



# MODEL ORDINANCE



Ordinance No. \_\_\_\_\_

## AN ORDINANCE OF THE CITY/COUNTY OF \_\_\_\_\_ PROHIBITING THE FEEDING OF WILD ANIMALS

BE IT ORDAINED BY THE COUNCIL OF THE CITY/COUNTY OF \_\_\_\_\_:

### NEW SECTION. Sec. 1 Intent

Intentional and unintentional wildlife feeding has increased with urban encroachment into wildlife habitat. Such feeding can lead to conflicts between wild animals and people (including their pets and livestock) and dangerous situations for people and/or result in the wild animal being killed. Unless people take responsibility to remove attractants to discourage unwanted wildlife, negative encounters will occur and wild animals will be killed.

This ordinance provides a tool for law enforcement personnel to warn residents that feeding wildlife is reckless and endangers others' safety as well as their own.

We can co-exist with native wildlife if we recognize and appreciate the important role these animals play in maintaining a healthy ecosystem and ensure that our activities do not adversely alter that role. Living with the natural environment, including wildlife, greatly increases our quality of life but also requires that we take responsibility to keep wild animals wild by not introducing and habituating them to human sources of food.

### NEW SECTION. Sec. 2 Definitions

- A. "Attractant" means any substance which could reasonably be expected to attract a wild animal or does attract a wild animal, including but not limited to, garbage, food products, pet food, feed, grain or salt.
- B. "Person" means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust, estate or any other legal entity, and any officer, member, shareholder, director, employee, agent or representative thereof.
- G. "Wild animal" means any animal which is not normally domesticated in this state, including but not limited to, bears, coyotes, foxes, mountain lions, deer, opossums, raccoons skunks, seabirds, and bats.

### NEW SECTION. Sec 3 Prohibitions

- A. No person shall feed or in any manner provide an attractant to any wild animal.

B. No person shall leave, store, or maintain any attractant in a manner, area, or location accessible to any wild animal.

NEW SECTION. Sec 4 Exceptions

A. The prohibitions of this act shall not apply to:

- (1) Any person who is the legal owner of a wild animal and the wild animal is kept in compliance with all applicable state and local laws.
- (2) Any person who feeds or provides food to a trapped, injured or unweaned wild animal between the time that the agency in charge of animal control or its designated agent is notified of the wild animal and the wild animal is picked up by the agency or designated agent.
- (3) A wildlife rehabilitator with a valid permit or license from the State Department of Game and Fish.
- (4) Any person with a bird feeder provided the feeder is suspended on a cable or other device to make it inaccessible to wild animals, and the area below the feeder is kept free from the accumulation of seed debris.

NEW SECTION. Sec. 5 Enforcement and Penalties

- A. The animal control authority, its staff, its agents, or local law enforcement agents are authorized and empowered to enforce the provisions of this act.
- B. Any person violating this act shall be guilty of a civil penalty of not less than two hundred dollars and not more than two thousand dollars for each violation. Each day that a violation continues or occurs will be considered a new violation for the purpose of assessing fines under this act.