

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AMENDING CHAPTER 205 OF THE CODE OF ORDINANCES OF THE CITY OF WILDWOOD BY ENACTING A NEW SECTION 205.015, AND PROHIBITING THE FEEDING OF DEER IN THE CITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILDWOOD, MISSOURI, AS FOLLOWS:

Section One. That Chapter 205 of the Code of Ordinances of the City of Wildwood shall be and it is hereby amended by enacting a new Section 205.015, to read as follows:

Section 205.015 No Feeding of Deer.

- A. Purpose. The attracting and feeding of white-tailed deer within the City limits results in the deposit of refuse, debris, fecal matter and other offensive substances and in the attraction of wildlife, promoting disease transmission and creating traffic hazards, property damage, and nuisance and annoyance of other persons.
- B. Unless otherwise expressly permitted by law, no person shall deposit, place, distribute or leave any fruit, grain, hay, vegetable, mineral, salt, or other food, of any kind or nature, with the intent to attract or feed white-tailed deer on public or private lands.
- C. A property owner shall immediately remove any materials placed on their property by others in violation of this Section.
- D. There shall be a rebuttable presumption that the placement of fruit, grain, hay, vegetables, minerals, salt, or other food in an aggregate volume of more than one-half (½) gallon at a height of less than six (6) feet off the ground, or in any drop feeder, automatic feeder, or similar device regardless of height is for the purpose of feeding deer in violation of this Section. Naturally growing plants, gardens, residue maintained as a mulch pile, and unmodified commercially purchased bird feeders or their equivalent are not prohibited under this Section.
- E. The provisions of this Section shall not apply to any resident or agent of the City authorized to implement a wildlife management program and who possesses the necessary permits from the Missouri Department of Conservation, nor shall it apply to any public officer or public employee in the performance of his or her duties. The provisions of this Section shall not apply to feeding of domestic animals.
- F. The City Administrator may authorize temporary feeding for purposes of counting wildlife population or other public purposes.
- G. City Officials shall issue a written warning for a first (1st) offense under this Section. Thereafter, offenses shall be subject to standard procedures for ordinance violations.

Section Two. **Effective Date.** This ordinance shall be in full force and effect on and after its passage and approval.

Section Three. **Savings.** Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or

otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

Section Four. Severability. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable by a court of competent jurisdiction, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the City Council that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid, is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

This Bill was passed and approved this ____ day of _____, 2022, by the City Council of the City of Wildwood, Missouri, after having been read by title, or in full, two (2) times prior to its passage.

Presiding Officer

James R. Bowlin, Mayor

ATTEST:

ATTEST:

City Clerk

City Clerk