

## Legislation Details (With Text)

<b>File #:</b>	18-512	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Individual Item Ready
<b>File created:</b>	8/28/2018	<b>In control:</b>	City Council
<b>On agenda:</b>	9/10/2018	<b>Final action:</b>	
<b>Title:</b>	Discuss and consider approval of the second and final reading of an ordinance prohibiting the intentional feeding of wildlife within city limits.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. 2018 Wildlife Feeding Ordinance (2nd Reading)		

Date	Ver.	Action By	Action	Result
9/10/2018	1	City Council		

Presenter/Contact

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**SUBJECT:**

Discuss and consider approval of the second and final reading of an ordinance prohibiting the intentional feeding of wildlife within city limits.

**BACKGROUND / RATIONALE:**

**City Council passed the first reading of this ordinance on August 27.**

City staff has noted concerns associated with the abundance of wildlife within the City limits. Specifically, these concerns include wildlife-related auto collisions, degraded water quality, wildlife health and negative impacts to City parks. Staff has been working with the Texas Parks and Wildlife Department (TPWD) for the past several years to determine how to best address these issues.

Public meetings have been held in collaboration with TPWD in order to inform the community of the negative impacts associated with overabundant urban wildlife as well as potential management options.

Staff has briefed City Council several times over the past several years. Most recently, staff presented recommendations to City Council at the regular Council meeting on June 11<sup>th</sup>, 2018. The staff recommendations include 1) development and implementation of a education campaign on the negative impacts of overabundant urban wildlife and wildlife feeding, 2) development and enactment of a wildlife feeding ordinance, 3) reduction in the population of non-native ducks and geese in Landa Park, and 4) installation of vulture deterrents. Council provided direction to staff to move forward with these recommendations.

A wildlife feeding ordinance prohibiting the feeding of wildlife has been drafted. The draft ordinance

prohibits the feeding of all wildlife with the exception of feeding birds by use of common bird feeders. The draft ordinance provides for enforcement proceedings and penalties. The ordinance includes a six-month grace period prior to becoming effective.

The first reading of the ordinance was presented to and approved by City Council on August 27, 2018 with a proposed amendment excluding the applicability of the ordinance to those in possession of a City-issued Hunting Lands Permit. Other revisions to the initial draft of the ordinance include the addition of Code Compliance officers as an enforcing entity and the removal Section 82-28(B) requiring “no culpable mental state”.

**ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:**

N/A

**FISCAL IMPACT:**

Education and outreach efforts associated with urban wildlife management and the feeding ordinance will be funded through a grant provided by the Texas Commission on Environmental Quality.

**COMMITTEE RECOMMENDATION:**

N/A

**STAFF RECOMMENDATION:**

Staff recommends approval of an ordinance prohibiting the intentional feeding of wildlife within city limits.