

**ORDINANCE NO. 032-13**

**AN ORDINANCE AMENDING CHAPTER 63 OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY ADDING NEW SECTION 63.21 TO PROHIBIT THE FEEDING OF WILDLIFE AND WATERFOWL ON PUBLIC PROPERTY IN THE CITY OF CEDAR RAPIDS**

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA AS FOLLOWS:

Section 1. Chapter 63 of the Cedar Rapids Municipal Code is hereby amended by adding a new Section 63.21 thereto as follows:

**"63.21 - FEEDING OF WILDLIFE ON PUBLIC PROPERTY PROHIBITED.**

(a) **Definitions.** The following definitions are applicable to this Section:

1. "Waterfowl" is any bird that frequents the water, or lives about rivers, lakes, or other bodies of water; an aquatic fowl, including but not limited to ducks, geese, swans, herons, and egrets.
2. "Wild animal" shall include any animal that is not privately owned or that is not customarily domesticated in this state, including but not limited to deer, raccoons, squirrels, birds, feral cats, turkeys, opossums, skunks, beavers, cougars, wolves, coyotes, foxes and bears.

(b) **Feeding of Wild Animals and Waterfowl Prohibited.**

1. No person shall purposely or knowingly feed, bait, or in any manner provide access to food to any wild animal or waterfowl within the corporate limits of the City of Cedar Rapids, on City owned public property. This Section shall not apply to the feeding of animals kept and managed at the Parks and Recreation Bever Zoo and Old McDonald's Farm.
2. No person shall purposely or knowingly leave or store any refuse, garbage, food product, pet food, forage product or supplement, salt, seed, birdseed, fruit, or grain in a manner that would constitute an attractant to any wild animal or waterfowl on City owned public property.
3. Nothing in this Section shall prohibit the actions of any agent of the State of Iowa or the City of Cedar Rapids lawfully engaged in a wildlife or waterfowl management program.

- (c) **Continuing Violation.** Failure to remove or remedy a violation of this Section within twenty-four (24) hours after notice from the City of a violation of this Section shall constitute a separate and additional violation of this Section. Such notice from the City may be sent via certified mail, return receipt requested, to the last known address of the party in violation of this Section, or may be personally served on such party in any manner authorized by the Iowa Rules of Civil Procedure. Notice sent by certified mail shall be effective three (3) days after the mailing of such notice or upon the date of delivery of such notice indicated on the return receipt postcard, whichever date is earlier.
- (d) **Penalty.** Any person violating any provision of this Section shall be liable for a fine according to the following schedule: \$75 for the first violation of this Section, \$150 for the second violation of this Section committed within one calendar year of any other violation of this Section and \$300 for the third violation of this Section committed within one calendar year of any other violation of this Section."

Section 2. Separability of Provisions. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

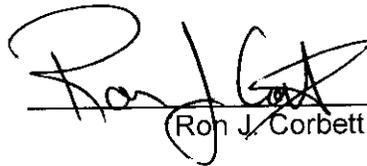
Section 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That the aforescribed new Section 63.21 of Chapter 63 shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

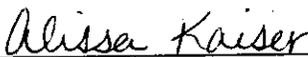
Section 6. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 23<sup>rd</sup> day of April, 2013.

Passed this 28<sup>th</sup> day of May, 2013.

  
\_\_\_\_\_, Mayor  
(Ron J. Corbett)

Attest:

  
\_\_\_\_\_, Deputy City Clerk  
Alissa Kaiser