



STAFF PHOTO BY HILL DRELLER

Flew the coop: Farmington Hills officials hope the new ordinance banning the feeding of geese will encourage honkers like these to leave town.

Rules

Here's how they will work

You'll still be able to feed the ducks in Farmington Hills next month, but not pigeons, gulls or Canada geese.

An ordinance that prohibits feeding those three types of birds will go into effect 21 days following its passage at Monday night's Hills City Council meeting. Officials made a few changes since the original version was proposed late last month.

Because most citizens who testified Monday didn't seem to mind having ducks around, Council member Jerry Ellis suggested eliminating them from the feeding ban. Officials voted down an amendment to the threshold of six or more birds in one location, but added a provision for a warning letter sent prior to a citation being issued.

Council member Henry Bricker proposed the latter change, because officers will have a certain amount of latitude in determining whether the law will be enforced.

"If we have built into the ordinance something that states we'll send a letter first," Bricker said, "we have something written in that's not discre-

tionary." Officials also declined to delay enactment of the ordinance, so that people who feed the birds could "taper off," rather than suddenly cutting off their source of food. Hills naturalist Joe Derek said timing won't impact flocks of geese because their diet is primarily grasses, and they'll fly to find other food sources.

Council member Chris McRae opposed the ordinance, because he felt the six-bird limit was too low.

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problem," he said, asserting that the homeowners' association president was "misleading" the council.

The ducks and geese had already taken up residence in a nearby pond when the Porholas moved into their home about a year and a half ago. About 95 ducks live on the pond year-round, and Porhola said his children get a lot out of feeding them.

While he agreed there can be such a thing as too many ducks, Porhola felt the proposed ordinance went too far.

"I had eight ducks hatch under our bushes," he said. "I don't know anything about it ... and I'm already in violation of the law."

Marge Ferguson, owner of Wild Birds Unlimited on 12 Mile Road, pointed out that people who put out feeders for songbirds find the nuisance birds gather as well.

"I've been doing business for nine years in Farmington Hills and I can count on one hand the number of people who have wanted to attract pigeons to their yard," she said. "There are different ways to tell people how to attract birds. You really have to be careful of what you're doing."

The problem, as many residents saw it, is what could happen if they aren't careful.

Because it's being classified as a misdemeanor, a violation could result in up to 93 days in jail and/or a \$500 fine. Officials were quick to point out that was a maximum penalty.

"It allows a police officer to enforce (the ordinance) as well as a code officer," city attorney

Donohue explained. "It doesn't mean a person who violates the ordinance will go to jail."

Resident Charles Cozier doubts whether police will be able to do much to enforce the law. Even if more than six birds were gathered around one of his bird feeders, he said, he could run into his back yard, clap his hands and no longer be violating the law.

"You can't regulate nature," he said.

Unfortunately for residents like Teresa Kammi and her neighbors, you can't regulate where birds leave their droppings. Speaking on behalf of several residents, she told council members horror stories about permanent stains on her siding, showers of bird droppings on garage sale items and the nuisance that prevents her from enjoying her back yard during the spring and summer.

"You can come out into your yard any time of year and find dead pigeons," she said. "The droppings are huge."

The problems caused by one resident who Kammi said put out huge amounts of food, despite neighborhood complaints about the birds they attracted, have eased since that person moved.

But she and her neighbors are worried about what will happen if someone else decides to do the same thing, particularly since they've learned there simply are no state, local or health ordinances governing the issue.

"Three hundred birds in a small area is ridiculous," Kammi said. "You try living one, two or three houses away from this person or across the street, and you can't sit out in your yard. You might think twice."

After hearing from both bird lovers concerned about heavy restrictions and those who worry about the health and environmental problems associated with excessive bird droppings, officials approved the feeding ordinance 6-1.

Council member Jerry Ellis said he voted against a similar ordinance presented last year, but said the new one is drafted only to prevent people from intentionally attracting birds to their neighborhoods.

"Opponents are reading more into it than was intended," he said. "Nuisance ordinances have been on the books for years. I believe this ordinance is necessary to attempt to alleviate a perceived problem."

"No one is attempting in the city to keep anyone in the city from feeding birds," council member Jon Grant commented. "We have a number of serious problems in the community, and we are attempting to put an ordinance in place to allow administration to address those problems."

After a failed attempt to get the six-bird limit increased to 12, council member Chris McRae voted against the ordinance.

"Six or more seems a bit prohibitive," he said.

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