



Legislation Text

File #: Ordinance 04-2018, **Version:** 3

Agenda Date: 03/06/2018

Subject:

A motion to continue indefinitely the ordinance on second reading amending the municipal code to provide for the safety and protection of wildlife

Presented By: Steve Kemp, City Attorney

POLICY QUESTION:

Does city council support an amendment to the municipal code to provide for the safety and protection of wildlife?

BACKGROUND:

The current municipal code only provides for the protection of birds and their nests and does not provide for the protection of and enforcement of damage to or harassment of the habitat, dens, nests of other wildlife. At this time the Colorado State Parks and Wildlife Division does not enforce its wildlife codes in local jurisdictions. Additionally, South Suburban Parks and Recreation relies on the municipal code of the City of Littleton, as the underlying property owner, when enforcing rules and protecting wildlife in city owned parks.

PRIOR ACTIONS OR DISCUSSIONS:

City council met in study session on February 20 where this topic discussed. Based on information provided by the city attorney, the consensus of the council was that Ordinance No. 04-2018 should be placed on second reading with the intent that it be continued indefinitely.

STAFF ANALYSIS:

This amendment to the code updates the definitions in Title 1, Chapter 6 to include a definition for “wildlife” in order to expand the protection provided to wildlife under the municipal code. Additionally, the amendment allows for increased protections for the dens/nests of wildlife and consequences for the harassment of such wildlife. This amendment will provide the City and SSPR with a more complete mechanism for protecting wildlife and prosecuting anyone who harms or harasses wildlife under the amended code.

OPTIONS/ALTERNATIVES:

1. City council may choose not to approve the ordinance on second reading and the municipal code would remain unchanged.
2. City council may approve the ordinance on second reading.
3. City council may adopt a motion to continue this item indefinitely based on the introduction of a revised harassment of wildlife ordinance for first reading.

FISCAL IMPACTS:

None

STAFF RECOMMENDATION:

None

PROPOSED MOTION:

I move to continue indefinitely the ordinance on second reading amending the municipal code to provide for the safety and protection of wildlife