

ORDINANCE NO. 2015-15

**AN ORDINANCE ENACTING SECTION 7-02-022 OF THE
CENTERVILLE MUNICIPAL CODE PROHIBITING FEEDING OR
ATTRACTING WILD ANIMALS**

WHEREAS, the Centerville City Council finds that supplemental feeding of deer in urban or residential areas can have negative effects, such as over-browsing of local vegetation and ornamental plants by deer populations, increasing the number of deer-vehicle collisions, lowering the instinctive fear deer have towards humans and domestic animals, and artificially increasing birth rates resulting in higher deer population size and concentrations; and

WHEREAS, the Centerville City Council desires to enact Section 7-02-022 of the Centerville Municipal Code prohibiting the intentional feeding of deer and other wildlife within City limits in order to avoid and prevent the negative impacts of such supplemental feeding of deer populations; and

WHEREAS, the Centerville City Council has determined that the proposed enactment of Section 7-02-022 of the Centerville Municipal Code is in the best interest of the public health, safety and welfare and will help protect deer populations from the negative effects of supplemental feeding in urban and residential areas;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:**

Section 1. Enactment. Section 7-02-022 the Centerville Municipal Code prohibiting the feeding or attracting of wild deer, elk, or moose is hereby enacted to read in its entirety as follows:

7-02-022. Feeding Wild Deer, Elk, or Moose Prohibited.

(a) It shall be unlawful for any person to place, distribute, or allow the placement of food, grain, minerals, or similar substances within City limits when it attracts wild deer, elk, or moose in such numbers or circumstances to cause property damage, endanger any person, or create public health concerns.

(b) Subsection (a) does not apply to:

(1) public employees or authorized agents acting within the scope of their employment for public safety or wildlife management purposes;

(2) normal agricultural or livestock operation practices; or

(3) recreational feeding of wild song birds, hummingbirds, or passerine birds, unless a previous warning by the City to cease or modify feeding practices is disregarded and continued practices attract wild deer, elk, or moose in such numbers or circumstances to cause property damage, endanger any person, or create public health concerns.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 4. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 15th DAY OF SEPTEMBER, 2015.

CENTERVILLE CITY

By: _____
Mayor Paul A. Cutler

ATTEST:

Marsha L. Morrow, City Recorder

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Averett	_____	_____
Councilmember Fillmore	_____	_____
Councilmember Higginson	_____	_____
Councilmember Ivie	_____	_____
Councilmember Wright	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB’s Gas Station, on the foregoing referenced dates.

MARSHA L. MORROW, City Recorder

DATE: _____

RECORDED this ____ day of _____, 20__.

PUBLISHED OR POSTED this ____ of _____, 20__.