

Feeding of Certain Nuisance Animals Prohibited ORDINANCE NO. 5792

Direct Code Enforcement Citations Amendment RESOLUTION NO. 79-2026





Background

- Ordinance prepared at request of the Mayor to address impacts from feeding certain nuisance animals
- Feeding of iguanas, rats, mice, or pigeons can encourage such animals to congregate and may result in waste accumulation, pest activity, property damage, public disruption, offensive odors, and risks to public health and safety
- Prohibit feeding that is likely to attract or sustain the presence or congregation of such animals
- Authorize use of direct citation for enforcement, and add violation to the direct citation fine schedule



Purpose

- Prohibits any person from placing, depositing, distributing, or leaving food in a quantity or manner reasonably likely to attract or sustain the presence or congregation of iguanas, rats, mice, or pigeons
- Focuses on quantity and manner in which food is provided and does not require the City to establish that a particular animal consumed the food or caused a particular instance of waste or property damage

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BACKUP SLIDES

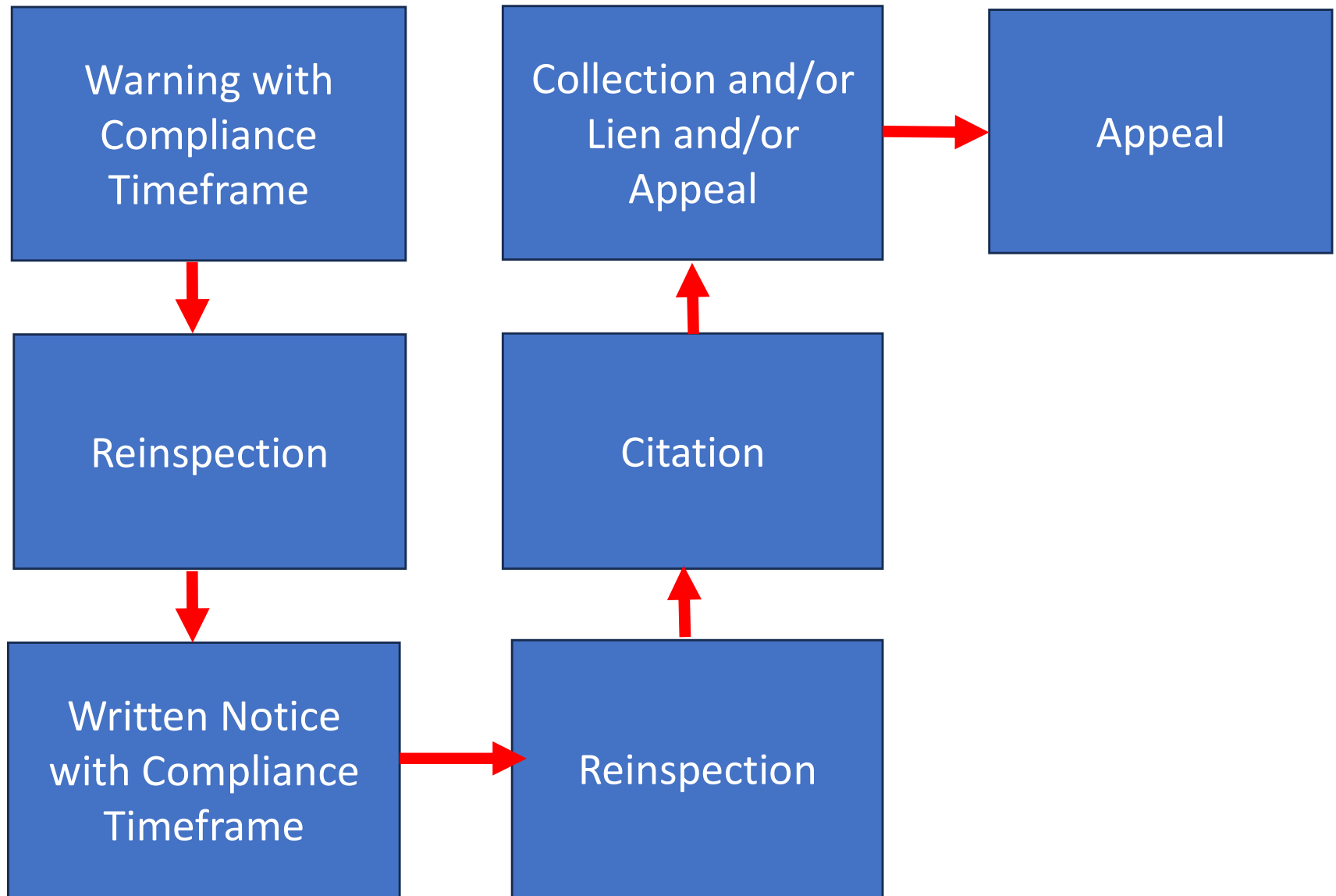


Overview- Code Enforcement Process

- Prior to 2018, City's code enforcement process only involved the special magistrate process:
 - Issuance of a notice of violation (following any verbal and/ or written warnings, where applicable)
 - City's special magistrate for adjudication
 - Order of enforcement and levying of fines



Overview- Direct Ticketing Process





Overview- Direct Ticketing Advantages

- Direct ticketing process is an alternative to the special magistrate process
- Direct ticketing process (for items on the fine schedule) provides for the issuance of citations by code enforcement officers for certain violations
- Direct ticketing process can be more effective to violations by activity of persons as opposed to violations that are property based



Analysis- Fiscal

- Per a State law requirement, a “Business Impact Estimate” has been prepared which indicates the Ordinance:
 - Does not impose any new charge or fee on businesses. A civil penalty may be imposed upon a person found to have violated Section 5-4.
 - Should not require any additional code enforcement resources or personnel, therefore there are no regulatory costs
 - Minimal fiscal impact associated with enforcement of direct citations
 - Costs are expected to be offset by revenue generated by the new minimum civil penalty.