

**TOWN OF BRIDGEWATER
NOTICE OF PUBLIC HEARING**

Pursuant to Section 2-9 of the Bridgewater Home Rule Charter, the Bridgewater Town Council will conduct a public hearing on Tuesday, June 7, 2022, beginning at 7:05pm in the Academy Building, Council Chambers, 66 Central Square on proposed Ordinance D-FY22-020 – General Ordinance – Chapter 14/Article II. Feeding of Wildlife.

The entire proposed ordinance may be viewed on the Town's website (www.bridgewaterma.org) or in the Town Manager's Office in the Academy Building during business hours.



Bridgewater Town Council

In Town Council, Tuesday, April 5, 2022

Council Ordinance: D-FY22-020

Introduced By: Councilor Moore
Date Introduced: April 5, 2022
First Reading: April 5, 2022
Second Reading:
Third Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-FY22-020

General Ordinance – Chapter 14/Article II. Feeding of Wildlife

ORDERED, that the Town Council assembled votes to amend the following:

Part III, General Ordinances, Chapter 1, General Provisions, Article II, Non-Criminal Enforcement of Violations, Section 3, Schedule of Fines

Amended by adding the following language:

Chapter 14/Article II. Feeding of Wildlife

First Offense \$75, Second Offense \$100, Third Offense \$150, and Fourth and subsequent Offenses \$200

Part III, General Ordinances Chapter 14, Animals Article II, Feeding of Nuisance Wildlife

Amend by adding the following language:

§ 1 Purpose.

The purpose of this article is to protect the health, safety and welfare of both the wildlife and our residents with respect to foxes, coyotes, fishers, raccoons and other undomesticated animals by minimizing opportunities for such animals to obtain food from human sources or associate food with human interaction or proximity.

§ 2 Definitions. As used in this section,

Wildlife shall mean any undomesticated and unrestrained animal or fowl, including but not limited to bears, coyotes, foxes, fishers, raccoons, skunks and other animals or fowl causing public safety threats or nuisances.

Feeding shall mean the act of ground feeding, placing, exposing, depositing, distributing, or scattering, directly or indirectly, of any grain, shelled, shucked, or unshucked corn, seeds, wheat, bread or bakery products, salt, meat or parts, fish or parts, honey, molasses, or any other feed or nutritive substances, in any manner or form, so as to constitute for such wildlife a lure, attraction, or enticement to, on, or over any such areas where such feed items have been place, exposed, deposited, distributed, or scattered.

NOT FOR ACTION – FIRST READING ONLY

Designated enforcement authority shall mean any police officer of the Town, the Health Agent or the Animal Control Officer of the Town as well as those articulated under Massachusetts General Laws.

§ 3 Prohibited activity.

No person shall feed any wildlife at any place within the Town of Bridgewater. Whenever the Bridgewater Animal Control Officer or any designated enforcement authority becomes aware that wildlife has been found feeding on any substance, as defined above, and the landowner or person committing the act has been notified of the occurrence by any person authorized to enforce this Ordinance, and wildlife is thereafter found feeding on any such substance after any act of the commission or omission by the landowner or other person, such feeding shall be prima facie evidence that the feeding was with the knowledge or consent of the landowner or other person.

§ 4 Exceptions.

- A. Nothing in this Ordinance shall be construed to limit the feeding of domesticated waterfowl, as defined by the Division of Fisheries and Wildlife, by a farmer as defined in M.G.L. c. 128 § 1A on property owned or leased by him, or the feeding of waterfowl or any other birds by propagators licensed under M.G.L. c. 131 § 23 when such waterfowl or other birds are confined in such a manner as may be required pursuant to said Section 23 and any rules and regulations issued under authority thereof; or the feeding by any person or his agents, invitees or licensees or waterfowl lawfully kept as a pet by such person.
- B. Any individual, company or corporation that is duly licensed by the Commonwealth of Massachusetts or entitled under law to possess wildlife of any kind.
- C. Any action that is officially sanctioned by the Commonwealth of Massachusetts that would require feeding, baiting, or luring of wildlife (i.e., capturing and tagging wildlife for scientific projects and study).
- D. Any individual, company, or corporation that is engaged in lawful agricultural pursuits, including but not limited to growing crops, crop-bearing plants or raising livestock.
- E. This section shall not apply to the feeding of songbirds and other backyard birds on private property by way of bird feeders. However, if a bird feeder is determined to be the cause of a public safety threat or nuisance, the bird feeder(s) and seed debris will be required to be removed within 48 hours.
- F. This section shall not apply to the feeding of squirrels on private property by way of squirrel feeders. However, if a squirrel feeder is determined to be the cause of a public safety threat or nuisance, the squirrel feeder(s) and seed debris will be required to be removed within 48 hours.
- G. This section shall not be interpreted to prohibit the feeding of pets, provided that if food intended for pets is determined to be the source of wildlife feeding, the landowner or person responsible for the premises will be required to take steps to render such pet food inaccessible to wildlife, including the requirement that the pet food be removed. If any wildlife gains access to pet food, the condition allowing access must be corrected or the pet food removed within 48 hours.
- H. This section shall not be interpreted to prohibit the storage of refuse, food product, pet food, or other material or nutritive substance on any premises in a manner which does not constitute a lure, attraction or enticement of wildlife on property within the Town of Bridgewater, provided that if such storage is determined to be the source of a wildlife feeding problem, the landowner or person responsible for the premises will be required to take steps to render such storage area inaccessible to wildlife and the area near the storage be kept free from such debris. If any wildlife gains access to a storage area, the condition

allowing access must be corrected or the stored material removed within 48 hours.

§ 5 Non-criminal Disposition.

Any fine issued under this Section may be assessed through non-criminal process in accordance with M.G.L. Ch. 40, Section 21 D. Each day on which any such violation continues shall be considered a separate violation of this section. The availability of non-criminal process herein shall not preclude the use of criminal process or other means of enforcement.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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