

08/15/2008

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO ADD ARTICLE III, DEER MANAGEMENT, TO CHAPTER 14, ANIMALS, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO PROHIBIT DEER FEEDING; REPEAL CONFLICTING ORDINANCES, AND PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Article III, Deer Management, shall be added to Chapter 14 of the Code of Ordinances, as follows:

### **ARTICLE III. DEER MANAGEMENT**

#### **Sec. 14-90. Findings and Purpose.**

Increasing complaints about and incidences of deer/vehicle accidents, deer/human interaction, deer-related diseases and damage to private property make it necessary and appropriate to manage the deer herd in the City of Rochester Hills. The City Council finds that the intentional feeding of deer contributes to an unnaturally large deer population resulting in traffic hazards, loss of natural fear of humans, risk of disease, and private property damage. By prohibiting deer feeding, the City Council intends to manage the deer herd and improve public safety and quality of life in the City by reducing the occurrence of deer/vehicle accidents, deer/human interaction, the likelihood of deer related disease, and damage to private property.

#### **Sec. 14-91. Deer Feeding Prohibited.**

No person may place or permit placement on the ground or within five (5) feet of the ground any fruit, berries, grain, vegetables, nuts, salt or other edible material or bait which may reasonably be expected to attract or feed deer unless such materials are covered or protected in a way to prevent deer from feeding on them.

#### **Sec. 14-92. Exceptions.**

The foregoing prohibition of deer feeding does not apply to:

- (a) Naturally growing materials, fruit trees, other trees and shrubs, and live crops, plants, flowers and vegetation;
- (b) Bird feeders; or
- (c) Veterinarians, animal control officers, federal and state game officials and persons authorized by the City or other public authority in the course of their duties to treat, manage, count, capture or remove deer.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason

by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Penalty. All violations of this ordinance shall be misdemeanors and upon conviction thereof shall be punishable by a sentence of not more than ninety (90) days of confinement to jail or by a fine of not more than \$500, or both, in the court's discretion.

Section 4. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on \_\_\_\_\_, 2008, following its publication in the *Rochester Eccentric* on \_\_\_\_\_, 2008.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on \_\_\_\_\_, 2008.

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Bryan K. Barnett, Mayor  
City of Rochester Hills

CERTIFICATE

I hereby certify the foregoing ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof on \_\_\_\_\_, 2008.

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Jane Leslie, Clerk  
City of Rochester Hills