



## Chapter 7, Article VI – Ordinance 13, Series of 2023

### Wildlife Protection



#### Sec. 7-151. Definitions.

- (1) *Wildlife* means any small to large size non-domestic mammal indigenous to the Town of Snowmass Village including but not limited to, black bear, mule deer, elk, moose, raccoon, coyote, beaver, skunk, badger, bobcat, mountain lion, porcupine and fox.
- (2) *Wildlife Resistant Refuse Container* means a fully enclosed metal container with a metal lid or other certified plastic bear resistant container. The lid must have a latching mechanism, which prevents access to the contents by wildlife. All wildlife Resistant Refuse Containers must be approved by the Chief of Police and the Director of Public Works.
- (3) *Wildlife Resistant Dumpster Enclosure* means a fully enclosed structure consisting of four sides and a roof, with one side accommodating a door(s). The sides of the structure must extend to the ground and the door cannot have more than a two-inch gap along the bottom. The door must be metal and have a latching device of sufficient design and strength to prevent access by wildlife. Ventilation openings shall be kept to a minimum and must be covered with a heavy gauge steel mesh or other material of sufficient strength to prevent access. Wildlife Resistant Dumpster Enclosures must be approved by the Chief of Police and the Director of Public Works.
- (4) *Special Event* means a large, outdoor gathering such as a concert, conference, festival, or rodeo.

#### Sec. 7-152. Wildlife Resistant Refuse Containers or Enclosures Required.

At all times of year, all refuse containers regardless of size, that receive refuse edible by bears or other wildlife shall be either an approved Wildlife Resistant Refuse Container, or a refuse container which is stored within a building, house, garage, or approved Wildlife Resistant Dumpster Enclosure.

#### Sec. 7-153. Maintenance and Operation of Wildlife Resistant Refuse Containers and Dumpster Enclosures.

- a. Wildlife Resistant Refuse Containers and Dumpster Enclosures must be kept closed and secure when refuse is not being deposited.
- b. If a container or enclosure is damaged, allowing potential access by bears or other wildlife, repairs must be made within 24 hours after written notification by the Police Department.

#### Sec. 7-154. Residential Refuse Disposal.

- a. All containers that receive refuse edible by bears or other wildlife must be secured inside the home or garage. Residents unable to keep their refuse container inside the home or garage shall store their refuse in a wildlife resistant refuse container or enclosure approved by the Police Department.
- b. Residents with curbside pickup shall place their refuse containers at the curb only on the day of pickup. After pickup, the containers must be re-secured inside the home, garage, or Wildlife Resistant Dumpster Enclosure by 6 p.m., unless using a wildlife resistant refuse container or enclosure approved by the Police Department.



## Chapter 7, Article VI – Ordinance 13, Series of 2023



### **Sec. 7-155. Special Event Refuse Disposal.**

- (a) Outdoor Special Event sites shall be kept free from the accumulation of refuse edible by wildlife. Refuse must be collected from the grounds at the close of each day's activities and shall be deposited in wildlife resistant refuse containers or wildlife resistant dumpster enclosures or be removed to an appropriate disposal site.
- (b) All products containing food ingredients are considered wildlife attractants and must also be secured in a wildlife resistant refuse-container or wildlife resistant dumpster enclosure or removed at the close of each day's activities (examples-flavored drinks, lotion, Chapstick, essential oils, tinctures, balms, or even sunscreen).

## **Wildlife Protection**

### **Sec. 7-156. Construction Site Refuse Disposal.**

All construction sites must keep all refuse that would attract or be edible by bears or other wildlife in a wildlife resistant refuse container or wildlife resistant dumpster enclosure.

### **Sec. 7-157. Feeding of Wildlife.**

- a. No person shall knowingly leave or store any refuse, food product, pet food, grain or salt in a manner which would constitute a lure, attraction, or enticement of wildlife.
- b. Birdfeeders are allowed. However, all feeders must be suspended on a cable or other device so that they are inaccessible to bears and the area below the feeders must be kept free from the accumulation of seed debris.

### **Sec. 7-158. Interference with Code Enforcement Officer.**

No person shall interfere with, molest, hinder or impede the Police or Code Enforcement Officer in the discharge of his or her duties as herein prescribed, or to violate any of the provisions of this Article.

### **Sec. 7-159. Enforcement.**

- a. Police or Code Enforcement Officers shall have the power to issue summonses and complaints for violations of this Article, as well as to issue warning notices to persons in violation of the provisions of this Article.
- b. Police or Code Enforcement Officers shall have the right to enter any premises in the Town at reasonable hours to enforce the provisions of this Article.



## Chapter 7, Article VI – Ordinance 13, Series of 2023



### Sec. 7-160. Compliance required and time period.

Any dumpster enclosure or refuse container shall be brought into conformity with the wildlife protection provisions of this Article within a period not to exceed sixty (60) days from the effective date of the ordinance codified herein. Upon application to the Chief of Police and showing a hardship by any owner of a dumpster enclosure or refuse container required to comply with this article, the Chief of Police may grant an extension, for a reasonable period of time, within which to comply with the provisions of this article. Metal doors shall be required on all new dumpster enclosure buildings and when existing dumpster enclosures receive new doors as part of an extensive repair or upgrade.

### Sec. 7-161. Harassing Wildlife Prohibited

It shall be unlawful for any person to willfully harass any wildlife or disregard any law enforcement commands, signs, or barriers designed to protect wildlife. Harassing wildlife includes, but is not limited to, encroaching upon, cornering, crowding, taunting, chasing, and any other willful behavior directed at the wildlife that a reasonable person would believe would cause stress to the wild animal or cause the wild animal to inflict injury in retaliation to the human behavior.

### Sec. 7-162. Penalty assessment. The following penalty assessments are declared to be mandatory and minimum:

#### Wildlife Resistant Refuse Container (Sec. 7-152):

First offense within 1 year	100.00
Second offense within 1 year	250.00
Third offense within 1 year	Summons

#### Special Event Refuse Disposal (Sec. 7-155):

First offense within 1 year	250.00
Second offense within 1 year	750.00
Third offense within 1 year	Summons

#### Maintenance of Wildlife Resistant

##### Refuse Containers/Enclosures (Sec. 7-153):

First offense within 1 year	50.00
Second offense within 1 year	500.00
Third offense within 1 year	Summons

##### Construction Site Refuse Disposal (Sec. 7-156):

First offense within 1 year	250.00
Second offense within 1 year	500.00
Third offense within 1 year	Summons

#### Residential Refuse Disposal (Sec. 7-154):

First offense within 1 year	50.00
Second offense within 1 year	250.00
Third offense within 1 year	Summons

#### Feeding of Wildlife (Sec. 7-157):

First offense within 1 year	75.00
Second offense within 1 year	250.00
Third offense within 1 year	Summons

#### Harassing Wildlife Prohibited (Sec. 7-161):

First offense within 1 year	250.00
Second offense within 1 year	500.00
Third offense within 1 year	Summons