



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Richard Doyle  
City Attorney

**SUBJECT:** Supplemental Memo: Ordinance  
to Ban Feeding Wild Animals

**DATE:** 11/3/2004

On October 26, 2004, the City Council passed for publication the Ordinance to Ban the Feeding of Wild Animals. Councilmember Cortese requested that the definition of "Wild Animal" be reviewed to include more animals consistent with the state definition of "game" animals.

The State does define "game" and "fur bearing" mammals. Section 3950 of the California Fish and Game Code defines game mammals as deer, elk, prong-horned antelope, wild pigs, brown and cinnamon bears, mountain lions, jackrabbits and varying hares, cottontails, brush rabbits, pigmy rabbits, and tree squirrels. Section 4000 defines fur bearing mammals as pine marten, fisher, wolverine, mink, river otter, gray fox, cross fox, red fox, kit fox, raccoon, beaver, badger, and muskrat.

The definition of "Wild Animal" in the proposed Ordinance was limited to deer, bears, coyotes, foxes, mountain lions, opossums, raccoons and skunks. All the animals except the coyote, opossum, and skunk were included in the state definitions. In an effort to be comprehensive, the revised definition of "Wild Animal" now includes those animals defined as game and fur bearing mammals under state law, and coyotes, opossums and skunks.

RICHARD DOYLE  
City Attorney

By \_\_\_\_\_  
Rosa Tsongtaatarii  
Associate Deputy City Attorney

cc: Del Borgsdorf

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