



Medford City Council
Medford, Massachusetts

Public Health and Community Safety Committee, August 13, 2024

City Council

Emily Lazzaro, Chair
Justin Tseng, Vice Chair
Anna Callahan
Kit Collins
Matt Leming

This meeting will take place at 6:00 P.M. in the City Council Chamber, 2nd Floor, Medford City Hall, 85 George P. Hassett Drive, Medford, MA and via Zoom.

Zoom Link: <https://us06web.zoom.us/j/82879076295>

Call-in Number: +13126266799,,82879076295#

Live: Channel 22 (Comcast), Channel 43 (Verizon), [YouTube](#), and medfordtv.org.

To submit written comments, please email AHurtubise@medford-ma.gov.

CALL TO ORDER & ROLL CALL

ACTION AND DISCUSSION ITEMS

23-449 - Offered by Vice President Collins

Resolution to Draft Wildlife Feeding Ordinance

PAPERS IN COMMITTEE

To view Papers in Committee, please email ahurtubise@medford-ma.gov.

Adjournment



Medford City Council
Medford, Massachusetts

MEETING DATE

August 13, 2024

SPONSORED BY

AGENDA ITEM

23-449 - Resolution to Draft Wildlife Feeding Ordinance

FULL TEXT AND DESCRIPTION

The Health Director, Animal Control Officer, Code Enforcement Officers, and a representative of KP Law are invited to attend this meeting.

Be it Resolved that the Subcommittee on Ordinances and Rules meet to consider a Wildlife Feeding Ordinance.

Councillor Collins moved to refer the paper to the Subcommittee on Ordinances and Rules (Councillor Caraviello second)—referred to the Subcommittee on Ordinances and Rules.

Referred to Public Health and Community Safety Committee on January 9, 2024.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Wildlife Feeding Ordinance DRAFT 2.15.24
2. 3/12/2024 Committee Report on Wildlife Feeding Ordinance

Wildlife Feeding Ordinance DRAFT 2.13.2024

Committee: Public Health & Community Safety

Chair: Councilor Lazzaro

Sponsor: Vice President Collins

Part 1, Ch. 6, Article 6 – In General.

Section 6–49. Wildlife Feeding Prohibited.

A. Purpose and Intent.

- a. Medford is home to a large population of wild animals, including rats, pigeons, gulls, and raccoons. Feeding such wildlife, whether intentionally or passively, entices and attracts these wild animals around and into private property and Medford, including into private porches and backyards. This stands to create nuisances and health hazards for residents, and prevent residents from the unfettered enjoyment of their outdoor spaces. Furthermore, inappropriate or excessive feeding of wildlife can create health hazards for wild animal populations as well, or entice them into areas of the city that are unsafe for them.
- b. As private properties in Medford share permeable boundaries with one another, the feeding of wildlife on one property, whether intentionally or passively, stands to create nuisances or problems for neighboring residents, particularly in the densely-settled areas of the City.
- c. By limiting the practice of feeding wildlife, whether intentionally or passively, and enforcing this prohibition, the City can help limit a major factor that entices wildlife into resident areas of the City.

B. Definitions

- a. Wildlife shall mean any undomesticated and unrestrained animal or fowl, including but not limited to pigeons, raccoons, rats, and/or coyotes, and/or any other animals or fowl causing public safety threats or nuisances.
- b. Feeding shall mean the act of distributing, scattering, placing, exposing, or depositing, directly or indirectly, any feed or foodstuffs, including but not limited to grain, seeds, or other food products, in any manner or form, so as to constitute a lure, attraction, or enticement to wildlife.

C. Prohibited activity

- a. No person shall feed any wildlife, as defined above, nor distribute or scatter any foodstuffs, within the City of Medford, on or in any public place or private property.

D. Exceptions

- a. Nothing in this section shall be interpreted so as to prohibit bird feeders. However, if a bird feeder is determined to be the cause of a public safety threat or nuisance, the bird feeder(s) and seed debris will be required to be removed at the instruction of the enforcing officer.
- b. Nothing in this section shall be interpreted so as to prohibit the feeding of pets, provided that if food intended for pets is determined to be the source of wildlife feeding, the

resident or person responsible for the premises will be required to take steps to render such pet food inaccessible to wildlife. If any wildlife continues to gain access to pet food, the condition allowing access must be corrected or the pet food removed within 48 hours.

- c. Nothing in this section shall be interpreted so as to prohibit the storage of food products, pet food, or other material on any premises in a manner which does not constitute a lure, attraction or enticement of wildlife on property within the City of Medford, provided that if such storage is determined to be the source of a wildlife feeding problem, the resident or person responsible for the premises will be required to take steps to render such storage area inaccessible to wildlife and the area near the storage be kept free from such debris. If any wildlife continues to gain access to a storage area, the condition allowing access must be corrected or the stored material removed within 48 hours.
- E. Enforcement and Penalties
- a. The Animal Control Officer, Health Director, Code Enforcement Officers, and/or their designees, are authorized to administer and enforce this ordinance.
 - b. This ordinance shall be enforced in the manner provided in [Section 1-13](#) of these Ordinances and M.G.L.A. c. 40, § 21D. Any property owner or tenant who violates any provision of this ordinance shall be subject to the following penalties:
 - i. First offense: Written warning.
 - ii. Second offense: \$50.00
 - iii. Third (and subsequent) offense: \$100.00

23-449
PUBLIC HEALTH AND COMMUNITY SAFETY COMMITTEE
MEETING REPORT
TUESDAY, MARCH 12, 2024 @ 6:00 P.M.

Attendees: Councillor Emily Lazzaro, Committee Chair; Councillor Justin Tseng, Committee Vice-Chair; Councillor Anna Callahan; Council Vice President Kit Collins; Councillor Matt Leming; City Clerk Adam Hurtubise; other participants as noted in the body of this report.

Chair Lazzaro called the meeting to order at 6:00 p.m. on March 12, 2024 in the Medford City Council Chambers and via Zoom. The purpose of the meeting was to address a resolution to draft a wildlife feeding ordinance (Paper **23-449**).

Chair Lazzaro thanked participants for attending. The item on the agenda is a proposed wildlife feeding ordinance offered by Vice President Collins.

Vice President Collins said that the idea for the ordinance resulted from some outreach with constituents about overfeeding of wildlife in some of Medford's more densely populated areas.

She said the intent is to give the Board of Health and Code Enforcement some tools and potential fines as enforcement mechanisms. She said that the language is based on several other communities' ordinances. She read definitions, purpose, and intent. She said that the emphasis is on feeding that has an adverse effect on neighbors. She detailed prohibitions on feeding wildlife on public property and on certain private property. She said nothing in the ordinance would prohibit feeding of pets, but pet food would need to be stored so it cannot be accessed by wildlife. Enforcement would range from a written warning to a fine of \$100.00. She said that the goal is to provide a recourse for when things are going wrong. She said that this is supposed to be a deterrent.

Chair Lazzaro said that a person could lose a cat or dog and try to lure the pet back. She suggested adding language about this and whether cats and dogs are considered wildlife. She said she would also like to hear from the Animal Control Officer about feral cats in the city, and we might want to include language to consider on this.

Councillor Tseng thanked Vice President Collins. He said that the ordinance doesn't say how soon seed debris must be collected. He said it is not clear for code enforcement. He said that the Board of Health could create a standard for this. He said it would also be helpful to disseminate best practices.

Councillor Callahan said she thinks that the idea of a lost cat is already accounted for as an exception for the feeding of pets. Only if the pet food is determined to be the source of wildlife feeding might there be an issue.

Vice President Collins said her initial reaction is that as Councillor Callahan said, this might be covered, but she would like to have the Animal Control Officer and legal counsel take a look at this. She said she would also like to see the Medford-based Kitty Connection get a copy of this.

Vice President Collins moved to refer this version of the ordinance to KP Law for legal review prior to our next meeting on the topic (Councillor Callahan second)—approved on a roll call vote of five in favor and zero opposed.

Vice President Collins moved to have the City Clerk recirculate this document to the relevant city staff along with the relevant questions, and further moved to keep this paper in committee (Councillor Callahan second)—approved on a roll call vote of five in favor and zero opposed.

Councillor Tseng moved to adjourn at 6:24 p.m. (Councillor Callahan second)--approved on a roll call vote of five in favor and zero opposed.

Chair Lazzaro adjourned the meeting at 6:24 p.m.