

## FAIRFIELD ORDINANCE NO. 1098

**AN ORDINANCE RESTRICTING USE OF CERTAIN DEVICES AND ATTRACTANTS LIKELY TO ENTICE DEER INTO THE CORPORATE LIMITS OF THE CITY OF FAIRFIELD. (To be codified as 9.40.045 Deer Feeding and Attractants)**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRFIELD, IOWA:**

SECTION 1. Purpose. The purpose of this ordinance is to promote harmony in the interactions between the residents of the City and certain animal species while recognizing:

- A. Deer Population Migration may occur for a variety of reasons.
- B. Deer Migrations of substantial numbers into the City create nuisance, property damages, hazards for animals and humans, and public safety concerns and danger.
- C. It is unlawful to City residents to harbor, confine, or keep any wild animal, including deer, within the City.
- D. It is in the public interest to provide security, to the extent possible, by regulation of human/animal interaction to avoid annoyance, intimidation, accidents, injuries and health hazards caused by deer and deer migration.
- E. The Policy of City Council in efforts to regulate the public safety concerns regarding deer is to initially utilize methods of regulation less violent than deer population extermination or management by taking.

SECTION 2. Exceptions. This Ordinance is not intended to restrict or prohibit fruit trees and food plots for human consumption, feeders consistent with feeding of songbirds and backyard bird-watching, as well as contained or elevated feeders for small rodents, i.e., squirrels, chipmunks, etc.

SECTION 3. Dispensing Feed and Deer Attractants. It is unlawful, within the City of Fairfield, for any person to engage in the use of making available of, replenishing of, or management of any deer feeding device, or deer feed or deer attractant. Such types of devices and attractants are listed at the end of this ordinance by ADDENDUM.

SECTION 4. Violation. A violation of this prohibition is a simple misdemeanor. It may also be remedied by Civil Infraction citation. Initial violation may, at the discretion of law enforcement, be treated by written warning, allowing the violator 24 hours to correct the violation and remove the device(s) and/or attractant(s).

SECTION 5. Severability Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 6. When Effective. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Passed by the Council the 13<sup>th</sup> day of May, 2013, and approved this day of 13<sup>th</sup> day of May, 2013.

Attest: Joy Messer  
Joy Messer, City Clerk

Edward Malloy  
Edward Malloy, Mayor

The above Ordinance No. 1098 having come before the City Council of Fairfield, Iowa on the 13th day of May 2013, having been moved by Councilperson Hamilton and seconded by Councilperson Ledger-Kalen is adopted upon final reading by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Boyer	<u>  X  </u>	_____	_____	_____
Halley	<u>  X  </u>	_____	_____	_____
Hamilton	<u>  X  </u>	_____	_____	_____
Rasmussen	_____	<u>  X  </u>	_____	_____
Revolinski	_____	<u>  X  </u>	_____	_____
Ledger-Kalen	<u>  X  </u>	_____	_____	_____
Hammes	<u>  X  </u>	_____	_____	_____

## ADDENDUM

### **Devices – Including But Not Limited to:**

Ground-mounted Capsule Game Feeders  
Tri-Pod Hopper Game Feeders  
Hanging Bucket-Type Game Feeders  
Large Box Feeder-Game Feeder Unit  
Photo-cell Game Feeder Unit  
Digital Game Feeder Units  
Timer Regulated Game Feeder Unit  
Gravity-Flow Game Feeder  
Electronic (Battery Assist) Feeder Kits  
Moonshine Feeder Light Kit (Accessory to Feeder)  
Nudge Demand Hanging Game Feeder(s)  
Tree Hugger Feeder Attachment  
Spinner Feeder  
Flat Out Feeders  
Telescoping Collapsible Hanging Feeder  
Capsule Protein Feeder Tray  
Keg Feeder  
Tube Feeder  
Solar Spin Feeder  
Digital Spin Feeder

### **Feed/Deer Bait/Substances – Including But Not Limited to:**

Biologic-Rock Topper Attractant  
Mineral Rock  
Whitetail Mineral/Vitamin Deer Supplement Pellets  
Feed Attractant  
Lucky Buck Salt/Mineral Bucket  
Big Time 25lb Mineral Block  
Whitetail Plus Protein deer Supplement  
Black Magic Buck Pellets  
Rack Rock  
4-Play Buck Attractant Block  
Deer Cane Block  
Rack-Up Pellets  
CMore Deer Corn Coat  
Protein Big Buck Block  
CMore Deer Jug/Powder  
BB2 Deer Cube (Black)  
Buck Bran Protein Mix  
Wildgamer Acorn Rage Mix  
Stump Licker Fluid  
Acorn Rage Salt Block  
Red Spot Mineral Attractant Syrup  
Rub Line Slime  
Whitetail Apple Obsession – Attractant Mix  
Acorn Frenzy Deer/Wildgame Mix  
Wildgame Sugar Beet Crude Deer Mash  
Sugar Beet Juice  
Liquid Corn-Fused Deer Attractant  
Acorn Blend Deer Feed Supplement  
Ripe Apple-Infused Bucket  
Feeder Fat Pellets  
Bucker's Up Ripe-N-Apple feed  
CMore Deer Buck Gravy Fluid  
Rut-N-Apples Feed  
Wildgame Green-N-Raged  
Bone Meal - BoneDMonium