

## FEEDING OR BAITING OF WATERFOWL MODEL BYLAW

No person, except the Director of the Division of Fisheries and Wildlife or his agent or designee, as authorized pursuant to Chapter 131 of the General Laws, shall feed or bait any waterfowl of the family Anatidae (including, but not restricted to ducks, geese, and swans) at any place within the [NAME OF CITY OR TOWN]. As used in this paragraph, "feeding" and "baiting" shall mean the placing, exposing, depositing, distributing, or scattering, directly or indirectly, of any shelled, shucked, or unshucked corn, wheat, or other grain, bread, or salt, or any other feed or nutritive substances, in any manner of form, so as to constitute for such birds a lure, attraction, or enticement to, on, or over any such areas where such feed items have been placed, exposed, deposited, distributed, or scattered.

Nothing in this bylaw shall be construed to limit the feeding of domesticated waterfowl, as defined by the Division of Fisheries and Wildlife, by a farmer as defined in Section 1A of Chapter 128 on property owned or leased by him, or the feeding of waterfowl or other birds by propagators licensed under Section 23 of Chapter 131 of the General Laws when such waterfowl or other birds are confined in such a manner as may be required pursuant to said Section 23 and any Rules and regulations issued under authority thereof; or the feeding by any person or his agents, invitees or licensees of waterfowl lawfully kept as a pet by such person.

Notwithstanding the above, the Director of the Division of Fisheries and Wildlife or his agent or designee may authorize the emergency feeding of waterfowl and other birds when, in his opinion, such action is necessary to alleviate undue losses and suffering of such birds due to unusual weather conditions and other circumstances. The Director may authorize such action by such means as he deems necessary and expedient, but such means shall include the immediate notification of the [Selectmen or Mayor] thereof by first class mail.

Any person who violates any provision of this bylaw shall be subject to a fine of [Fifty dollars (\$50.00)] for each offense thereof.

This bylaw may be enforced by [Police Officers, Natural Resource Officers, Shellfish Constables, Harbormasters, Assistant Harbormasters, agents of the Board of Health, Environmental Police Officers and other enforcement officers of the Division of Law Enforcement, and Deputy Environmental Police Officers].

Upon approval of this bylaw, the [Selectmen or Mayor] shall cause one copy thereof to be mailed to the Director of the Division of Fisheries and Wildlife and one copy to the Director of the Division of Law Enforcement.