



THE CORPORATION OF THE TOWNSHIP OF AUGUSTA

BY-LAW NUMBER 3434-2019

Being A By-Law To Establish A Municipal Land Hunting Permission Policy

WHEREAS the Township of Augusta recognizes that an increasing number of residents are requesting to hunt on municipally owned land;

AND WHEREAS all Municipalities have the authority to allow or restrict hunting on municipally owned land;

AND WHEREAS the Municipality wants to ensure the safety of its residents and the sustainability of its lands;

AND WHEREAS Council deems it expedient to adopt a Municipal Land Hunting Permission Policy;

Now Therefore The Council Of The Corporation Of The Township Of Augusta Enacts As Follows:

1. That a Municipal Land Hunting Permission Policy as attached hereto as Schedule "A" be adopted.
2. This By-Law shall come into force and effect on the day that it is passed.

Read a first time this 23 day of September 2019

Read a second time this 23 day of September 2019

Read a third time and passed this 23 day of September 2019.




Mayor



Clerk

Schedule A

 Township of Augusta			
Policy:	Municipal Land Hunting Permission Policy	Date issued:	09/23/2019
Coverage:	Augusta Township Residents, Staff	Resolution:	

1.0 Purpose

The Township of Augusta recognizes that there is an increasing number of residents requesting permission to hunt on municipally owned land. This policy is intended to establish the rules, protocols and guidelines for residents requesting to hunt on such lands.

2.0 Responsibility

It is the responsibility of the Clerk's Department to approve access to municipal land for hunting purposes and to ensure that all those issuing permissions understand and follow the procedures set forth in this policy.

3.0 Scope

This policy applies to all persons that request and are granted permission to hunt on any municipal properties.

4.0 Policy

It is deemed practical to establish the following concepts, practices, guidelines, expectations and responsibilities for all Augusta residents.

- 1) Only residents of the Township will be given permission to hunt on municipal properties.
- 2) Residents will only receive permission to hunt on one (1) municipal property each season.
- 3) Permission will only be given for the properties shown in Schedule A.
- 4) Each property will have a limit to the number of hunters allowed to hunt each season and permission will be given on a first-come, first-serve basis.
 - a. Two (2) applications will be approved for Industrial Park (Block A) property
 - b. One (1) application will be approved for Industrial Park (Block B) property
 - c. One (1) application will be approved for Industrial Park (Block C) property
 - d. One (1) application will be approved for the Coville Road property
 - e. One (1) application will be approved for the 6th Concession property
 - f. One (1) application will be approved for the 8th Concession property
 - g. One (1) application will be approved for the Hart Road (Block A) property
 - h. One (1) application will be approved for the Hart Road (Block B) property
- 5) Permissions will be given only twice a year and residents can apply for permission starting one (1) month before the start of that hunting period;
 - a. Spring Hunt will be April 25 to June 15, applications taken starting March 25
 - b. Fall Hunt will be September 3 – December 31, applications taken starting August 3
- 6) Hunters are restricted from using rifles in Industrial Park Blocks B or C.

- 7) Permission will only be given to residents who have a valid Ontario Federation of Anglers and Hunters Card, which is to be shown to Township staff at the time of application and recorded for the file.
- 8) Permission will only be given to residents who have a valid Hunting Outdoors Card, which is to be shown to Township staff at the time of application and recorded for the file.
- 9) Permission will only be given to residents who have a valid Photo Identification with proof of residency, which is to be show to Township staff at the time of application and recorded for the file.
- 10) Residents must complete and sign the 'Hunting Permission Application & Record' form.
- 11) Residents much complete and sign the 'Hunting Hold Harmless and Indemnity Agreement' form.
- 12) Residents will be given a general map outlining the area in which they are being given permission to hunt.
- 13) Residents requesting to hunt on the 6th Concession or 8th Concession properties must also obtain written consent to enter using an adjacent property from the property owner. This consent is to be shown to Township staff at the time of application and recorded for the file.

5.0 Review

This policy shall be reviewed from time to time as required by the Clerk's Department and recommendations made for any amendments deemed necessary to ensure the Township's requirements and expectations are being met.

6.0 Disclaimer

Residents hunting on municipal land are expected to follow all laws under the Fish and Wildlife Conservation Act and all Ontario Hunting Regulations.

Schedule B – Maps

Industrial Park – Block A

Approx. 170 acres, north of the railway tracks along County Road 2, accessible off County Road 31 (Blue Church Road) through Industrial Park – Block C.



Industrial Park – Block B

Approx. 18 acres, south of the railway tracks along County Road 2, accessible off County Road 2. Rifles are not to be used on this property.



Industrial Park – Block C

Approx. 11 acres, north of the railway tracks along County Road 2, accessible off County Road 31 (Blue Church Road). Rifles are not to be used on this property.



Coville Road

Approx. 40 acres, across from the North Augusta Transfer Site, accessible off Coville Road.



6th Concession

Approx. 100 acres, off Charleville Road, accessible only with written consent (obtained by the requester before permission will be given) from adjacent property owners.



8th Concession

Approx. 5 acres, off South Branch Road, accessible only with written consent (obtained by the requester before permission will be given) from adjacent property owners.



Hart Road - Block A
Approx. 15 acres, off Hart Road, accessible off Hart Road.



Hart Road - Block B
Approx. 18 acres, off Hart Road, accessible off Hart Road.





HUNTING HOLD HARMLESS AND INDEMNITY AGREEMENT

This Agreement is entered into and made by and between the Landowner (Township of Augusta) and Lessee (Hunter), as described below. The Parties to this Agreement recite that:

WHEREAS, the Landowner owns real property located at

_____, Ontario ("the Premises");

WHEREAS, the Lessee desires to use the Premises for purposes of hunting;

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants set forth below, the Landowner and Lessee mutually agree as follows;

IN CONSIDERATION of the Landowner's agreement to allow the Lessee access to the Premises for purposes of hunting, the Lessee releases and forever discharges the Landowner from any and all claims, suits, causes of action, damages, demands, liabilities, duties and obligations of every kind, nature and description, known or unknown, arising out of or alleged to have arisen out of or which may hereafter arise in connection with the use of the Premises.

IN FURTHER CONSIDERATION, the Lessee agrees to hold harmless indemnify the Council of the Township of Augusta, its Councillors, employees and/or its agents, from and against all actions, suits, claims and demands arising from any claim, suit or liability for damages to any person or property in, on or about the Premises from any cause whatsoever arising out of or in any way related to the Lessee's use of the Premises.

The Parties acknowledge and agree that the promises and agreements contained herein are not mere recitals but, rather, bargained-for terms expressly agreed to by the Parties to this Agreement.

WHEREFORE, in witness whereof the Parties have executed this Agreement on the

_____ day of _____, 20_____.

LANDOWNER(s):

Signed: _____ Dated: _____

Print Name: _____

Address: Augusta Township Municipal Office, 3560 County Rd 26, Prescott, ON. K0E 1T0

LESSEE:

Signed: _____ Dated: _____

Print Name: _____

Address: _____