

CHAPTER 7

ARTICLE VI

Wildlife Protection

Sec. 7-151. Definitions.

The definitions and terms used in this Chapter, unless the context otherwise indicates, are herewith defined as follows:

- (1) *Wildlife* means any medium to large size non-domestic mammal indigenous to the Town of Snowmass Village including but not limited to, black bear, mule deer, elk, raccoon, coyote, beaver, skunk, badger, bobcat, mountain lion, porcupine and fox.
- (2) *Wildlife Resistant Refuse Container* means a fully enclosed metal container with a metal lid. The lid must have a latching mechanism, which prevents access to the contents by wildlife. Wildlife Resistant Refuse Containers must be approved by the Chief of Police and the Director of Public Works.
- (3) *Wildlife Resistant Dumpster Enclosure* means a fully enclosed structure consisting of four sides and a roof, with one side accommodating a door. The sides of the structure must extend to the ground and the door can not have more than a two-inch gap along the bottom. The door must have a latching device of sufficient design and strength to prevent access by wildlife. Ventilation openings shall be kept to a minimum and must be covered with a heavy gauge steel mesh or other material of sufficient strength to prevent access. Wildlife Resistant Dumpster Enclosures must be approved by the Chief of Police and the Director of Public Works.
- (4) *Special Event* means a large, outdoor gathering such as a concert, conference, festival or rodeo.

Sec. 7-152. Wildlife Resistant Refuse Containers or Enclosures Required.

Between the dates of April 15 and November 15, all refuse containers regardless of size, that receive refuse edible by bears or other wildlife shall be either an approved Wildlife Resistant Refuse Container, or a refuse container which is stored within a building, house, garage, or approved Wildlife Resistant Dumpster Enclosure.

Sec. 7-153. Maintenance and Operation of Wildlife Resistant Refuse Containers and Dumpster Enclosures.

- a. Wildlife Resistant Refuse Containers and Dumpster Enclosures must be kept closed and secure when refuse is not being deposited.
- b. If a container or enclosure is damaged, allowing access by bears or other wildlife, repairs must be made within 24 hours after written notification by the Police Department.

Sec. 7-154. Residential Refuse Disposal.

- a. All containers that receive refuse edible by bears or other wildlife must be secured inside the home or garage. Residents unable to keep their refuse container inside the home or garage shall store their refuse in a Wildlife Resistant Refuse Container or Enclosure approved by the Police Department.
- b. Residents with curbside pickup shall place their refuse containers at the curb only on the day of pickup. After pickup, the containers must be re-secured inside the home, garage or Wildlife Resistant Dumpster Enclosure by 6 p.m.

Sec. 7-155. Special Event Refuse Disposal.

Outdoor Special Event sites shall be kept free from the accumulation of refuse edible by wildlife. Refuse must be collected from the grounds at the close of each day's activities and shall be deposited in Wildlife Resistant Containers or Enclosures, or be removed to an appropriate disposal site.

Sec. 7-156. Construction Site Refuse Disposal.

All construction sites must have a designated container that receives refuse edible by bears and other wildlife. This container shall be either a Wildlife Resistant Refuse Container, or a container that is emptied at the end of each workday and then securely stored inside a trailer or building.

Sec. 7-157. Feeding of Wildlife.

- a. No person shall knowingly leave or store any refuse, food product, pet food, grain or salt in a manner which would constitute a lure, attraction or enticement of wildlife.
- b. Birdfeeders are allowed. However, between the dates of April 15th and November 15th, all feeders must be suspended on a cable or other device so that they are inaccessible to bears and the area below the feeders must be kept free from the accumulation of seed debris.

Sec. 7-158. Interference with Animal Control Officer.

No person shall interfere with, molest, hinder or impede the Animal Control Officer in the discharge of his or her duties as herein prescribed, or to violate any of the provisions of this Article. (Ord. 3-1992 §2)

Sec. 7-159. Enforcement.

- a. Police or Animal Control Officers shall have the power to issue summonses and complaints for violations of this Article, as well as to issue warning notices to persons in violation of the provisions of this Article.
- b. Police or Animal Control Officers shall have the right to enter any premises in the Town at reasonable hours to enforce the provisions of this Article.

Sec. 7-160. Compliance Required and Time Period.

Any dumpster enclosure or refuse container shall be brought into conformity with the wildlife protection provisions of this Article within a period not to exceed sixty days from the effective date of this Ordinance. Upon application to the Chief of Police, and showing a hardship by any owner of a dumpster enclosure or refuse container required to comply with this Article, the Chief of Police may grant an extension, for a reasonable period of time, within which to comply with the provisions of this Article.

Sec. 7-161. Penalty assessment.

The following penalty assessments are declared to be mandatory and minimum:

Wildlife Resistant Refuse Container (Sec. 7-152):

First offense within 1 year	\$ 50.00
Second offense within 1 year	250.00
Third offense within 1 year	Summons

Maintenance of Wildlife Resistant Refuse Containers and Wildlife Resistant Dumpster Enclosures (Sec. 7-153):

First offense within 1 year	50.00
Second offense within 1 year	250.00
Third offense within 1 year	Summons

Residential Refuse Disposal (Sec. 7-154):

First offense within 1 year	50.00
Second offense within 1 year	250.00
Third offense within 1 year	Summons

Special Event Refuse Disposal (Sec. 7-155):

First offense within 1 year	250.00
Second offense within 1 year	500.00
Third offense within 1 year	Summons

Construction Site Refuse Disposal (Sec. 7-156):

First offense within 1 year	250.00
Second offense within 1 year	500.00
Third offense within 1 year	Summons

Feeding of Wildlife (Sec. 7-157):

First offense within 1 year	\$50.00
Second offense within 1 year	250.00
Third offense within 1 year	Summons

Secs. 7-162--7-175. Reserved.