

TOWN OF GRANBY
Ordinance to Prohibit the Intentional Feeding of Bears
Dated August 4, 2021

Purpose

The Town of Granby, under its powers pursuant to state law, has adopted this ordinance to protect public health, safety, and welfare by prohibiting the intentional feeding of black bears. This ordinance is intended to assist our residents, guests, and other stakeholders to peacefully and safely coexist with them.

Definitions

When used in this ordinance, the following definitions apply:

- a. **Authorized Enforcement Agents:** All sworn personnel of the Police Department and Animal Control Officers; additionally, any employees or designees of the town as designated by the Town Manager to enforce this ordinance.
- b. **Person:** An individual, corporation, partnership, non-profit, trust, unincorporated organization, business organization of any kind or any other group or organization.
- c. **Town:** Town of Granby.
- d. **Intentional Feeding of Bears:** Feeding, giving, placing, exposing, depositing, distributing or scattering any edible material, attractant, or other substance with the intention of attracting one or more black bears.
- e. **Unintentional or Indirect Feeding of Bears:** Using or placing any material for a purpose other than to intentionally attract, entice, or feed one or more black bears but which results in unintentionally attracting, enticing, or feeding of one or more black bears.

Prohibited Activity

In recognition that these animals are wild and should be left alone for the health, safety, and welfare of both the wildlife and our residents, guests, and other stakeholders, the following is prohibited activity and no person shall engage in:

- a. Intentional feeding of any black bear.
- b. Unintentionally or indirectly feeding any black bear following the issuance of a warning to such person by an Authorized Enforcement Agent of the Town for incidental or indirect feeding. Any person who violates the provisions of the Section shall have committed an infraction.
- c. **Improperly Storing Food, Refuse, or Other Black Bear Attractants:** Includes, but is not limited to the improper storage of food, pet food, refuse (garbage), birdseed or other attractants and substances in a manner that results in black bear feedings.

Exceptions

- a. **Unintentional Feeding of Bears:** Unintentional feeding of one or more black bears means using or placing any material for a purpose other than to intentionally attract, entice, or feed wildlife but which results in unintentionally attracting, enticing, or feeding of bears. Unintentional feeding may become intentional feeding if a written notice or warning is issued by any Authorized Enforcement Agent of the Town.
- b. **Feeding Birds:** Bird feeders may be used from December 1st through March 31st. If the food provided is widely recognized as not desirable to bears, such as Nyjer or thistle, bird feeders may be used year-round.

Violations and Penalties

Whenever the Authorized Enforcement Agent determines that a person has violated this ordinance, the Authorized Enforcement Agent is authorized to issue a warning to the violator or to issue a fine to the violator in the amount of two hundred fifty dollars (\$250.00) for each offense. Any violation continued more than one (1) day or which occurs on consecutive and/or subsequent days shall constitute a separate offense for each day such violation continues.

After two or more violations of this ordinance have been cited to any person, the Town may initiate a civil action in the Superior Court for injunctive relief to prohibit and prevent such violation or violations and the court may proceed in the action in a summary matter. Any person found in such a proceeding to have violated this ordinance shall pay all of the costs and fees, including a reasonable attorneys' fee, incurred by the Town in pursuing such an action.

Appeals

Any person receiving a fine may appeal the determination of the Authorized Enforcement Agent. The Notice of Appeal must be received in writing and filed with the Town Clerk's Office within ten (10) business days from receipt of the notice of the fine. The appeal shall be deemed received by the Town on the first business day following the day it is filed with and received by the Town Clerk's Office. Hearing on the appeal before the Hearing Officer shall take place within thirty (30) business days from the date of receipt of the Notice of Appeal. The hearing shall be conducted in a manner consistent with the procedures set forth in Chapter 58, Violation and Citation Hearing Procedures, Article II, Parking and Ordinance Violations, adopted August 9, 1999. The decision of the Hearing Officer may be appealed to the Superior Court.

Date of Public Hearing: 7/7/2021
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Date Published: 7/15/2021
Effective Date: 8/4/2021