

## **ORDINANCE NO. 764**

### **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF COUPEVILLE, WASHINGTON PROHIBITING THE FEEDING OF WILDLIFE AND FERAL ANIMALS WITHIN THE TOWN LIMITS BY ADDING A NEW CHAPTER 6.20 ENTITLED “WILDLIFE FEEDING” AND ADOPTING THE FINDINGS OF FACT.**

**WHEREAS**, research indicates that many species of wildlife are highly adaptable to urban environments and their populations are increasing in urban and suburban areas, and

**WHEREAS**, urban landscapes with abundant open space and low-lying vegetation can result in populations of deer and other wildlife in higher concentration than would be the case in mature forests, where food is more scarce; and

**WHEREAS**, the feeding of wildlife by humans worsens problems created by already unnaturally high number of certain species. By further increasing and concentrating populations, feeding can hasten the spread of disease among animals and increase human-animal conflicts; and

**WHEREAS**, the feeding of wildlife and feral animals can have the unintentional consequence of attracting rodents to the feeding sites, and can hasten the spread of disease among animals and humans, and

**WHEREAS**, wildlife and feral animals can become habituated to humans when regularly fed and as a result may become more dangerous, aggressive and territorial, and

**WHEREAS**, the feeding of wildlife and feral animals by humans can contribute to their unnatural concentration, contributing to deaths of animals by automobile, destruction of private property, creating a unsanitary environment, creating conflict between wildlife and domestic pets, and more dangerous human-animal conflict, and

**WHEREAS**, the Coupeville Town Council has received numerous complaints from constituents attributing negative events to highly concentrated animal populations resulting from feeding, including cases of deer charging at pets and humans, racoons acting aggressively to children, destruction of private property, urine and feces making private property unusable and deer blocking streets, and

**WHEREAS**, wildlife experts indicate that there is no benefit to wildlife receiving an unnatural diet, and in some cases, it can lead to health problems for the animals and even death, especially for deer,

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
COUPEVILLE, WA, as follows:**

Section 1. Findings of Fact. The recitals set forth about and herby adopted as findings of fact in support of this ordinance.

Section 2. The Coupeville Town Code is hereby amended to add a new Chapter 6.20 entitled: “Wildlife Feeding:

#### 6.20.010 Wildlife and Feral Animals – Definitions

A. “Wildlife” is defined in this section as undomesticated animals that grow or live wild in an area without being introduced by humans. Some, but not necessarily all, examples of wildlife are: deer, raccoons, coyotes, fox, otters, squirrels, chipmunks, rats and mice. For the purpose of this code, wild birds will not be considered wildlife.

B. “Feral Animals” are defined in this section as an animal having reverted to a wild state, as from domestication. One, but not necessarily all, examples of feral animals could include cats.

C. “Food” is defined in this section as a nourishing substance that is eaten or otherwise taken in the body of an organism to sustain life, provide energy, or promote growth. “Food” also includes substances containing mineral nutrients, such as salt.

#### 6.20.020 Wildlife Feeding – Prohibited

A. Except as provided in subsection (C) below, a person commits an offense if the person intentionally feeds wildlife or feral animals, or makes food available for consumption by said animals on private or public property within the town limits.

B. A person shall be presumed to have intentionally fed wildlife or feral animals or made food available for their consumption if the person places food or causes food to be placed, on the ground outdoors or in any outdoor area reachable by these animals.

C. This section does not apply to an animal control officer, veterinarian, peace officer, town employee, federal or state wildlife official or property owner who is authorized by a local, state, or federal government to treat, manage, capture, trap, hunt or remove wild animals and who is acting within the scope of the person’s authority.

1. This section does not apply to food that may derive from landscaping or gardening elements including shrubs, live crops, plants, flowers, vegetation, gardens, trees, and fruit or nuts that have fallen on the ground from trees.

2. The feeding of wildlife or feral animals does not apply to a person placing food on public or private property for the purpose of feeding domestic livestock, pets, or wild birds.

6.20.030 Penalties: While Town staff will endeavor to first seek compliance through a Correction Notice(s), nothing prevents the Town from issuing an infraction consistent with this section. Any person violating any provision of this section shall be guilty of an infraction and shall be punished by a fine not to exceed \$150.00 for each offense

Section 2. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder or the Ordinance or the application of the provision to other persons or circumstances is not affected.

Section 3.-Effective Date: This Ordinance shall be published in the official newspaper of the Town, and shall take effect and be in full force April 8<sup>th</sup>, 2021.

**ADOPTED** by the Town Council and **APPROVED** by the Mayor this 23<sup>rd</sup> day of March, 2021.

TOWN OF COUPEVILLE:

ATTEST:

\_\_\_\_\_  
Molly Hughes, Mayor

\_\_\_\_\_  
Kelly Beech, Clerk Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
Brett Vinson, Town Attorney

Published: \_\_\_\_\_