



24-1575

**TITLE:** Consider/Discuss/Act on an Ordinance Amending Chapter 26, "Animal Control", by Amending Section 26-1, "Definitions", to Define "Waterfowl", and Amending Section 26-38 to Prohibit the Feeding of Animals other than Pets and Waterfowl on City Property

**COUNCIL GOAL:** Enhance the Quality of Life in McKinney  
(5D: Develop sustainable quality of life improvements within the City of McKinney).

**MEETING DATE:** May 21, 2024

**DEPARTMENT:** Development Services - Code Services

**CONTACT:** Ashley Thompson, Animal Services Manager  
Michael Quint, Executive Director of Development Services

**RECOMMENDED CITY COUNCIL ACTION:**

- Approve the proposed ordinance.

**ITEM SUMMARY:**

- Staff is proposing an amendment to Chapter 26 (Animal Control) that prohibits the feeding of animals on city-owned property, with limited exceptions.
- Specifically, staff is proposing to amend Section 26-38 (Unlawful Acts Enumerated) of the Code of Ordinances to include:
  - It shall be unlawful for a person to intentionally feed or otherwise make food available to an animal on city property, including a city park. This prohibition shall not apply to:
    - the feeding of a normal household pet, such as a dog or cat, or the feeding of waterfowl, so long as the feeding does not:
      - threaten the health and safety of the public;

- generally interrupt the tranquility of the location; or
- otherwise cause a public nuisance.
- a feeding that is specifically authorized by the city.
- The definition of waterfowl is defined to include ducks, geese, and swans. Individuals can still feed waterfowl.

**BACKGROUND INFORMATION:**

- Staff presented to the City Council in the February 6<sup>th</sup> work session to discuss an ordinance prohibiting the feeding of wildlife in city parks. At the meeting, City Council members expressed their concern against prohibiting feeding ducks/geese at city parks. The City Council indicated that they were comfortable with Staff drafting ordinance amendments if the aforementioned concerns were addressed.
- Staff has worked with the City Attorney’s Office to draft the proposed amendments that includes language which addresses the City Council's concerns but is also consistent with the regulations of some of our sister cities.
- For example:
  - The City of Plano prohibits feeding wildlife in their parks: “It shall be an offense for any person to knowingly do any of the acts specified in this section in or upon any park facility, except as otherwise specifically provided: Feeding animals. Feed or leave food for a non-domestic animal.”
  - The City of Garland prohibits feeding feral or wild animals: “It shall be unlawful: To provide food, shelter or water to feral or wild animals in a manner that creates a nuisance to a neighboring person due to the presence of said feral or wild animals.”

**SUPPORTING MATERIALS:**

[Ordinance](#)