

# LOCAL LAW 4 OF 2017

Passed June 14, 2017

Local Law 4 of 2017 adds a nuisance animal control law to the Town Code for the first time. This law was written to be as least restrictive as possible while still addressing the issues that many residents were having with nuisance animals.

## NEW LAW

### **§58-20 Scattering of feed prohibited.**

No person shall, with the intent of attracting wild animals, scatter, disperse, or otherwise cause to be left any edible or nutritive material on any outdoor surface or in any outdoor receptacle within the Town of Cicero.

### **§58-25 Presumption of intent.**

For the purpose of §58-20, the presence of wild animals, on more than one occasion within a one year period, feeding on or congregating near edible or nutritive material that is scattered, dispersed, or left on an outdoor surface or in an outdoor receptacle shall constitute presumptive evidence of intent to attract such wild animals.

### **§58-26 Exemptions.**

Nothing in this Article shall be construed to prohibit:

- A. The possession, use, or maintenance of bird feeders of the type which are customarily incidental to residential use; or
- B. The outdoor feeding of domesticated animals on private property, provided that such domesticated animals are owned or controlled by the individual who owns or controls the property on which they are fed.

### **§58-27 Penalties for offenses.**

- A. A person who violates the provisions of this Article shall, upon conviction for a first offense, be guilty of a violation and shall be punished with a fine of not less than \$50 and not more than \$150;
- B. A person who violates the provisions of this Article shall, upon conviction for a second or subsequent offense, be guilty of a violation and shall be punished with a fine of not less than \$250 and not more than \$500, unless such second conviction shall be within 1 year of the first conviction, in which case they shall be punished with a fine of not less than \$500 and not more than \$750.
- C. A person who violates the provisions of this Article shall, upon conviction for a third or subsequent offense, be guilty of a violation and shall be punished with a fine of not less than \$500 and not more than \$1,000, unless such third conviction shall be within 1 year of a second or subsequent conviction, in which case they shall be punished with a fine of not less than \$750 and not more than \$1,000.