

CHAPTER 354. PROHIBITING THE FEEDING OF DEER.

354.01. Feeding of Deer Prohibited . It shall be unlawful for any person to place any feed such as salt, minerals, grain, fruit, vegetable material, sunflower seeds, deer suckers, or any other type of feed, on any public or private property for the purpose of enticing whitetail deer into any specific area of anyone's property in the City of Ashland except as provided in 354.03 herein.

354.02. Rebuttable Presumptions. There shall be a rebuttable presumption that either of the following acts are for the purpose of feeding whitetail deer.

(a) The placement of salt, minerals, grain, fruit, vegetable material, sunflower seeds, or deer suckers in an aggregate quantity of greater than one-half gallon at the height of less than six (6) feet off the ground.

(b) The placement of salt, minerals, grain, fruit, vegetable material, sunflower seeds, or deer suckers in an aggregate quantity of greater than one-half gallon in a drop feeder, automatic feeder or similar device regardless of the height of the salt, minerals, grain, fruit, vegetable material, sunflower seeds, or deer suckers.

354.03. Exemptions. This section shall not apply to the following situations:

(a) The placement of bait for the purpose of hunting whitetail deer subject to all other laws, ordinances, rules and regulations governing hunting and the discharge of hunting weapons.

(b) Naturally growing grain, fruit or vegetable material, including gardens and residue from lawns, or gardens and other vegetable materials maintained as a mulch or compost pile.

(c) Unmodified commercially purchased bird feeders or their equivalent.

(d) Deer feeding may be authorized on a temporary basis by the Common Council for specific public purposes determined by the Common Council.

354.04. Penalty. Any person who violates any provision of this ordinance and is found guilty shall be fined not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) plus penalty assessments and costs.

354.05. Validity. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof.

ADOPTED: 354 (1616) 9/27/2005

AMENDMENTS: 354 (1619) 1/10/2006; 354 (1760) 1/10/2012