

**TOWN OF WEST SPRINGFIELD
BOARD OF HEALTH**

FEEDING OF WILD ANIMALS, WILDLIFE, AND BIRDS REGULATIONS
BOH Regulation # 106

§ 106.1 Feeding of Wild Animals and/or Wildlife is Prohibited.

- A. No person shall feed, bait, or in any manner provide access to food to any wild animal and/or wildlife within Town of West Springfield on lands either publicly or privately owned, except as permitted by Section 106.2.
- B. No person shall leave or store any refuse, garbage, food product, pet food, forage product or supplement, salt, seed or birdseed, fruit, or grain in a manner that would constitute an attractant to any wild animal and or wildlife, except as permitted by Section 106.2.
- C. No person shall fail to take remedial action to avoid contact or conflict with wild animals, which may include the securing or removal of outdoor trash, cooking grills, pet food, bird feeders or any other similar food source or attractant after being advised by the Town to undertake such remedial action. Further, after an initial contact or conflict with a wild animal, no person shall continue to provide, or otherwise fail to secure or remove, any likely food sources or attractants, including but not limited to outdoor trash, grills, pet food, or bird feeders.
- D. The prohibitions of this Section shall not apply to naturally growing shrubs, live crops, plants, flowers, vegetation, gardens, or trees. However, crops (including fruits, vegetables and nuts) must be picked when ripe or mature, and all fallen crops must be promptly removed from the ground.

§ 106.2 Feeding of Songbirds and Other Backyard Birds is Permitted on Private Property

The feeding of songbirds and other backyard birds shall be permitted on private property subject to the following conditions:

- A. Birds shall only be fed from bird feeders. Bird feeders shall be installed at least five (5) feet above the ground. Bird feeders shall not be installed or attached to fences in any manner.
- B. The scattering or placement of food, seed, grain, or any other type of attractant on the ground shall not be permitted. In the event that food, seed, grain, or any other type of attractant becomes scattered on the ground, the resident shall regularly (at least weekly) remove such debris from the ground.
- C. Feeding shall not create an unreasonable disturbance or public nuisance that affects the rights of surrounding property owners or residents.
- D. Feeding shall not create an accumulation of droppings on the property or surrounding properties.
- E. Feeding shall not become an attractant for rodents or other wild animals.

§ 106.3 Enforcement.

- A. The Health Department, Police Department, Park Rangers and/or Animal Control shall enforce the provisions of these Regulations.
- B. The provisions of these Regulations may also be enforced through any other lawful means in law or in equity by the Board of Health or the Mayor or their duly authorized

agents, and by any available means in law or equity, including but not limited to enforcement by noncriminal disposition pursuant to G.L. c. 40, §21D and Chapter 1, Article II of the Ordinances of the Town of West Springfield. Each day a violation exists shall constitute separate violation. When enforced through noncriminal disposition, the penalties shall be as follows:

- i. Written warning for the first offense;
 - ii. Twenty-Five Dollars (\$25.00) for the second offense;
 - iii. Fifty Dollars (\$50.00) for the third offense; and
 - iv. One Hundred Dollars (\$100.00) for the fourth and all subsequent offenses.
- B. Only offenses which have occurred within the two (2) years preceding the date of violation shall be used in calculating the number of offenses for purposes of this section.

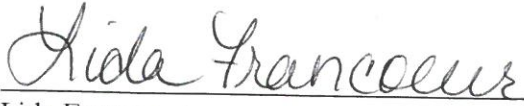
Per order of the West Springfield Board of Health, approved on the 16th day of January, 2019 by a vote of 3 in favor and 0 opposed.



David Higgins

1/16/19

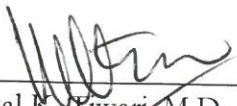
Date



Lida Francoeur

1/16/19

Date



Vishal K. Tiwari, M.D.

1/16/19.

Date

Approved as to Form:

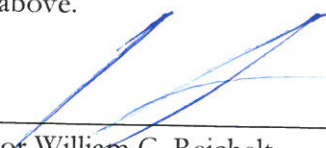


Kate R. O'Brien, Town Attorney

1/17/19

Date

Pursuant to Executive Order #104, I hereby approve/ disapprove the Board of Health's adoption of the above.



Mayor William C. Reichelt

1/12/19

Date

*Adopted by vote of the Board of Health on:
January 16, 2019*