



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Work Group Reviewing an Ordinance to Prohibit the Public from Intentional Feeding of Wildlife

November 8, 2019

8:00AM

Main Meeting Room, Town Hall, 933 Hopmeadow Street

SPECIAL MEETING AGENDA

Call to Order

- 1) Review and Discussion of Ordinances to Prohibit Feeding Of Wildlife from other Communities
- 2) Next steps and meeting date

Adjournment

Town	Ordinance
Colebrook	Bear Ordinance
Derby	Feeding or Leaving Animals in Street
Guilford	Wild Animals
Hartland	Feeding of Bear
New Canaan	Feeding Waterfowl Prohibited
Portland	Feeding of Raccoons and Other Wild Animals Prohibited
Rocky Hill	Feeding of Waterfowl
Stamford	Pigeons

TOWN OF COLEBROOK

BEAR ORDINANCE

At a Special Town Meeting of the Town of Colebrook held on September 14, 2010, pursuant to warning duly posted and published, the following ordinance was enacted:

Be it ordained by the Town of Colebrook as follows:

Pursuant to Section 7-148(b) of the Connecticut General Statutes regarding the ordinance powers granted to a municipality:

A major portion of the town consists of heavily forested areas, home to an ever-increasing number of black bears and other wildlife. This ordinance is adopted in an effort to assist our residents and guests in peacefully coexisting with these wild animals. Also, this ordinance is intended to enhance freedom and safety of movement in public areas of town.

In recognition that these animals are wild and should be left alone for the welfare and safety of both the animals and our residents and guests, it is hereby enacted by the Town of Colebrook that:

- I. No person shall provide food or other substances in a manner intending to attract black bears.

The provisions of this Ordinance shall apply to all persons except those with a valid permit issued by the State of Connecticut, Department of Environmental Protection.

Any person who knowingly violates the provisions of this ordinance shall be guilty of a violation and subject to a fine of not more than \$500.00.

This ordinance shall be effective fifteen days after the publication in a newspaper with a circulation in the Town of Colebrook.

§ 56-1. Feeding or leaving animals in street.

No person shall feed or leave any animal in any street unless such animal is securely fastened or in charge of some person of sufficient age and discretion to control such animal.

ARTICLE III
Wild Animals
[Adopted 7-15-1991 by the Board of Selectmen]

§ 131-5. Feeding or sheltering certain animals prohibited.

No person shall feed, harbor or shelter raccoons, feral cats, foxes and coyotes within the Town of Guilford, and their removal is encouraged.

§ 131-6. Waste materials to be properly stored.

No person or business entity shall leave waste food products and containers, garbage or other similar refuse attractive to such animals outside of an enclosed structure unless the same are contained within appropriate trash or refuse receptacles so maintained as to minimize access by such animals.

§ 131-7. Authority of Director of Health.

The Director of Health for the Town of Guilford is hereby authorized to add additional species to this prohibition from time to time as such Director deems necessary.

§ 131-8. Penalties for offenses.¹

Any person who violates any provision of this article shall be subject to a fine of not more than \$100 for each violation, and each day such violation continues shall constitute a separate violation.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).



**Town of Hartland
Selectmen's Office**

22 South Road
EAST HARTLAND, CT 06027
860-653-6800

www.munic.state.ct.us/hartland/hartland.htm

RECEIVED
JUL 10 2019

HARTLAND TOWN CLERK

**PURSUANT TO SECTION 7-148(b) OF THE CONNECTICUT GENERAL
STATUTES REGARDING THE ORDINANCE POWERS GRANTED TO A
MUNICIPALITY;**

A MAJOR PORTION OF THE TOWN LAND CONSISTS OF HEAVILY FORESTED AREAS, HOME TO AN EVER-INCREASING NUMBER OF BLACK BEARS AND OTHER WILDLIFE. THIS ORDINANCE IS ADOPTED IN AN EFFORT TO ASSIST OUR RESIDENTS AND GUESTS IN PEACEFULLY COEXISTING WITH THESE WILD ANIMALS. ALSO, THIS ORDINANCE IS INTENDED TO ENHANCE FREEDOM AND SAFETY OF MOVEMENT IN PUBLIC AREAS OF THE TOWN.

IN RECOGNITION THAT THESE ANIMALS ARE WILD AND SHOULD BE LEFT ALONE FOR THE WELFARE AND SAFETY OF BOTH THE ANIMALS AND OUR RESIDENTS AND GUESTS, IT IS HEREBY ENACTED BY THE TOWN OF HARTLAND;

FEEDING OF BEARS

1. NO PERSON SHALL:

- A. FEED, GIVE, PLACE, EXPOSE, DEPOSIT, DISTRIBUTE OR SCATTER ANY EDIBLE MATERIAL OR ATTRACTANT WITH THE INTENTION OF FEEDING, ATTRACTING OR ENTICING A BEAR; OR STORE ANY PET FOOD, GARBAGE OR OTHER BEAR ATTRACTANTS IN A MANNER THAT WILL RESULT IN BEAR FEEDINGS WHEN BEAR ARE KNOWN TO FREQUENT THE AREA.**
- B. SUBSECTION (A) SHALL NOT APPLY IN THE CASE OF UNINTENTIONAL FEEDING OF A BEAR. "UNINTENTIONAL FEEDING" MEANS USING OR PLACING ANY MATERIAL FOR A PURPOSE OTHER THAN TO ATTRACT OR ENTICE BEARS BUT WHICH RESULTS IN THE ATTRACTION OR ENTICEMENT OF A BEAR.**



Town of Hartland
Selectmen's Office

22 South Road
EAST HARTLAND, CT 06027
860-653-6800

www.munic.state.ct.us/hartland/hartland.htm

2. ANY PERSON WHO VIOLATES THE PROVISIONS OF SECTION 1(A) OF THIS ORDINANCE SHALL BE LIABLE TO A CIVIL PENALTY OF UP TO \$250.00 FOR EACH OFFENSE. IF THE VIOLATION IS OF A CONTINUING NATURE, EACH DAY DURING WHICH IT CONTINUES SHALL CONSTITUTE AN ADDITIONAL, SEPARATE AND DISTINCT OFFENSE. NO PERSON SHALL BE ASSESSED A CIVIL PENALTY PURSUANT TO SECTION 2 UNLESS THE PERSON HAS FIRST BEEN ISSUED A PRIOR WRITTEN WARNING FOR A VIOLATION OF SECTION 1(A).
3. THE TOWN OF HARTLAND BOARD OF SELECTMEN IS HEREBY AUTHORIZED AND EMPOWERED TO MITIGATE A CLAIM FOR A PENALTY UNDER SECTION 2 IN SUCH AMOUNT WHICH, IN THE SOLE DISCRETION OF THE BOARD OF SELECTMEN, MAY APPEAR APPROPRIATE AND EQUITABLE UNDER ALL OF THE CIRCUMSTANCES.
4. THE PROVISIONS OF THIS ORDINANCE SHALL BE ENFORCED BY THE HARTLAND CITATION HEARING OFFICER, HARTLAND ANIMAL CONTROL OFFICER, THE CONNECTICUT STATE POLICE TROOP "B" AND ENFORCEMENT OFFICERS WITH THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION (DEEP).
5. NOTHING IN THIS ORDINANCE SHALL BE CONSTRUED TO RESTRICT IN ANY WAY THE ATTRACTION, CAPTURE OR TAKING OF BEARS BY OR AT THE DIRECTION OF DEEP FOR MANAGEMENT OR RESEARCH PURPOSES.
6. THE TOWN MAY INSTITUTE A CIVIL ACTION IN A COURT OF COMPETENT JURISDICTION TO ENFORCE THE PROVISIONS OF THIS ORDINANCE AGAINST ANY PERSON WHO VIOLATES SAID PROVISIONS, INCLUDING AN ACTION TO COLLECT ANY CIVIL PENALTIES IMPOSED HEREUNDER AND AN ACTION FOR INJUNCTIVE RELIEF TO PROHIBIT AND PREVENT A VIOLATION OF THIS ORDINANCE.

THE PROVISIONS OF THIS ORDINANCE SHALL APPLY TO ALL PERSONS EXCEPT THOSE WITH A VALID PERMIT ISSUED BY THE STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION (DEEP).

§ 6-10. Feeding waterfowl prohibited. [Added 5-20-2009, effective 6-12-2009]

- A. No person shall feed or provide food for migratory or domestic waterfowl such as ducks, geese, swans, etc., on any public land or waters within the Town of New Canaan.
- B. The provisions of this section may be enforced by infractions issued by any police officer or Animal Control Officer. Any person violating this section may be fined, for each offense, \$90 or the maximum amount allowed for infractions on the State of Connecticut Superior Court infractions schedules.

Sec. 5-1. - Feeding of raccoons and other wild animals prohibited.

- (a) No person shall feed, harbor or shelter raccoons, feral cats, foxes, coyotes, woodchucks or skunks within the town.
- (b) No person or business entity shall leave waste food products, and containers, garbage or other similar refuse attractive to such animals outside of an enclosed structure unless the same are contained within appropriate trash or refuse receptacles so maintained as to minimize access by such animals.
- (c) The director of health for the town is hereby authorized to add additional species to this prohibition from time to time as such director deems necessary, and upon review and approval of the board of selectmen.
- (d) Any person who violates any provision of this section will be issued a warning for the first violation. Any person who violates any provision of this section after receiving the first violation warning shall be subject to a fine of \$50.00 for each violation, and each day such violation continues shall constitute a separate violation.

(Ord. of 8-12-1992, §§ 1—4)

Editor's note— Provisions enacted by §§ 1—4 of an ordinance adopted Aug. 12, 1992, have been codified herein at the discretion of the editor as § 5-1.

ARTICLE II
Feeding of Waterfowl
[Adopted 5-7-2001 by Ord. No. 202-01]

§ 83-5. Purpose; findings.

Purpose: To prevent such conduct that may attract and concentrate migratory and domestic waterfowl to public properties within the Town of Rocky Hill. The presence of large numbers of waterfowl causes a public nuisance and adversely affects the Town of Rocky Hill.

§ 83-6. Definitions.

For the purposes of this chapter, the words set out in this section shall have the following meanings:

DOMESTIC WATERFOWL — Nonnative ducks, geese and swans not retained in agricultural activities.

FEED or FEEDING — The act of or furnishing of food or other sustenance.

MIGRATORY WATERFOWL — Ducks, geese and swans native to North America.

§ 83-7. Prohibition of feeding.

No person or persons shall feed, cause to be fed or provide food for migratory or domestic waterfowl in lands or waters publicly owned within the Town of Rocky Hill. No person or persons shall foster any condition to exist or continue, which results in a congregation or congestion of migratory or domestic waterfowl.

§ 83-8. Penalties for offenses.

Any person or persons found to be violating this article shall be subject to a fine of \$50 per offense, enforceable by the Police Department. Each day any such violation continues shall constitute a separate offense. The imposition of any fines under this article shall not prevent the enforced abatement of any unlawful condition by the Town.

CHAPTER 181. - PIGEONS^[1]

GENERAL REFERENCES

Health standards—See Ch. 143.

Footnotes:

--- (1) ---

History— Adopted by the Board of Representatives of the City of Stamford 11-14-79 as Ord. No. 409; amended in its entirety 11-6-85 by Ord. No. 566. Subsequent amendments noted where applicable.

Sec. 181-1. - Unlawful activities; exceptions.

It shall be unlawful to feed feral or street pigeons (*Columba livia* species) in public or such other places in such a manner or to such an extent that may cause or tend to cause a nuisance and/or a threat and/or a potential threat to the public health. Such prohibition shall not preclude the feeding of wild birds in a manner adequately protected against attracting feral or street pigeons and/or other related species that may cause or tend to cause a nuisance and/or condition prejudicial to the public health.

Sec. 181-2. - Violations and penalties.

Any person who violates this chapter shall be fined one hundred dollars (\$100.) per day until abated.