

ARTICLE II  
**Wildlife Feeding**  
**[Adopted 11-9-2021<sup>1</sup>]**

**§ 78-5. Purpose.**

The Town of Farmington, under its powers pursuant to state law, has adopted this article to protect public health, safety, and welfare by prohibiting the intentional feeding of wildlife. This article is intended to assist our residents, guests, and other stakeholders to coexist with wildlife peacefully and safely.

**§ 78-6. Definitions.**

When used in this article, the following terms shall have the meanings indicated:

**AUTHORIZED ENFORCEMENT AGENCY** — All sworn personnel of the Police Department and animal control officers. Additionally, any employees or designees of the Town as designated by the Town Manager to enforce this article.

**PERSON** — Person shall be construed to mean and include an individual, a corporation, a partnership, a nonprofit, a trust, an unincorporated organization, business organization of any kind or any other group or organization.

**TOWN** — Town means the Town of Farmington.

**WILDLIFE** — Wildlife includes, but is not limited to, nondomesticated animals that due to intentional feeding have been determined to be a nuisance or threat to public health, safety, and welfare such as bears, deer, coyotes, bobcats, fishers, turkeys, and wild birds. Wildlife does not include livestock used for agricultural purposes.

**§ 78-7. Prohibited Activity.**

In recognition that these animals are wild and should be left alone for the health, safety, and welfare of both the wildlife and our residents, guests, and other stakeholders, the following is prohibited activity:

- A. Intentional feeding of wildlife. Feeding, giving, placing, exposing, depositing, distributing, or scattering any edible material, attractant, or other substance with the intention of feeding, attracting, or enticing wildlife.
- B. Feeding birds. Bird feeders may not be used from April 1<sup>st</sup> through November 30<sup>th</sup>, unless the source is recognized as not being desirable to bears, such as but not limited to Nyjer or thistle.
- C. Improperly storing food, refuse, or other wildlife attractants. Improperly storing food, pet food, refuse (garbage), or other attractants and substances in a manner that result in wildlife feedings.

**§ 78-8. Exceptions.**

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1. Editor's Note: This article is effective 12-12-2021.

- A. Unintentional feeding of wildlife. Unintentional feeding of wildlife means using or placing any material for a purpose other than to intentionally attract, entice, or feed wildlife but which results in unintentionally attracting, enticing, or feeding of wildlife. Composting that was properly secured but unintentionally led to the feeding of wildlife is excluded.
  - (1) Unintentional feeding will become intentional feeding if a written notice is issued by an authorized enforcement agency and ignored.
- B. Feeding birds. Bird feeders may be used from December 1<sup>st</sup> through March 31<sup>st</sup>.
  - (1) If the source is recognized as not desirable to bears, such as, but not limited to, Nyjer or thistle, bird feeders may be used year-round.
- C. Permitted activity. This article does not apply to any person with a valid permit issued by the state of Connecticut, Department of Energy and Environmental Protection.
- D. Wildlife rehabilitation. Any person providing care to wildlife for the purpose of an animal's rehabilitation due to illness or injury, as part of a recognized for-profit or nonprofit entity providing for such care of wildlife.

#### **§ 78-9. Violations and Penalties.**

Whenever the authorized enforcement agency determines that a person has violated any of the above provisions, the authorized enforcement agency is authorized to issue a fine in the amount of one hundred dollars (\$100.00) for each offense. Any violation continued more than one (1) day shall constitute a separate offense for each day such violation continues. All monies received shall be remitted to the office of the Tax Collector.

#### **§ 78-10. Hearing procedure for citations.**

The hearing procedure for any citations issued for violations of the above article shall be the procedures set forth in Chapter 91 of the Code of the Town of Farmington.