

**AN ORDINANCE OF THE VILLAGE OF FOUR SEASONS, MISSOURI
ESTABLISHING PROHIBITIONS FOR THE INTENTIONAL FEEDING OF
DEER AND OTHER WILDLIFE [AND PENALTIES FOR ABUSE].**

WHEREAS, citizens of the Village of Four Seasons, Missouri have the right to enjoy their properties and assets and be free from nuisances created by the actions of others; and

WHEREAS, it is the intent of the Trustees of the Village of Four Seasons, Missouri to take certain measures to exercise the reasonable police power over the feeding of deer and other wildlife, in an effort to safeguard the general health, safety and welfare of its citizens and to protect and preserve the value of Village and citizenry assets from the dramatically increased population of deer and other wildlife.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Four Seasons, Camden County, Missouri, as follows:

1. DEFINITION

For this ordinance the following terms shall have the meaning indicated:

“Deer” shall include white tail deer, mule deer, and any other deer species found in Missouri.

“Waterfowl” is any bird that frequents the water or lives about rivers, lakes, or other bodies of water; an aquatic fowl, including but not limited to ducks, geese, swans, herons and egrets.

“Wild animal” shall include any animal which is not normally domesticated in this state, including but not limited to deer, turkeys, foxes, raccoons, coyotes, squirrels, skunks, wood chucks, feral cats, and waterfowl.

“Wildlife” shall include “Waterfowl” and “Wild animal.”

“Songbirds or other backyard birds” include birds of the suborder oscines or passerine characterized by a vocal apparatus highly specialized for singing.

“Feed” or “Food” shall mean any substance composed of grain, mineral, salt, fruit, vegetable, hay or any other food material or combination of these materials whether natural or manufactured that may attract Wildlife.

“Feeding” means the depositing, distributing, or tending of feed in an area frequented by Wildlife.

In this chapter “food” means solid or liquid forms of the following: water or other liquid refreshments, medicines, food supplements, corn, fruit, oats, hay, nuts, wheat, alfalfa, salt blocks, grain, vegetables, and commercially sold wildlife feed, birdseed or livestock feed, but excludes shrubs, live crops, plants, flowers, vegetation, gardens, trees, and fruit or nuts that have fallen on the ground from trees.

2. OFFENSE - FEEDING OF DEER AND OTHER WILDLIFE PROHIBITED

No person shall purposely or knowingly, with the intent to provide such food, feed, or in any manner provide access to food to any wild animal or waterfowl within the corporate limits of the Village of Four Seasons, on land either publicly or privately owned.

No person shall purposely or knowingly leave or store any food, feed, refuse, garbage, food product, pet food, seed, birdseed, fruit, or grain in a manner that would constitute an attraction to any wild animal or waterfowl.

This section does not apply to an animal control officer, veterinarian, peace officer, Village employee, federal or state wildlife official, or property owner who is authorized by a local, state, or federal government to treat, manage, capture, trap, hunt, or remove deer or wildlife and who is acting within the scope of the person's authority.

3. EXCEPTIONS

Feeding of songbirds and other backyard birds shall be permitted outdoors at such times and in such numbers and a manner that: (1) such feeding does not create an unreasonable disturbance with wildlife; (2) any apparatus used to feed such birds is made for the sole purpose of feeding songbirds and backyard birds and does not become an attraction for wildlife and; (3) bird feeders are placed in a manner and where wildlife other than songbirds would have a difficult time eating from them.

It is an affirmative defense to prosecution under this chapter if a person places food, in good faith, for the purpose of feeding domestic livestock or pets located on their own property.

4. ENFORCEMENT

A person may report a violation of this chapter to the Camden County Sheriff or any other code enforcement agent then authorized by the Village of Four Seasons, Missouri. Said enforcement parties may seek injunctive relief.

5. PENALTY

Any person who violates this chapter commits an offense. An offense under this chapter is a Class C misdemeanor punishable as provided in Ordinance Number 0-386N200073.0 and/or Chapter 479.353 RSMo (*Offenses: Miscellaneous Ordinance Violation*) by a fine of \$200 for the first municipal ordinance violation, \$275 for the second municipal ordinance violation, \$350 for the third municipal ordinance violation, and \$450 for the fourth and any subsequent municipal ordinance violations.

This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED after two (2) readings this 14th day of November 2018.

ATTEST:

Shannon Sullivan
Shannon Sullivan, Village Clerk

Arnold Sandbothe
Arnold Sandbothe, Chairman
Board of Trustees
Village of Four Seasons, Missouri

APPROVED AS TO FORM BY:

Todd Miller
Todd Miller, Village Attorney

Those voting "aye" were: Sandbothe, Perdue, Holcomb, Anderson, Ruel

Those voting "nay" were: None