

**NOTICE TO CITY OF HANCOCK
RESIDENTS**

PROPOSED ORDINANCE

**CITY OF HANCOCK
CITY ORDINANCE #**

An ordinance establishing rules and regulations on Feeding Birds and Waterfowl.

THE CITY OF HANCOCK ORDAINS:

Section 1. Purpose

It has been determined that the presence of large numbers of certain species of birds and waterfowl cause a public health nuisance by contaminating beaches, shorelines, parks, buildings, sidewalks and pathways used by the public. Accordingly, this ordinance is adopted to prevent such conduct as may attract and concentrate certain species on and around Portage Lake and Waterway, beaches, shorelines, parks, highway, buildings, sidewalks and streets and pathways in the City of Hancock.

Section 2. Definitions

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Domestic waterfowl means nonnative ducks and geese not retained in agricultural operations.

Feed or feeding means the act of feeding or furnishing of food or other substance to any form of bird and/or waterfowl species regulated by this ordinance.

Migratory waterfowl means ducks, and geese, native to North America.

Pigeon means any of the various birds of the widely distributed family of columbidae, characteristically having plump bodies, small heads and short legs, especially the rock dove or any of its domesticated varieties.

Section 3. Prohibition on Feeding

A. Migratory and domestic waterfowl

1. No person shall feed, cause to be fed or provide food for domestic or migratory waterfowl located in the City of Hancock.
2. No person shall create or foster any condition, or allow any condition to exist or continue, which results in a congregation or congestion of domestic or migrating waterfowl in the City of Hancock.

B. Pigeons

1. No person shall feed, cause to be fed or provide food for pigeons located in the City of Hancock.
2. No person shall create or foster any condition, or allow any condition to exist or continue, which results in a congregation or congestion within the City of Hancock.

Section 4. Songbird Feeders.

Within the boundaries of the City of Hancock in which feeding of waterfowl and pigeons is prohibited, birdfeeders may be erected and maintained for other avian species.

Section 5. Enforcement

The City Police Department and other city staff as designated by the City Manager are hereby authorized and directed to enforce this ordinance.

Section 6. Penalties.

Any person violating any provision of this ordinance is guilty of a misdemeanor punishable by a fine not exceeding one hundred dollars (\$100) or by imprisonment in the county jail for a period not exceeding ninety (90) days, or in both such fine and imprisonment.

Section 7. Invalidity

If part of this ordinance shall be held invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 8. This ordinance was introduced by the city council of the City of Hancock, Houghton County, Michigan, on the 21st day of April, 2010.

(The foregoing proposed ordinance was introduced in writing at the regular meeting of the Hancock City Council held on Wednesday, April 21, 2010 at 7:30 p.m.

A Public Hearing is scheduled for Wednesday, May 19, 2010 in the Council Chambers at 7:30 p.m.

This Ordinance will be presented to the Hancock City Council for adoption or rejection at the regular meeting of the Hancock City Council to be held on Wednesday, May 19, 2010 following the Public Hearing.)

Karen Haischer, CMC
City Clerk

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