

City Council Meeting: December 12, 2023

Santa Monica, California

ORDINANCE NUMBER 2769 (CCS)  
(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA  
AMENDING SANTA MONICA MUNICIPAL CODE CHAPTER 4.04.390  
PERTAINING TO THE FEEDING OF BIRDS AND OTHER ANIMALS IN THE CITY  
PUBLIC RIGHT OF WAY

WHEREAS, the City of Santa Monica (“City”) aims to provide its residents with an opportunity to use public space with their animal companions; and

WHEREAS, distributing food to animals in beaches, and the Municipal and Newcomb Piers presents significant risk to health, safety, and welfare and can lead to unsanitary conditions; and

WHEREAS, disbursing food to animals in public places can lead to the transmission of airborne diseases; and

WHEREAS, disbursing food to animals in public places leads to an increase in bird droppings; and

WHEREAS, the increase in bird droppings has resulted in elevated bacteria level around Municipal Pier exceeding state standards; and

WHEREAS, disbursing food can also be harmful to the wildlife, causing unnatural population gathering, interspecies aggression, and other risks which directly affect their ability to survive; and

WHEREAS, in order to address these issues, City Council now wishes to clarify and expand the prohibitions in Section 4.04.390 to include the City’s public beaches, the Municipal and Newcomb Piers.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 4.04.390 of the Santa Monica Municipal Code is hereby amended as follows:

**4.04.390 Restrictions upon feeding of animals and birds in specified areas.**

(a) No person shall feed any animal or bird in or on the area described in Section 3.36.150 of this Code, the Municipal and Newcomb Piers, the public beach, or in any designated off-leash area of a public park, without authorization from the City Manager or the City Manager's designee.

(b) No person shall permit any food or other matter edible by animals or birds to remain on the ground after dispersing or dropping it in or on any park, designated off-leash area, the Municipal and Newcomb Piers, the public beach, or public street or sidewalk, without authorization from the City Manager or the City Manager's designee.

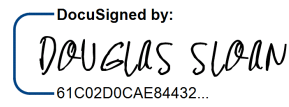
(c) Any person violating any of the provisions of this Section shall be guilty of an infraction. Any person convicted of an infraction under the provisions of this Section shall be punishable by a fine of not less than five dollars and not more than twenty-five dollars. Each such person shall be guilty of a separate offense for each and every commission of any violation of any provision of this Section and shall be punished accordingly.

SECTION 2. Any provision of the Santa Monica Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective thirty days after adoption.


APPROVED AS TO FORM:

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DOUGLAS SLOAN  
City Attorney

Approved and adopted this 12<sup>th</sup> day of December, 2023.

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Phil Brock, Mayor

State of California )  
County of Los Angeles ) ss.  
City of Santa Monica )


I, Nikima Newsome, Assistant City Clerk of the City of Santa Monica, do hereby certify that the foregoing Ordinance No. 2769 (CCS) had its introduction on November 14, 2023 and was adopted at the Santa Monica City Council meeting held on December 12, 2023, by the following vote:

AYES: Councilmembers de la Torre, Davis, Parra, Zwick  
Mayor Pro Tem Negrete, Mayor Brock

NOES: None

ABSENT: None

ATTEST:

DocuSigned by:  
  
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Nikima Newsome, Assistant City Clerk

12/18/2023

Date

A summary of Ordinance No. 2769 (CCS) was duly published pursuant to California Government Code Section 40806.