

ORDINANCE NO. 820

An Emergency Ordinance of the City Council of the City of Columbia Falls, Montana, pursuant to MCA Section 7-5-104, regarding the City-wide preventative measures to avoid problems with animals.

WHEREAS, the Montana Department of Fish, Wildlife and Parks (F,W & P) has reported significant bear sightings and problems with bears and other animals being attracted to pet food, fruit trees, garbage and waste stored outdoors or otherwise placed in solid waste containers in the City; and

WHEREAS, the City Council would like to reduce and prevent animal conflict, protect the public and resolve the frequent encounters with bears and other animals by following the guidelines set out by Montana Fish, Wildlife and Parks; and

WHEREAS, the number of reported bear and other animal sightings have continued City-wide and public participation to reduce animal encounters and conflict are now necessary City-wide in the best interests of public health, safety and welfare of City residents and affected animals; and

WHEREAS, Section 7-5-104, MCA, authorizes the governing body to adopt an emergency ordinance in the event of an emergency by a two-thirds vote of the entire City Council for passage, effective immediately, but for no more than 90 days; and

WHEREAS, after consultation with the Wildlife Conflict Management Specialists with Montana F, W & P, the City Council determined the necessity to act immediately to establish preventative measures City-wide as an emergency ordinance applicable within City limits to take effect upon passage, until such time as the City enacts an ordinance to amend its City Code for City-wide preventative measures or for 90 days following passage, whichever shall first occur.

NOW, THEREFORE, be it ordained by the City Council of the City of Columbia Falls, Montana, as follows: Section 1: The preventative measures prescribed by MT F, W & P to reduce animal encounters are conflict including but not limited to the following will be applied to all residents and business owners within the City Limits:

- a. No outdoor feeding of domestic animals unless food is locked and secured overnight.
- b. Store all attractants, including garbage and recycling, indoors or in bear-resistant garbage cans.
- c. Remove ripe fruit from trees and areas around the trees. Do not leave fruit for bears and other animals.
- d. Remove or empty bird feeders at night. Do not leave any food outdoors overnight.
- e. Store coolers, grills, smokers, and any other items with food scent indoors.
- f. All domestic and commercial waste should be properly secured or stored indoors. Do not accumulate garbage and recycling in truck beds, piled in yards or stored in vehicles.
- g. Store garbage roll out indoors until morning of scheduled pick up.
- h. Secure chicken coops and add electric fence if needed to deter bear activity.

Section 2: In the event any word, phrase, clause, sentence, paragraph, section or other part of the Ordinance set forth herein is held invalid by a court of competent jurisdiction, such judgment shall affect only that part held invalid, and the remaining provisions thereof shall continue in full force and effect.

Section 3: Effective Date. Pursuant to Section 7-5 -104, MCA, this Ordinance shall take effect immediately upon its adoption by the City Council of the City of Columbia Falls, Montana, and signing by the Mayor thereof, and shall be in full force and effect 90 days from final passage, but shall be of no further force and effect after such period.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 6th DAY OF SEPTEMBER, 2022, THE COUNCIL VOTING AS FOLLOWS:

AYES: Fisher, Karper, Lovering, Piper, Robinson, Shepard and Barnhart

NOES: None

ABSENT: None

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 6th DAY OF SEPTEMBER, 2022.

Mayor

ATTEST:

City Clerk