



**The Corporation of Norfolk County
By-Law 2018-70**

**BEING A BY-LAW TO PROVIDE FOR THE ISSUING OF MUNICIPAL LICENCES,
AND CHARGING OF FEES FOR LICENCES, TO HUNT PHEASANTS AND RABBITS
WITHIN NORFOLK COUNTY.**

WHEREAS Section 79 of the *Fish and Wildlife Conservation Act*, S.O. 1997, c. 41 as amended, provides that the Minister of Natural Resources and Forestry may, in writing, authorize any Municipality to pass by-laws for:

- i) The purpose of issuing licences to hunt ring-necked pheasants, cottontails, varying hares and European hares in the municipality during the open season;
- ii) Fixing the minimum and maximum number of licences that may be issued under a by-law; and,
- iii) Charging such licence fees as the Minister may authorize.

NOW THEREFORE the Council of The Corporation of Norfolk County hereby enacts as follows:

1. GENERAL PROVISIONS

1.1 SHORT TITLE

- 1.1.1 This By-law shall be known as the "Pheasant and Rabbit Licensing By-law"

1.2 DEFINITIONS:

- a) "Municipal Licence" means a licence issued by the Municipality of Norfolk County for the purpose of hunting Rabbit and Pheasant;
- b) "Non-Resident" means person who is not a Resident;
- c) "Officer" means an individual duly authorized to enforce the provisions of this By-Law and/or the *Fish and Wildlife Conservation Act*, S.O. 1997, c.41 as amended;

- d) "Open Season" means, with respect to a species, the period during which hunting, trapping, or fishing for that species is permitted, as defined in the *Fish and Wildlife Conservation Act*, S.O. 1997, c.41 as amended;
- e) "Person" means any individual, corporation, partnership, whether limited or general in nature, association or any other entity recognized for the purposes of the administration and enforcement of this By-law;
- f) "Pheasant" means ring-necked pheasant as intended in the *Fish and Wildlife Conservation Act*, 41, S.O. 1997, as amended;
- g) "Public Land" means land which is owned by the Municipality of Norfolk County or Long Point Region Conservation Authority;
- h) "Rabbit" means cottontails, varying hares and European hares as intended in the *Fish and Wildlife Conservation Act*, 41, S.O. 1997, as amended and
- i) "Resident" means a person whose primary residence is Ontario and who has actually resided in Ontario for a period of at least six months during the 12 months preceding the day that residence becomes material under this By-Law, and includes a person who belongs to a class of persons deemed to be residents by the *Fish and Wildlife Conservation Act*, 1997, S.O. 1997, c. 41 or any of its Regulations .

1.3 INTERPRETATION

1.3.1 For the purpose of this By-law, unless the context requires otherwise:

- a) words imparting the singular number shall include the plural and words imparting the masculine gender shall include the feminine and neuter genders as the context may require; and
- b) where a form of words or expression are prescribed in this By-law, deviations there from not affecting the substance or calculated to mislead not vitiate them.

2. ADMINISTRATION AND ENFORCEMENT

2.1 ADMINISTRATION

2.1.1 A Municipal Licence may be issued by the County Clerk or Clerk-designate

2.1.2 A Municipal Licence may be issued to an individual upon receipt of the following:

- a) proof of possession of a valid Outdoors Card issued by the Ministry of Natural Resources and Forestry
- b) proof of residence
- c) licence fee

2.1.3 Licence fees for are established in Norfolk County's User Fee By-law No. 2017-127, as may be amended or replaced from time to time.

2.1.4 A Municipal Licence issued pursuant to this by-law shall only be valid for the duration of the Open Season for Pheasant and Rabbit in areas within Norfolk County where hunting and discharge of firearms is permitted.

2.2 ENFORCEMENT

2.2.1 No Person shall hunt Pheasants or Rabbits within Norfolk County during the Open Season without first obtaining a Municipal Licence for that purpose. Such licences are to be in addition to any other licence required by the *Fish and Wildlife Conservation Act*, 41, S.O. 1997.

2.2.2 This by-law does not apply to any land of the Crown or any land in respect of which an agreement has been entered into under subsection 83(1) of the *Fish and Wildlife Conservation Act*, 41, S.O. 1997, as amended.

2.2.3 All Persons hunting Pheasant or Rabbit on Public Land within Norfolk County must make available for inspection by an Officer their valid Municipal Licence.

2.2.4 No Person shall refuse to produce any documents or things required by an Officer in the exercise of a power or performance of a duty under this By-law.

2.2.5 No Person shall hinder or obstruct any Officer or any individual lawfully acting in aid of such Officer, in the execution of their duties under this By-law.

2.2.6 No Person shall knowingly furnish false information to an Officer.

2.3 BY-LAW REPEALED

2.3.1 The following By-law of the Corporation of Norfolk County and any amendments made thereto are hereby repealed:

- a) Norfolk County By-Law 2004-202

2.4 ENACTMENT

2.4.1 That this By-law shall come into effect upon the approval of the Minister of Natural Resources or their delegate.

By-Law 2018-70

ENACTED AND PASSED this 26th day of June, 2018.

Original By-Law Signed by:

Mayor C. H. Luke and County Clerk Andrew Grozelle

C.S.D. 18-17