

**CITY OF DEARBORN HEIGHTS  
ORDINANCE NO. H-23-02**

AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 6-97 CONCERNING THE UNLAWFUL FEEDING OF PIGEONS, GULLS AND DOVES TO INCLUDE AN ADDEDUM TO ADDRESS UNLAWFUL GROUND FEEDING; UNLAWFUL FEEDING OF FERAL/STRAY CATS OR DOGS; AND UNLAWFUL FEEDING OF PIGEONS, GULLS AND DOVES.

THE CITY OF DEARBORN HEIGHTS ORDAINS THAT THE CODE OF ORDINANCES OF THE CITY OF DEARBORN HEIGHTS, MICHIGAN, IS HEREBY AMENDED SUCH THAT SECTION 6-97 IS AMENDED TO READ AS FOLLOWS:

**SECTION I.**

Sec. 6-97. - Unlawful ground feeding; unlawful feeding of feral/stray cats or dogs; and unlawful feeding of pigeons, gulls and doves.

(a) Unlawful ground feeding

(1) Generally. It shall be unlawful for any person to feed any wild animal, whether directly or indirectly, or to place or permit placement on the ground of any fruit, berries, grain, vegetables, nuts, salt, or other edible material or bait which may reasonably be expected to feed wild animals. Wild animals include, but are not limited to, raccoons, skunks, rodents, rabbits, crows, wild birds, rats, mice, fowl, waterfowl, gophers, groundhogs, moles, opossums, squirrels, and any and all other type of wild mammal, reptile and the like.

(2) Limitation. The general prohibition contained in this Subsection (a) of this Section 6-97 shall not apply to the feeding of wild birds provided that such feeding is done only from self-contained apparatus that supports (A) prohibiting access by other wild animals, (B) are elevated at least 48 inches above ground level, and (C) are designed to prevent feed or seed from falling to the ground.

However, this limitation shall not apply to any alleged violation of Subsection (c) of this Section 6-97.

(b) Unlawful feeding of feral/stray cats or dogs. Any unapproved feeding shall be unlawful as to any feral/stray cat or dog by any means, including hand feeding or setting out food whether or not the food is left attended or unattended. Any approved feeding shall be reviewed and approved by the Director of Animal Control/Ordinance.

(c) Unlawful feeding of pigeons, gulls and doves.

(1) Public nuisance. The roosting and lingering of pigeons, gulls and doves on public or commercial property poses a health hazard, in addition to offending aesthetic senses through bird contamination. Such lingering or roosting, or the encouragement of excessive bird congregation, on public, private, or commercial property is declared to be a public nuisance.

(2) It shall be unlawful for any person to feed pigeons, gulls, or doves in any manner on any public or commercial property in the city.

(3) It shall be unlawful for any person to feed pigeons, gulls, or doves in any manner on any private property in the city so as to cause them to roost and linger upon public or private property.

(4) Limitations. The general prohibitions contained in this Subsection (c) of this Section 6-97 shall not apply to pigeons and doves kept at all times in cages or city-licensed pigeon lofts, pursuant to sections 6-46 through 6-50 of this Code.

(d) A person who violates any part of this Section 6-97 shall be responsible for a civil infraction and shall pay a fine in the amount set forth in the schedule of fines set forth in City Code Section 1-11, as it may be amended from time to time.

## SECTION II.

### **REPEAL**

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

## SECTION III.

### **SEVERABILITY**

Should any section, subsection, clause, or phrase of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

## SECTION IV.

### **EFFECTIVE DATE**

The City Council finds that the needs of the business affected by this Ordinance will be significantly affected by any delay in this Ordinance's effective date. In the light of the foregoing, the City adopts this ordinance such that it is considered to be read both a first time on April 25 and a second time on May 9 upon presentation to the City Council. This ordinance shall become effective upon publication as provided by law.

## SECTION V.

### **AUTHENTICATION**

This is to certify that the undersigned do hereby authenticate the foregoing record of the ordinance herein set forth.

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BILL BAZZI, Mayor

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LYNNE M. SENIA, City Clerk

## CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of this ordinance adopted by the Council for the City of Dearborn Heights at a regular meeting of the Council held on the \_\_\_\_ day of \_\_\_\_\_, 2023, and became effective by publication in the official newspaper of the City of Dearborn Heights and/or by publication as otherwise permitted by the City Charter on the \_\_\_\_ day of \_\_\_\_\_.

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LYNNE M. SENIA, City Clerk

Publication Date: \_\_\_\_\_, 2023.