



**CITY OF TONKA BAY**

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**ITEM NO. 8B**

# Memo

To: Mayor and City Council  
From: Lindy Crawford, City Administrator  
Date: June 23, 2015  
Re: Deer Feeding

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Following the last Council meeting, additional information has been provided on the ordinances in place in other cities. I have attached copies of information provided by Duluth, Oakdale, St. Cloud and St. Paul.

I am also attaching the proposed language for the ordinance for Tonka Bay.

**SECTION 742  
PROHIBITION ON FEEDING DEER**

**742.01 PURPOSE.**

It is hereby determined that deer within the city poses a threat to public safety by increasing the likelihood of deer-vehicle collisions, and the transmission of diseases to humans from deer. This Section is intended to reduce these threats by restricting supplemental feeding of deer, which results in concentrations of deer and can affect the normal movement of deer within the community. It is not the intent of this Chapter to regulate the recreational feeding of birds.

**742.02 PROHIBITION ON SUPPLEMENTAL DEER FEEDING**

Prohibition: No resident may place or permit to be placed on the ground, or within five (5) feet of the ground surface any grain, fodder, salt licks, fruit, vegetables, nuts, seeds, hay or other edible materials which may reasonably be expected to intentionally result in deer feeding. Living fruit trees and other live vegetation shall not be considered as supplemental deer feeding.

**742.03 EXEMPTIONS FROM PROVISIONS.**

The prohibition described in Section 742.02 above shall not apply to:

Subd. 1. Veterinarians, city animal control officials or county, state or federal game officials who are in the course of their duties and have deer in their custody or under their management;

Subd. 2. Persons authorized by the City of Tonka Bay to implement a deer management program approved by the City Council; or

Subd. 3. Any food placed upon the property for purposes of trapping or otherwise taking deer where such trapping or taking is pursuant to a permit issued by the Minnesota Department of Natural Resources.

**OAKDALE**

**ARTICLE V. FEEDING WILDLIFE AND WATERFOWL**

**Sec. 4-24. Prohibition.** No person shall feed or allow the feeding of wildlife or waterfowl on private or public property in the City. Providing living food sources, such as fruit trees and other live vegetation, to wildlife or waterfowl shall not be considered to be prohibited feeding.

**Sec. 4-25. Exceptions.** The prohibition in Section 4-24 shall not apply to veterinarians, City, county, state or federal officials who in the course of their duties have wildlife or waterfowl in their custody or under their management.

**Sec. 4-26. Definitions.**

“Wildlife” is any animal that is not normally domesticated in the state, including but not limited to raccoons, turkeys, coyotes, deer, feral cats, foxes, raccoons, and skunks.

“Waterfowl” is any bird that frequents the water, or lives about rivers, lakes, or other bodies of water;

and aquatic fowl, including but not limited to ducks, geese, swans, herons, and egrets.

“Feed” or “Feeding” means purposely or knowingly providing, either on the ground or at a height of

less than five (5) feet above the ground, shoreline, body of water or any structure, any food, feed, bait,

non-birdseed mixtures, grain, fruit, vegetables, hay, mineral, salt, food by-product, garbage or other

edible material to wildlife or waterfowl, or providing any other substance to wildlife or waterfowl that

the person intends wildlife or waterfowl to ingest. (Ord. 760, 10/25/11)

**DULUTH**

06-005-O

REPLACEMENT

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 6-78 OF THE DULUTH CITY CODE, 1959, AS AMENDED; REGULATING FEEDING OF PIGEONS.

BY COUNCILOR NESS:

The city of Duluth does ordain:

Section 1. That Section 6-78 of the Duluth City Code, 1959, as amended, is amended to read as follows:

Sec. 6-78. Feeding of pigeons or deer prohibited.

(a) Feeding of pigeons or deer. Except for operation of the Duluth zoo and its programs, feeding a wild deer on publicly-owned or occupied, or publicly-controlled, land is prohibited. Feeding of a wild deer or allowing one or more of them to be fed on one’s privately-owned or occupied

property is prohibited within the city; No person shall feed a nondomesticated pigeon, nor place feed in a place or manner that a reasonable person would expect to result in feeding a nondomesticated pigeon, in any area of the city that is not in a district zoned suburban (or its successor designation), as set out in Chapter 50, Article VII, or its successor, of Duluth City Code, except in a designated feeding area of a city park. This Section does not apply to domesticated pigeons such as those kept for racing, entertainment performances or agricultural purposes.

(b) Enforcement. Any employee or agent of the city who is authorized to cite another for violation of Duluth City Code and any peace officer is authorized to enforce this ordinance;

(c) Penalty. The minimum fine for a violation of Section 6-78, or its successor, shall be \$50.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: Citizens have complained to the council about the adverse effects of the large number of pigeons in residential areas. This ordinance will prohibit feeding pigeons and thereby help control their numbers and location.

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## **ST. CLOUD**

1040:400. Deer.

Subd. 1. Definitions.

(a) "Deer" means all mammals of the family Cervidae.

(b) "Feed" means the provision or dissemination of food, including salt, in any manner in the vicinity of deer.

Subd. 2. Prohibited acts. It will be unlawful for any person to feed deer on any land not zoned agricultural within the City.

1040:500. Enforcement.

(a) This Section will be enforced by the Police Department and/or the Health and Inspections Department.

1040:600 Violations and Penalties.

Subd. 1 Any person violating this ordinance will be subject to a warning for the first violation with the exception of those ordinance sections that follow.

(a) Exception. No warning is required for violations of Sections 1040:40 Animals at Large; 1040:50 Barking, nuisances, property damage and fecal clean-up; 1040:70 Dangerous Animals; and 1040:80 Potentially Dangerous Animals; 1040:90 Animal Biting; Quarantine; 1040.130 Intereference with Officers; and 1040:400 Animal Cruelty

Subd. 2. Subsequent violations. A person violating this Section for a second and subsequent time will be subject to an administrative penalty in accordance with the administrative fine schedule and / or subject to criminal prosecution.

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## **ST. PAUL**

### **Overview**

Feeding wildlife is prohibited in Saint Paul's parks and natural areas.

### **Deer**

Section 201.01 of the City of Saint Paul 's Legislative Code states that “no person shall intentionally feed deer within the city.” This includes grain, salt licks, fruit, vegetables, nuts, and hay.

### **Waterfowl**

Feeding geese is not only detrimental to the health of the animal but has serious environmental consequences. Check out the resources below for more information.