

ORDINANCE 2006-04

AN ORDINANCE OF THE CITY OF SAN JUAN BAUTISTA AMENDING THE SAN JUAN BAUTISTA MUNICIPAL CODE BY ADDING A NEW SECTION 5-7-170 PROHIBITING THE FEEDING OF FERAL CHICKENS

The City Council of the City of San Juan Bautista, California, does hereby ORDAIN as follows:

SECTION 1. FINDINGS

- A. The City of San Juan Bautista is home to feral chickens.
- B. These feral chickens contribute to the historical ambiance and small-town atmosphere of the City.
- C. As a result of persons providing additional feed to the feral chickens, the feral chicken population is significantly higher than their natural population.
- D. This excess chicken population results in a significant nuisance to residents and businesses within the City, due to excessive noise, droppings, and property damage.
- E. The City has taken significant steps to reduce the excess feral chicken population by relocation of chickens to surrounding farms, and destroying eggs.
- F. Despite the City's best efforts, the excess feral chicken problem remains.

SECTION 2. A new section 170 is added to Title 5, Chapter 7 of the San Juan Bautista Municipal Code to read as follows:

“5-7-170 Feeding of feral chickens made unlawful, and declared a nuisance.

- (a) It is unlawful, and declared a nuisance, for any person to feed, or provide food to, a feral chicken within the City of San Juan Bautista.
- (b) This section does not apply to feeding domesticated chickens kept in compliance with this Chapter.”

SECTION 4. Severability.

A. If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable.

B. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 5. Effective Date.

This ordinance shall take effect thirty (30) days after adoption.

THE FOREGOING ORDINANCE was first read at a regular meeting of the San Juan Bautista City Council on the 21st day of February 2006, and was adopted at a regular meeting of the San Juan Bautista City Council on the 21st day of March, 2006 by the following vote:

AYES: Reed, Medina, Hill

NOES: Geiger, Dias

ABSTAIN: None

ABSENT: None

Mayor Dan Reed

ATTEST:

Approved as to form:

Trish Paetz, Deputy City Clerk

Peter Spoerl, Interim City Attorney