

Chapter 84. Animals

Article VII. Wildlife Feeding

[Adopted by Ord. No. 7-2006 (Ch. 6.17 of the 1996 Municipal Code)]

§ 84-55. Purpose.

The purpose of this article is to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the City of Burlington so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 84-56. Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated in this section unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

FEED

To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

WILDLIFE

All animals that are neither human nor domesticated.

§ 84-57. Prohibited conduct.

- A. No person shall feed, in any public park or on any other property owned or operated by the City of Burlington, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).
- B. Except as provided in Article VIII, Feral/Community Cats, of this article, no person shall attract or feed wild and/or stray domestic animals, including but not limited to stray and/or feral cats, stray dogs, Canadian geese, skunks, squirrels, buzzards, opossums, turkeys, beavers, muskrats, and/or minks within the City of Burlington, whether the property is publicly or privately owned. Nothing contained herein shall prohibit persons from feeding birds on their private property using bird feeders or other receptacles. This article shall not apply to an Animal Control Officer in the performance of his/her official duties or to state and/or federal wildlife officials in the performance of their official duties.

[Added 12-10-2013 by Ord. No. 09-2013]

§ 84-58. Enforcement.

- A. This article shall be enforced by the Police Department or other municipal officials of the City of Burlington.
- B. Any person found to be in violation of this article shall be ordered to cease the feeding immediately.

§ 84-59. Violations and penalties.

[Amended 12-10-2013 by Ord. No. 09-2013]

Any person who violates any provision of this article shall be required to appear in the Municipal Court and, upon conviction thereof, be liable to a penalty of not less than \$100 nor more than \$500 for a first offense and not more than \$1,250 and community service for a period not to exceed 40 hours for a second or subsequent offense. Each day a particular violation continues shall constitute a separate offense.