

Chapter 6.04

Migratory Bird Protection

6.04.010 Rules for Protection of Migratory Birds

6.04.020 Exceptions to the Rule

6.04.030 Penalties

6.04.040 Severability

Within the City Limits of the City of Port Orford, no person shall:

1. Disturb the nest of any migratory species of bird. This includes, but is not limited to, taking or attempting to take the eggs or young birds from the nest, or disturbing the nest to the point of causing the parent birds to abandon the nest, even temporarily. It shall be unlawful to harass the birds in any fashion anywhere within the City.
2. It shall be unlawful to disturb, hunt, trap, or kill, or attempt to disturb, hunt, trap or kill any migratory species of bird within the City of Port Orford, regardless of age of the bird.
3. It shall further be unlawful, and is a separate violation, to trespass upon, or cross any private property during any of the above prohibited activities.

6.04.020 Exceptions to the Rules

1. The only exception to this ordinance applies to state or federal agency personnel conducting biological studies pursuant to their agency regulations. It shall be incumbent upon agency personnel engaged in

these activities to possess appropriate agency issued identification. Prior notification to the City is strongly recommended. Private property owners **MUST** be notified and their permission must be granted before activities under this exception may commence.

2. This Ordinance does not apply to nuisance birds, such as, but not limited to, European Starlings and House Sparrows, that are causing damage to property.

6.04.030 Penalties

1. Any persons cited under this ordinance shall be reported to other appropriate local, state and federal agencies.
2. Violations of this ordinance shall be adjudicated in Municipal Court, and shall be punishable by a fine not exceeding \$1,000 for each violation. Each act shall constitute a separate and distinct violation.

6.04.040 Severability

If any part of this ordinance is judged to be invalid or unconstitutional by a court of competent jurisdiction, the judgment shall not affect the remaining part of the ordinance.