

VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

CHAPTER 386

An Act to amend the Code of Virginia by adding a section numbered 29.1-527.1, relating to the feeding of migratory and nonmigratory waterfowl; penalty.

[S 54]

Approved April 12, 2004

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 29.1-527.1 as follows:

§ 29.1-527.1. Localities may prohibit feeding of migratory and nonmigratory waterfowl.

Upon notice to the Department, any locality may prohibit by ordinance the feeding of migratory and nonmigratory waterfowl in any subdivision or other area of such locality which, in the opinion of the governing body, is so heavily populated as to make the feeding of such waterfowl a threat to public health or the environment. The terms "migratory" and "nonmigratory" waterfowl shall include those waterfowl defined as such in a listing as provided by the Department. The Department shall make available to localities a model ordinance suggested for use by localities. The locality shall post the appropriate signage that designates an area where the ordinance is applicable and shall be solely responsible for enforcement of the ordinance. The penalty for violating such an ordinance shall be a civil fine not to exceed \$50.

A locality shall not enact such an ordinance on lands within a national or state park or forest, or wildlife management area.