



# ORDINANCE

## Amending Chapter 10, Section 10-5 – Regulation and Control of Animals

The Hillsborough Board of Commissioners ordains:

**Section 1.** Chapter 10 – Regulation and Control of Animals, of the Hillsborough Code of Ordinances is amended by adding a new Section 10-5, to read as follows:

### **Section 10-5. Feeding of Wildlife Prohibited**

- (a) Subject to subsection (h) below, no person within the corporate limits of the town may place or allow any device, attractant or other material to be placed outdoors on any public or private property for the purpose of feeding or attracting wildlife.
- (b) For the purposes of this section, an attractant means any substance which could reasonably be expected to feed or attract wildlife or does in fact attract wildlife, including, but not limited to food products, pet food, feed, or grain.
- (c) For the purposes of this section, wildlife refers to all non-domesticated animals that inhabit the area.
- (d) There is a rebuttable presumption that the placement of any attractant or other material edible by wildlife at a height of less than five (5) feet off the ground is for the purpose of feeding wildlife, which is prohibited.
- (e) There is a rebuttable presumption that the placement of any attractant or other material edible by wildlife in a drop feeder, automatic feeder or similar device regardless of height is for the purpose of feeding wildlife, which is prohibited.
- (f) Any property owner or resident shall remove any materials placed on their property in violation of this section within 48 hours of being notified by the town that such violation exists. Failure to do so shall constitute a separate violation of this section.
- (g) Any property owner or resident shall remove any device placed on their property to which wildlife are attracted or from which wildlife actually feeds. Alternatively, a property owner may modify such device or make other changes to the property that prevent wildlife from having access to or feeding from the device. Failure to remove the device or make necessary modifications within 48 hours of notice from the town shall constitute a separate violation of this section.
- (h) This section does not apply to:
  - (1) Naturally growing materials, including but not limited to fruits, grains, seeds, vegetables, or other crops or vegetation.
  - (2) Stored crops, provided that such crop materials are not intentionally made available to wildlife for feeding.

- (3) Feeders used to provide food to domestic animals or livestock.
- (4) Maintaining a bird feeder, or from feeding common backyard or perching birds in the orders Passeriformes, Piciformes, and Columbiformes unless said activity constitutes an attractant and its cessation is ordered by the town pursuant to this section.

**Section 2.** This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 10th day of February in the year 2025.

Ayes:

Noes:

Absent or excused:

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Sarah E. Kimrey, Town Clerk