

## COUNCIL WORKSHOP ITEM

**ITEM:** Nuisance Wildlife Ordinance  
**DATE:** July 15, 2002  
**PREPARED BY:** Robert Schiller  
**PURPOSE:** Place on the Active Agenda an ordinance prohibiting the feeding of nuisance wildlife.

### DISCUSSION:

In the past 6 months, the village has received multiple complaints regarding residents feeding nuisance wildlife on private property. These reported incidents consist mostly of raccoons, squirrels and opossums, all of which are classified by the Illinois Department of Natural Resources as nuisance wildlife.

Most complaints have been from homeowners living near heavily wooded areas. According to area experts, the feeding of wildlife creates many serious issues. Wildlife will begin depending upon food supplied by people resulting in the animal losing their ability to forage for their own food. When people begin feeding wildlife, the population greatly increases, and therefore, so does the problems associated with the increased numbers of nuisance animals. This in turn causes further malnutrition and disease. Food supplied by humans rarely meets the nutritional needs of wildlife. This practice also creates a wildlife / human relationship that is hazardous to our health. For example, if dependant upon human food, wildlife will lose their fear of people and develop unnatural behaviors including approaching other houses in the area in search of handouts / human food. "Handouts" may cause many animals to gather and remain in a smaller area. In addition, concentrating animals, such as raccoons by human feeding can spread diseases such as distemper, mange and rabies. This concentration of nuisance wildlife due to feeding causes an abundance of fecal material in the area, which also increases the chance for the spread of disease. These diseases result in a slow agonizing death for the infected animal. Many wildlife diseases can be transmitted to household pets and some diseases such as rabies and raccoon roundworms can be spread to humans.

The village does not wish to infringe upon anyone's rights, however, when the actions of feeding wildlife on one's property have negative consequences on neighboring residents (e.g., disease, injury, or damage), it is only reasonable to create an ordinance that would be in the best interest of public safety. This ordinance specifies what is considered nuisance wildlife; thus, people who wish to feed other animals such as birds are not affected.

There are no federal or state laws prohibiting the feeding of nuisance wildlife; however, in many cases (the Village of Riverside and DuPage County Forest Preserve, etc), this issue has been addressed at the local or county government level via ordinance. The Health Department has been contacted regarding this issue and is supportive of an ordinance prohibiting the feeding of nuisance animals.

**RECOMMENDATION:**

Staff recommends approval and adoption of this ordinance.



DRAFT

Orig. 06/03/02

Rev. 06/04/02

07/18/02

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE PROHIBITING THE FEEDING OF WILD ANIMALS**

BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows: (Additions are indicated by **shading**; deletions by ~~strikeout~~.)

SECTION 1. That Section 5-2 of the Downers Grove Municipal Code is hereby amended as follows:

**5-3. ~~Reserved~~Feeding Wild Animals-Prohibited**

(1) It shall be unlawful for any person or persons to intentionally feed any wild animals within the Village so as to create a nuisance condition as described in subparagraph (2) of this Section. For purposes of this Section, wild animals include, but are not limited to, raccoons, deer, skunks, coyotes, squirrels and fox.

(2) A nuisance condition shall be deemed to exist for purposes of this Section when, as a natural and predictable result of the amount and type of food given a wild animal or animals, and/or the repetitive nature of the feedings, made, the wild animal or animals does any of the following in the Village:

- a. Creates a habitat on occupied residential property;
- b. Causes substantial damage to tangible personal property or real property; or
- c. On more than one occasion, leave feces on residential property.

(3) The penalty for violating any provision of this Section shall be a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00).

SECTION 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

\_\_\_\_\_  
Mayor

Passed:

Published:

Attest: \_\_\_\_\_  
Village Clerk

[racc]