

**PROPOSED BY: Staff**

**BILL NO: 19-2851.1**

**INTRODUCED BY: Alderman Fitzpatrick**

**ORDINANCE NO: 2833**

**AN ORDINANCE AMENDING CHAPTER 5 OF THE DES PERES MUNICIPAL CODE  
IMPOSING A PROHIBITION ON THE SUPPLEMENTAL FEEDING OF WILDLIFE**

**WHEREAS**, the supplemental feeding of wildlife can result in creation of a public nuisance due to the concentration of wildlife around concentrated feeding sources resulting in increased property damage, increased traffic accidents, and unintended health consequences for the animals as well as the general public; and

**WHEREAS**, the Wildlife Code of Missouri prohibits the placement of grain, salt products, minerals, and other consumable natural and manufactured products used to attract deer within counties in the Chronic Wasting Disease Management Zone which includes St. Louis County; and

**WHEREAS**, the Wildlife Code of Missouri grants exemptions for feed placed within one hundred (100) feet of any residence or occupied building; and

**WHEREAS**, the Missouri Department of Conservation advises that the supplemental feeding of geese accelerates population growth and causes aggressive behavior towards people due to food expectations; and

**WHEREAS**, the Missouri Department of Conservation further advises that supplemental feeding can be harmful for geese populations as most handouts are nutritionally inadequate and cause for infectious diseases included avian botulism and avian cholera; and

**WHEREAS**, the City of Des Peres continues to receive numerous complaints regarding damaged property and nuisances caused by white-tailed deer and geese populations, particularly in large open areas with proximity to water; and

**WHEREAS**, the Des Peres Board of Aldermen has determined that in order to mitigate nuisances and property damage caused by overabundant deer and geese populations, it is necessary to prohibit the supplemental feeding of deer and geese.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DES PERES, MISSOURI, AS FOLLOWS:**

**SECTION ONE:** Chapter 5. Animal and Fowl of the Municipal Code of the City of Des Peres is hereby amended to add a new section prohibiting supplemental feeding of certain wildlife to read as follows:

**Section 5-16 Supplemental Feeding of Wildlife Prohibited**

**It is the intention of this section to prohibit the supplemental feeding of wildlife by any person within the corporate limits of the city in order to prevent the congregation of wildlife which can result in traffic hazards, damage to property and result in the deposit of refuse, debris, fecal matter and other offensive**

**substances which can pollute the environment and constitute a public nuisance or annoyance to other persons.**

**1. Migratory Fowl and other Birds**

- a) No person shall feed any migratory waterfowl on public or private property or allow another person to feed migratory fowl on property under his/her ownership or control.**
- b) Nothing herein shall prohibit the agents of the Missouri Department of Conservation, the County Health Department or agents of the City of Des Peres from acting lawfully pursuant to wildlife or waterfowl management programs.**
- c) Nothing herein shall prohibit a person with a birdfeeder intended to feed song birds provided that the feeder is suspended on a cable or mounted in a tree or on a pole at a sufficient height to make it inaccessible to wild animals and the area below the feeder is kept free from accumulated bird feed.**

**2. Deer**

- 1. No person shall feed deer within city limits except as otherwise permitted in this section. 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.**
- 2. 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 gallon at a height of less than six 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.**
- 3. No person shall leave, store or maintain any food source easily available to wildlife in any manner, areas or locations within the corporate limits of the city which results in the attraction of wildlife or the accumulation of refuse, debris, fecal matter and other polluting or offensive substances or creates traffic hazards, property damage or a nuisance and annoyance of other persons. A property owner shall immediately remove any materials placed on their property by others in violation of this section and abate any nuisance or source of pollution associated therewith.**
- 4. 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.**
- 5. The provisions of this ordinance 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 Conversation, nor shall it**

apply to any public safety officer or city employee in the performance of his or her duties. The provisions of this ordinance shall not apply to feeding of domestic animals or pets.

6. The City Administrator may authorize temporary feeding for purposes of counting wildlife population or other public purposes.

**SECTION TWO:** This ordinance shall be in full force and effect both from and after its passage by the Board of Aldermen and approval by the Mayor.

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Voting in Favor: Kleinschmidt, Sansone, Pound, Concagh, Barrett  
Voting Against:  
Absent: Fitzpatrick

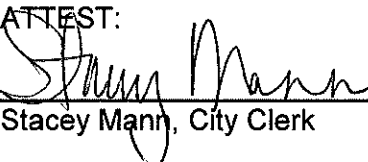
This ordinance passed this 25th day of March 2019.

  
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Presiding Officer

ATTEST:  
  
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Stacey Mann, City Clerk

This ordinance approved this 25th day of March 2019.

  
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Mayor Mark Becker

ATTEST:  
  
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Stacey Mann, City Clerk

1st Reading 03-11-2019  
2nd Reading 03-25-2019