

**STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF ALLEN PARK**

ORDINANCE #02-2022

AN ORDINANCE OF THE CITY OF ALLEN PARK CODE OF ORDINANCES; AMENDING CHAPTER 6, “ANIMALS”, ARTICLE I, “IN GENERAL”, BY THE REPEAL OF SECTION 6-21, “FEEDING OF PIGEONS AND SEA GULLS PROHIBITED” AND THE READOPTION OF SECTION 6-21 TO PROHIBIT THE FEEDING OF WILD ANIMALS AND BIRDS EXCEPT THE FEEDING OF BIRDS AND SQUIRRELS BY MEANS OF AN ELEVATED FEEDER.

The City of Allen Park Ordains:

SECTION 1. Amendment to Code.

That Section 6-21, Feeding of Pigeons and Sea Gulls Prohibited, under Chapter 6 “Animals”, Article I “In General”, be repealed and readopted to hereafter read as follows:

Chapter 6 “Animals”
Article I “In General”

Sec. 6-21. – Feeding of wild animals and birds prohibited except the feeding of birds and squirrels by means of an elevated feeder.

- (a) It shall be unlawful for any person to feed any wild animal in any area in the city. Wild animals shall include all raccoons, skunks, rodents, rabbits, crows, wild birds, including without limitation, pigeons, doves, and seagulls, feral cats, mice, fowl, waterfowl, gophers, groundhogs, moles, opossums, squirrels, and every other wild animal.
- (b) All ground feeding is prohibited. The scattering of food or food scraps on the ground by an individual shall be prima facie evidence that the individual intended to provide the food or food scraps for ground feeding.
- (c) This prohibition shall not apply to the feeding of wild birds or squirrels provided that such feeding is done only from containers and supports which prohibit access by other rodents and/or wild animals, and are elevated at least 48 inches above ground level.

SECTION 2. Repeal.

All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Saving Clause.

Nothing in this Ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquiring or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 4. Severability.

Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase, or any portion of the Ordinance held to be so invalid shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

SECTION 5. Codification; Scrivener's Errors:

- (a). Section 1 of this Ordinance shall be codified, and all other sections shall not be codified.
- (b). The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the Code codifier.
- (c). Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Administrator, or designee, without the need for a public hearing.

SECTION 6. Publication.

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

SECTION 7. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the 28th day of June, 2022.

GAIL McLEOD, Mayor
City of Allen Park

MICHAEL I. MIZZI, City Clerk
City of Allen Park