

**TOWN OF LONG BEACH, INDIANA**

**# 2024-03**

**AN ORDINANCE ADDING TITLE IX, CHAPTER 90, SECTION 90.07 -  
PROHIBITION AGAINST INTENTIONALLY FEEDING DEER**

**WHEREAS**, the Town Council has authority to adopt ordinances to promote and protect, among other things, the public health, safety, and general welfare of the residents of the Town of Long Beach, Indiana; and

**WHEREAS**, the Town Council has recently given considerable attention to the deer population issues in the Town, including, but not limited to, seeking input from the community; and

**WHEREAS**, the Town Council has determined it is necessary to prohibit the feeding of deer for the purpose of promoting and protecting the public health, safety, and general welfare of the residents of the Town of Long Beach, Indiana,

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Long Beach, Indiana as follows:

1. Title IX, Chapter 90, Section 90.07 shall be added to the Town Code and read as follows:

**Section 90.07. Prohibition Against Feeding Deer.**

A. **Deer Feeding Prohibited.** Except as provided in Subsection D, below, a person commits an offense if the person intentionally feeds deer or makes food available for consumption by deer on private or public property within the corporate boundaries of the Town of Long Beach.

B. A person shall be presumed to have intentionally fed deer, or made food available for consumption by deer, if the person places food or causes food to be placed on the ground outdoors or on any outdoor platform that stands fewer than six feet (6') above the ground.

C. For the purpose of this Section, the following items shall constitute and be defined as food unless otherwise excluded or permitted: corn, fruit, oats, hay, nuts, wheat, alfalfa, salt blocks, grain, vegetables, commercially sold wildlife and/or livestock feed, and any other seed, including, but not limited to bird seed, intentionally placed on the ground or other surfaces.

D. **Exceptions.** This Section does not apply to a law enforcement officer, veterinarian, Town employee, federal or state wildlife official, or property owner who is authorized by the

Indiana Department of Natural Resources to treat, manage, capture, trap, hunt, or remove deer who is acting within the scope of the person's authority.

E. The following are excluded from prohibition in this Section:

1. A lawn;
2. A garden, including, but not limited to, planted material growing in gardens;
2. Naturally growing matter, including but not limited to, fruit and vegetables;
3. Fruit or nuts that have fallen on the ground from trees or other plants; and
4. Bird feed in feeders placed not less than six feet (6') above the ground.

F. Violations.

1. Any Town law enforcement officer may issue to any person in violation of this Section a Notice of Ordinance Violation. Upon receiving any such Notice, it shall be the duty of each property owner to remove any and all food placed on the property in violation of this section. Failure to remove such food within twenty-four (24) hours after receiving written notice from the Town or otherwise continuing to feed deer after receiving Notice shall constitute violation of this Chapter.

2. Penalties. Violations shall be subject to the provisions and fines set forth in Section 90.99 of this Chapter.

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This Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of Long Beach, LaPorte County, Indiana, and publication, if any, in conformance with applicable law.


This Ordinance shall be codified as required and all affected sections and subsections may be renumbered or re-lettered as necessary to achieve such purpose.

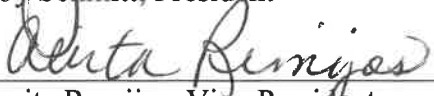
It is the intent of the Town Council that if any section, subsection, sentence, clause or phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed to render invalid or unconstitutional the remaining provisions of this Ordinance.


**ALL OF WHICH IS PASSED AND ADOPTED by the Town Council of the Town of Long Beach, LaPorte County, Indiana, this 8<sup>th</sup> day of April, 2024.**

**LONG BEACH TOWN COUNCIL**

By:

  
\_\_\_\_\_  
Joy Schmitt, President

  
\_\_\_\_\_  
Anita Remijas, Vice-President

  
\_\_\_\_\_  
Kendra Bartlett

  
\_\_\_\_\_  
Jonathan Haley

  
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Shannon Wojcik

ATTEST:

  
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Meg Collins, Clerk-Treasurer