

112-O-01

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AN ORDINANCE

**Amending Chapter 4 of Title 8 of the
Evanston City Code Pertaining to the
Feeding of Animals on Public and Private Property**

WHEREAS, the Evanston City Code does not specifically address the issue of the feeding of animals; and

WHEREAS, the excessive ground feeding of animals can constitute a public nuisance and can be harmful to the public's health, safety and welfare; and

WHEREAS, the City Council has determined it is in the best interest of the citizens of Evanston to regulate the ground feeding of animals on public and private property,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That Chapter 4 of Title 8 of the Evanston City code, 1979, as amended, be and hereby is further amended by adding the following new section:

8-4-7: WILD/FERAL MAMMAL AND/OR BIRD FEEDING

8-4-7-1: DEFINITIONS:

A. Wild/feral mammal and/or bird:

Any mammal or bird not generally considered domesticated, including but not limited to the following: gray squirrel, ground squirrel, chipmunk, rat, mouse, rabbit, raccoon, opossum, skunk, pigeon, sparrow, mourning dove, starling or crow.

B. Feed:

Any material, including, but not limited to, bird seed, bird feed, corn, bread pieces, food scraps, domestic animal food, or any like or similar substance which can be utilized for consumption by wild/feral mammals and/or birds to provide nourishment.

C. Feeding:

The spreading, casting, laying, depositing or dumping of feed on any private or public property within the City.

D. Hanging Feeders:

Feeders designed for suspension from a stationary object but may be mounted on a post or similar object. The majority of the feed remains enclosed within the feeder with access points for the intended species. The term hanging feeder includes, but is not limited to, hoppers, tube feeders, window feeders and post mount feeders.

E. Hummingbird Feeders:

Feeders designed to hold liquid feed and attract nectar feeding bird species.

F. Platform Feeders:

Feeders designed for the open placement of feed generally intended for consumption by ground feeding species.

G. Post Mount Feeders:

Feeders designed for mounting on a post or stationary object. The majority of the feed remains enclosed within the feeder with access points for the intended species.

H. Suet Feeders:

A fat-based feed generally formed into a ball or block and intended primarily for feeding insect-eating birds.

I. Water Dispensers:

Containers that hold water used by birds for drinking and bathing. The term water dispenser does not include ornamental ponds.

8-4-7-2 GROUND FEEDING PROHIBITED:

All feed must be placed within an approved container, receptacle or feeder designed for the feeding of wild/feral mammals and/or birds as defined in this chapter.

8-4-7-3 NUMBER OF FEEDERS:

The maximum number of feeders per residential or business/commercial lot shall be as follows:

<u>Type of Feeder</u>	<u>Quantity Allowed</u>
Hanging Feeders	4
Suet Feeders	2
Water Dispensers	2
Platform Feeders	1
Hummingbird Feeders	No Limit

8-4-7-4 DESIGN:

No feeder shall have a base area exceeding four hundred (400) square inches. Feeders must be designed to minimize any nuisance including, but not limited to, excessive spillage of feed.

8-4-7-5 PLATFORM FEEDERS:

Maximum total of one (1) pound of feed shall be present on any platform-type feeder.

A minimum one (1) inch high lip shall encompass all platform feeders.

All unused food product shall be removed from platform feeders prior to sunset each day, except for platform feeders designed with a tightly closing cover to prevent access. Platform feeders designed with such a cover shall be covered prior to sunset each day.

8-4-7-6 LOCATION:

All feeders must be located at least five (5) feet inside property lines.

8-4-7-7 PREVENTION OF NUISANCE:

Unused food product, food waste and animal droppings shall not be allowed to accumulate and become foul, putrid, offensive in odor or an attractant to rodents, vermin or insects.

8-4-7-8 PENALTIES:

Any person who violates any provision this ordinance shall be subject to a fine of not less than ten dollars (\$10.00) but no more than seven hundred fifty dollars (\$750.00) or community service.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: November 12, 2001

Adopted: December 3, 2001

Approved:

December 4, 2001

Lorraine H. Norton
Mayor

ATTEST:

Mary D. Morris
City Clerk

Approved as to form:

[Signature]
Corporation Counsel