

ORDINANCE NO. C-5-2017

**CITY OF FARMINGTON HILLS
OAKLAND COUNTY, MICHIGAN**

AN ORDINANCE TO AMEND CHAPTER 6 “ANIMALS”, ARTICLE I OF THE CODE OF THE CITY OF FARMINGTON HILLS, BY ADDING SECTION 6-11, “DEER FEEDING- PROHIBITED,”AND TO AMEND CHAPTER 1, “GENERAL PROVISIONS,” SECTION 1-25, “DESIGNATION OF CIVIL INFRACTIONS,” TO DESIGNATE A VIOLATION OF SECTIONS 6-10 AND 6-11 AS CIVIL INFRACTIONS.

THE CITY OF FARMINGTON HILLS ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

The Farmington Hills City Code, Chapter 6, “Animals,” Article I, “Generally,” is hereby amended to add Section 6-11, “Deer Feeding – Prohibited,” to read as follows:

Section 6-11. Deer Feeding - Prohibited.

(a) Deer Feeding. As used in this section, “deer feeding” means the depositing, distributing, or tending of feed intended for consumption by deer for the purposes of preventing deer from starving or for recreational viewing.

(b) Acts Prohibited. No person shall place or permit to be placed on the ground, or less than five feet (5’) above the ground surface any grain, fodder, salt licks, fruit, vegetables, nuts, hay or other edible materials which may reasonably be expected to result in deer feeding, unless such items are screened or protected in a manner that prevents deer from feeding on them. Living fruit trees and other live vegetation shall not be considered as deer feeding.

(c) Exceptions. This prohibition shall not apply to:

1. Veterinarians, city/county animal control officers, parks maintenance staff, or county, state or federal game officials who are acting in the course of their duties or have deer in custody or under their management.

2. 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 Michigan Department of Natural Resources.

3. Persons feeding domestic animals or wild birds using feeding devices or containers. Such persons shall take all reasonable steps necessary to ensure that such devices and containers are maintained in proper working condition and that only the intended animals are able to access these feeding devices and containers. Any

prohibitions against or regulations concerning the feeding pigeons, Canada geese, gulls or other animals in this code shall continue to apply.

4. The use of straw, hay or straw-related materials for erosion control, mulching, gardening or other landscape purposes.

(d) Warning. Prior to the issuance of a complaint or citation for violation of this section, the city shall issue a written warning giving notice of the maximum penalties that could be imposed if the violator fails to cease and desist from violating this section.

Section 2 of Ordinance. Ordinance Amendment

The Farmington Hills City Code, Chapter 1, "General Provisions," Section 1-25, "Designation of Civil Infraction," is hereby amended to read as follows:

Sec. 1-25. - Designation of civil infractions.

A violation of the following chapters, provisions, or sections of this Code or any rule, regulation or order adopted or issued in pursuance thereof shall be deemed to be a civil infraction which shall subject the violation to the civil fines and penalties as provided in this chapter:

Chapters 1, 2, 3, 7, 8, 9, 11, 12, except those sections specifically designated as misdemeanors, 14, 15, 17, 20, 21, 22, 23, 24, 25, 28, 29, 31, 33, except those sections specifically designated as misdemeanors, 34, and Sections 6-10 and 6-11 of Chapter 6.

Section 3 of Ordinance. Repealer.

All other ordinances or resolutions, or parts of ordinances or resolutions in conflict herewith are hereby repealed.

Section 4 of Ordinance. Savings.

The amendments of the Farmington Hills Code of Ordinances set forth in this Ordinance do not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendments of the Farmington Hills Code of Ordinances set forth in this Ordinance.

Section 5 of Ordinance. Severability.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated, and such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 6 of Ordinance. Effective Date.

The provisions of this ordinance are ordered to take effect twenty-one (21) days after enactment.

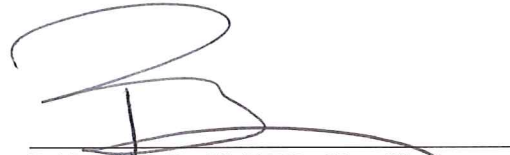
Section 7 of Ordinance. Date and Publication.

This ordinance is declared to have been enacted by the City Council of the City of Farmington Hills at a meeting called and held on the 12th day of June, 2017, and ordered to be given publication in the manner prescribed by law.

Ayes: Bridges, Bruce, Knol, Lerner, Massey, Rich and Steckloff
Nays: None
Abstentions: None
Absent: None

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington Hills, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington Hills at a meeting held on June 12, 2017, the original of which is on file in my office.



PAMELA B. SMITH, City Clerk
City of Farmington Hills

Introduced: May 22, 2017
Adopted: June 12, 2017
Effective: July 3, 2017
Published: June 21, 2017

SUMMARY
ORDINANCE NO. C-5-2017
CITY OF FARMINGTON HILLS
OAKLAND COUNTY, MICHIGAN

NOTICE of an Ordinance amending Chapter 6 “Animals,” Article I of the Code of the City of Farmington Hills, by adding Section 6-11, “Deer Feeding – Prohibited,” and to amend Chapter 1, “General Provisions,” Section 1-25, “Designation of Civil Infractions,” to designate a violation of Sections 6-10 and 6-11 as Civil Infractions.

A full copy of the Ordinance is on file in the Clerk’s Office for public review between the hours of 8:30am and 4:30pm Monday through Friday.

Sections 1-2, Ordinance Amendment

Section 3, Repealer

Section 3, Severability

Section 4, Savings

Section 5, Severability

Section 6, Effective Date

The provisions of this ordinance are ordered to take effect twenty-one (21) days after enactment.

Section 7, Date and Publication

PAMELA B. SMITH, City Clerk

Published: Farmington Press 6/21/2017