

Town of West Springfield

26 Central Street, Suite 23
West Springfield, MA 01089-2785



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William C. Reichelt
Mayor

15 June 2018

George D. Condon, III
Town Council President
Municipal Office Building
26 Central Street, Ste. 16
West Springfield, MA 01089

Re: Wildlife Feeding

Dear Councilors:

The West Springfield Police Department and the Animal Control Unit have received a sharp increase in calls for service from residents in regards to the conflicts they are having with wildlife. While fielding these calls it has become apparent that the vast majority of these issues are caused by the ample food supply which wildlife has access to, mainly the use of birdfeeders, unsecured trash barrels and purposefully outdoor animal feeding.

There are many reasons why feeding wildlife is not a good idea for both humans and animals. These reasons include, but are not limited to, the transmission of disease from animals to humans and pets, domestic animal versus wildlife conflicts and injuries, wildlife losing its natural fear of people, increased damage to homes, vehicles, and property, explosion in wildlife populations, and not eating the proper diet. If West Springfield curbs the amount of food available to these wild animals we will see a decrease in the wildlife conflicts that we are currently experiencing.

The purpose of the enclosed Ordinance is to provide our employees with the tools to educate the public and enforce the necessary ban on feeding the wildlife.

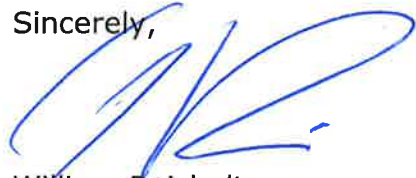
George D. Condon, III

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Please contact me at your convenience with any questions, comments, or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to be 'WR', written over the word 'Sincerely,'.

William Reichelt
Mayor

Enclosure

cc: Town Council

TOWN OF WEST SPRINGFIELD

AN ORDINANCE RELATIVE TO THE FEEDING OF WILD ANIMALS

MOVE that the West Springfield Town Council waive the formal reading and hereby resolve, ordain, and enact the following amendments to Section 7-630 of the Ordinances of the Town of West Springfield regarding Feeding of Wild Animals, Wildlife, and Birds, or take any other action relative thereto.

Be it ordained by the West Springfield Town Council that the Ordinances of the Town of West Springfield be amended as follows:

Insert the following:

SECTION 7-630 Feeding of Wild Animals, Wildlife, and Birds

1. Feeding of Wild Animals and/or Wildlife is Prohibited

- a. No person shall feed, bait, or in any manner provide access to food to any wild animal and/or wildlife within Town of West Springfield on lands either publicly or privately owned, except as permitted by subsection 2 of this Section.
- b. No person shall leave or store any refuse, garbage, food product, pet food, forage product or supplement, salt, seed or birdseed, fruit, or grain in a manner that would constitute an attractant to any wild animal and or wildlife, except as permitted by subsection 2 of this Section.
- c. No person shall fail to take remedial action to avoid contact or conflict with wild animals, which may include the securing or removal of outdoor trash, cooking grills, pet food, bird feeders or any other similar food source or attractant after being advised by the Town to undertake such remedial action. Further, after an initial contact or conflict with a wild animal, no person shall continue to provide, or otherwise fail to secure or remove, any likely food sources or attractants, including but not limited to outdoor trash, grills, pet food, or bird feeders.

2. Feeding of Songbirds and Other Backyard Birds is Permitted on Private Property

The feeding of songbirds and other backyard birds shall be permitted on private property subject to the following conditions:

- a. Birds shall only be fed from bird feeders. Bird feeders shall be installed at least five (5) feet above the ground. Bird feeders shall not be installed or attached to fences in any manner.
- b. The scattering or placement of food, seed, grain, or any other type of attractant on the ground shall not be permitted. In the event that food, seed, grain, or any other type of attractant becomes scattered on the ground, the resident shall regularly (at least weekly) remove such debris from the ground.
- c. Feeding shall not create an unreasonable disturbance or public nuisance that affects the rights of surrounding property owners or residents.
- d. Feeding shall not create an accumulation of droppings on the property or surrounding properties.
- e. Feeding shall not become an attractant for rodents or other wild animals.

3. Enforcement

- a. The Health Department, Police Department, Park Rangers and/or Animal Control shall enforce the provisions of this Ordinance.
- b. Violations of this Section shall be enforceable under the non-criminal disposition procedures established by M.G.L. c. 40, § 21D, and adopted set forth in Section 7-100 of these Ordinances. The non-criminal disposition penalties for any person violating this Section shall be a written warning for the first violation; Twenty-Five Dollars (\$25.00) for the second violation; One Hundred Dollars (\$100.00) for the third violation; and Three Hundred Dollars (\$300.00) for each subsequent violation. Each day of violation shall constitute a separate offense.

Additionally, add the following to subsection (3) of Section 6-105, *Municipal Charges*:

- (i) Charges or penalties for violations of the Feeding of Wild Animals, Wildlife, and Birds Ordinance, including interest and costs to record said lien in the Hampden County Registry of Deeds;

[Signatures on the Following Page]

Per order of the West Springfield Town Council, approved on the ___ day of _____, 2018
by a vote of _____ in favor and _____ opposed.

George D. Condon, Council President

Date

Approved as to Form:

Kate R. O'Brien, Town Attorney

Date

Pursuant to Section 3-7 of the West Springfield Home Rule Charter, I hereby approve the Town Council's acceptance of the above.

Mayor William C. Reichelt

Date

Pursuant to Section 3-7 of the West Springfield Home Rule Charter, I hereby disapprove the Town Council's acceptance of the above.

Mayor William C. Reichelt

Date