

ORDINANCE NO. 17-10

**AN ORDINANCE TO REPEAL AND RECREATE 7.02(13)(b)
PERTAINING TO ANIMAL NUISANCES AND
PROHIBITING THE FEEDING OF WILD ANIMALS AND WATERFOWL**

WHEREAS, it has been well established that the feeding of wild animals and waterfowl is both detrimental to the animals and causes a public health nuisance and safety hazard that is detrimental to the health and general welfare of the public. Feeding wild animals and/or waterfowl upsets the ecosystem and can lead to property damage; and

WHEREAS, as such, the Common Council has determined that in order to protect the safety of its residents, a prohibition on feeding such animals must be instituted.

NOW, THEREFORE, the Common Council of the City of Pewaukee, Waukesha County, Wisconsin, do ordain as follows:

SECTION 1. 7.02(d)(13) shall be repealed and recreated to read as follows:

~~ANIMALS. Keeping, feeding, harboring, securing or failing to secure any domestic or wild animal in any manner which promotes or causes a nuisance as defined in Section 7.02(A).~~

§7.02(d)(13) ANIMALS

SECTION 2. 7.02(d)(13)(a) shall be created to read as follows:

§7.02(d)(13)(a) Keeping, harboring, securing or failing to secure any domestic or wild animal in any manner which promotes or causes a nuisance as defined in Section 7.02(A).

SECTION 3. 7.02(d)(13)(b) shall be created to read as follows:

§7.02(d)(13)(b) Feeding of wild animals and waterfowl prohibited. No person shall give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting, or enticing wildlife or wild animals, including any animal which is not normally domesticated in this state, including but not limited to bears, coyotes, deer, foxes, rodents, groundhogs, opossums, raccoons, skunks, and the like, or waterfowl, including but not limited to ducks, geese, swans, heron, and egrets. This prohibition shall not include baiting in the legal taking of fish and/or game.

SECTION 4. SEVERABILITY. The sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect.

Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective upon passage and publication as required by law.

Dated this 4th day of December 2017.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, Clerk/Treasurer