposed amendments to the Park Board by-laws, as outlined in this report and attached as Appendices A and B, represent an important component of the overall efforts being undertaken to discourage feeding wildlife in Vancouver parks. If approved, draft by-laws will be presented to the Board for enactment at a future meeting.

Once enacted, it will be more clear that feeding any wildlife, either directly or indirectly, is prohibited in Vancouver parks and anyone contravening these by-laws may be fined. This will assist with deterring this harmful behaviour and support the Park Board's ongoing efforts to increase the amount and ecological quality of Vancouver's natural areas to support biodiversity, enhance access to nature, and foster a healthy co-existence with urban wildlife.

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Parks Control By-law – Proposed Amendments

**DRAFT By-law to Amend the Parks Control By-law
Regarding Feeding Wildlife in Parks**

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. This By-law amends the indicated provisions of the Parks Control By-laws.
2. In section 1, the Board:
 - (a) inserts the following definitions in the correct alphabetical order:

“ATTRACTANT” means food or food waste, meat, a carcass or part of a carcass of an animal or fish, compost or any other waste that could attract wildlife.”

“WILDLIFE” means all amphibians, reptiles, birds, and mammals, both native and not native to the Province, excluding any domesticated animal under the control of a human.”, and
 - (b) re-letters the existing definitions accordingly.
3. The Boards inserts the following new section:

“9A. A person must not:

 - (a) feed or attempt to feed wildlife in any park;
 - (b) provide, leave or place an attractant in any park in a manner that attracts or could attract wildlife.”
4. The Board strikes subsections 14(l) and 14(m).

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Park Board Ticket Offences By-law – Proposed Amendments

DRAFT By-law to Amend the Park Board Ticket Offences By-law

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. This By-law amends the indicated provisions of the Park Board Ticket Offences By-law.
2. In section 2.1, the Board replaces the word “by-law” with the word “by-laws”, and inserts the words “and Table 2” after the words “Table 1”.
3. In sections 2.2, 2.3, 2.4, 2.5 and 2.6, the Board inserts the words “and Table 2” after the words “Table 1”.
4. The Board inserts the following as Table 2 immediately after Table 1:

“TABLE 2 – Parks Control By-law

Column 1	Column 2	Column 3	Column 4
Park Ranger	Feed wildlife	Section 9A(a)	\$500.00
Police Officer	Leave attractant	Section 9A(b)	\$500.00”

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