



TOWN OF MINTO

DATE: June 30, 2016
REPORT TO: Mayor and Council
FROM: Bill White, CAO/Clerk
SUBJECT: Bait Fishing By-law

STRATEGIC PLAN:

9.13 Implement short form wording and streamline by-law enforcement practices where possible to efficiently allocate resources to minor offences, and continue enforcing by-laws based on complaints keeping in mind available resources.

BACKGROUND

Mark MacKenzie attended a Council meeting in the fall of 2014 regarding implementation of the bait fishing by-law. At the February 3, 2015 Council meeting the following resolution was passed:

MOTION: COW-038-15

THAT Council receives the C.A.O. Clerk's report dated January 26th, 2015 regarding the Town's Bait Fishing By-law and that Council direct staff to repeal and rewrite the By-law with the assistance of the Town Solicitor, and that Mark MacKenzie is notified.

In discussion with the Town Solicitor, staff is concerned that even if re-written according to concerns previously expressed it does little to address concerns as they exist. The attached letter was provided by legal counsel as an update to this matter.

There have been very few calls to the Town about this issue. As was discovered in 2014 when last investigated there is only one licensed bait fishing company in this area. The Ministry of Natural Resources will enforce its licensing rules when contacted. Staff has directed any concerns to the Ministry when they come up.

COMMENTS:

As this is a Provincial matter, the Town by-law creates a situation where landowners expect the municipality to stop illegal bait fishing when the best course of action is to call Provincial Conservation Officers. Town staff does not have powers of seizure as the Province in this case. Violations of Provincial conservation and licensing laws can result in equipment being seized in addition to fines and other remedies when enforced by the Province. At best Town staff could only direct the public to cease the activity on Town lands.

FINANCIAL CONSIDERATIONS:

Repealing the by-law will require removal of old signs and allows by-law enforcement efforts to be more efficiently deployed.

RECOMMENDATION:

THAT Council receives the CAO Clerk's report dated June 30, 2016 and the Town Solicitor's June 20, 2016 letter dated, and that By-law 04-72 be repealed.

Bill White, C.A.O. Clerk