

Town of Bethlehem

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Town Ordinance 2010-01

Wild Animal Ordinance

Be it ordained by the Board of Selectmen of the Town of Bethlehem New Hampshire as follows:

Bethlehem is a resort and recreational community with a large number of transient visitors and guests. A major portion of the town consists of heavily forested areas, home to an ever-increasing number of wild animals. This ordinance is adopted in an effort to assist our residents and guests in peacefully coexisting with the wild animals upon whose habitat we are infringing. Also, this ordinance is intended to enhance freedom and safety of movement in public areas of town.

In recognition that these animals are wild and should be left alone for the welfare and safety of both the animals and our residents and guests, it is hereby enacted by the Board of Selectmen that:

- I. No person shall engage in the practice of baiting or feeding wild animals.
 - For purposes of this ordinance, baiting or feeding shall mean the placing of any food or other substances so as to lure or attract wild animals.
 - For purposes of this ordinance, wild animals shall include fur-bearing and game animals as defined by NH RSA 207:1.
 - Feeding of wildlife may occur from November 15th through April 15th of the following year, with the exception of bear and raccoon. If either bears or raccoons appear at a feeding site during those times the site must be closed for a minimum of 14 days or until either bears or raccoons are no longer returning. No feeding of wildlife may occur between the dates of April 15th and November 15th of any given calendar year. Except for any or all persons licensed by the State of New Hampshire, Department of Fish and Game.

- II. No person shall loiter within 100 feet of the solid waste dumpsters when bears are present nor shall they knowingly approach within 100 feet of any wild animal within the zoning confines of the Town of Bethlehem.

III. All domestic and commercial refuse must be placed in one of the following:

- A building, house or garage that is inaccessible to wildlife
- A wildlife resistant container
- A container that is placed in a wildlife resistant enclosure
- Deposited at an appropriate town disposal site.

The provisions of this Ordinance shall apply to all persons except those with a valid baiting permit issued by the State of New Hampshire, Department of Fish and Game.

Any person who knowingly violates the provisions of this ordinance shall be guilty of a violation and subject to a fine of not more than \$1000.

A person may choose to pay a civil forfeiture of \$100 to the Town Clerk within 48 hours of the time notice of violation is provided and shall there by waive the right to be heard in district court and shall not be prosecuted for that offense. For each subsequent offense by the same person, the amount of civil forfeiture shall be \$250. However, civil forfeiture may not be paid after three (3) offenses in one (1) year, but rather district court proceedings and fines shall dispose of their case.

This ordinance shall be effective: July 12, 2010

Town of Bethlehem
By its Board of Selectmen



