

## Ordinance No. 1684(21)

### An Ordinance of the City Council of the City of Lompoc, County of Santa Barbara, State of California, Adding Section 6.04.170 to the Lompoc Municipal Code, Prohibiting the Feeding of Wild Animals in City Parks and Public Property

**WHEREAS**, the City of Lompoc (City) “may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws” (Cal. Const., art. XI, § 7.); and

**WHEREAS**, the City has a significant problem with ground squirrels at Beattie Park that stems from the public feeding the animals on a daily basis; and

**WHEREAS**, the ground squirrels have made a home under the top parking lot, which has weakened the structural integrity of the asphalt, and required the City to fence off the area; and

**WHEREAS**, the City Council has determined the feeding of wild animals constitutes a public nuisance, such that the conduct must be prohibited for the health and welfare of the wild animals, the community, and to prevent damage to public property.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Section 6.04.170 is hereby added to Chapter 6.04 of Title 6 of the Lompoc Municipal Code (LMC) as follows:

#### **Section 6.04.170 Feeding Wild Animals in Parks and on Public Property.**

- A. Purpose. The purpose of this chapter is to prohibit the feeding of wild animals on public property, including City parks, facilities, streets, sidewalks, median strips, parking strips, and rights-of-way in order to (1) reduce risks of disease, (2) reduce overpopulation of wild animals, and (3) lessen the damage to public property caused by wild animals.
- B. Definitions. Whenever any of the words hereinafter defined are used in this chapter, they shall be construed to mean the following:
1. "City Manager" means the City Manager or anyone designated by the City Manager to act as the City Manager for purposes of implementing this Section.
  2. "City Parks" shall have the meaning of "Parks" in Section 12.08.020.
  3. "Feed" means to distribute, place, deposit, or dump any type of food in any manner, whether or not an animal is in the vicinity at the time the food is distributed, placed, deposited, or dumped.
  4. "Wild animal" means any non-domesticated species of animal, including but not limited to birds, gophers and squirrels.

5. "Public Property" means all City parks (as defined in 12.08.020), buildings, facilities, streets, sidewalks, median strips, parking strips, rights-of-way, and any other property owned by the City of Lompoc (including landscaping on such property).

C. Feeding of Wild Animals Prohibited. No person shall feed any wild animal in City Parks or on Public Property, without specific written authorization from the City Manager.

D. Violation – Penalty. Any person violating any provision or failing to comply with any of the requirements of this chapter shall be guilty of an infraction as set forth in Chapter 1.24 of this Code. Alternatively, the citing official may issue an administrative citation as set forth in Chapter 1.36.

**SECTION 2.** Severability. If any section, subsection, sentence, clause, or phrase of this chapter is for any reason declared unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or the effectiveness of the remaining portions of this chapter or any part thereof. The City Council hereby declares that it would have adopted this chapter notwithstanding the unconstitutionality, invalidity, or ineffectiveness of any one or more of its sections, subsections, sentences, clauses, or phrases.

**SECTION 3.** This ordinance shall take effect on the 31<sup>st</sup> day after its adoption. The City Clerk, or her duly appointed deputy, shall attest to the adoption of this ordinance and shall cause this ordinance to be posted in the manner required by law.

This Ordinance was introduced on September 7, 2021, and duly adopted by the City Council of the City of Lompoc at its duly noticed regular meeting on September 21, 2021, by the following electronic vote:

PASSED AND ADOPTED this \_\_\_th day of \_\_\_ 2021, by the following electronic vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

\_\_\_\_\_  
Jenelle Osborne, Mayor  
City of Lompoc

Attest:

\_\_\_\_\_  
Stacey Haddon, City Clerk  
City of Lompoc