

**CITY OF OCEAN SHORES, WASHINGTON**

**ORDINANCE NO. 775**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEAN SHORES ADDING SECTIONS 8.32.020(Y) AND 8.32.020(Z) TO THE OCEAN SHORES MUNICIPAL CODE RELATING TO PUBLIC NUISANCES**

**WHEREAS**, the human hand-feeding of wild birds within the city limits is resulting in increasingly aggressive bird behavior, as well as the depositing of fecal matter, garbage, debris, and filth on surrounding properties, and is creating other problems for property owners whose properties are located next to or near people who choose to feed wild animals and birds on a regular basis, and

**WHEREAS**, human feeding of wild birds can create health hazards to residents of and visitors to the City; and

**WHEREAS**, the citizens of the City of Ocean Shores have the right to enjoy their properties and to be free from nuisances created by other people; and

**WHEREAS**, according to bird experts at the National Marine Fisheries' Service, it is unhealthful and unhelpful to feed wild sea birds with foods other than fish, because fish is essential to the proper development of young sea birds, and hunting for food increases wild birds' survival skills;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OCEAN SHORES, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** Two new Sections, 8.32.020(Y), and 8.32.020(Z), are hereby added to the Ocean Shores Municipal Code, to read as follows:

Y. The feeding of seagulls and/or crows within the city limits, with the exception of the city beach, which feeding results in the deposit of refuse, debris, fecal matter, or other offensive substance, in any place in the city, to the prejudice or annoyance of any person, unless otherwise permitted by law.

Z. The feeding of seagulls and/or crows within the city limits, with the exception of the city beach, which feeding results in aggressive bird behavior towards humans or other animals, or which results in endangering humans or other animals in any manner.

**Section 2.** This Ordinance shall take effect five (5) days after the date of publication.

**THIS ORDINANCE PASSED AND ADOPTED** by the City Council of the City of Ocean Shores, Washington, at a regular open public meeting on this 10<sup>th</sup> day of May 2004.

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TERRY VEITZ, Mayor

ATTEST:

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DIANE J. HOUSTON, CMC City Clerk

APPROVED AS TO FORM:

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JO-ELLEN THOMAS, City Attorney