

An Ordinance to ~~Strike, Insert, and Amend~~ Chapter 5b of the Ordinance of the Town of Chapmanville as applies to Bird Sanctuaries, to update and further organize this chapter. Upon adoption of this ordinance it will be considered the whole of and complete Chapter 5b. AN ORDINANCE DESIGNATING CHAPMANVILLE AS A BIRD SANCTUARY; PROCEDURE FOR ELIMINATING ANY NUISANCE OR HEALTH CONDITION THEREIN; APPROVAL OF PROGRAMS AND PROVISION FOR PENALTIES FOR CERTAIN PROHIBITED ACTS

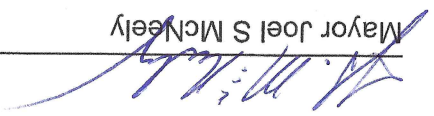
Be it ordained by the ~~Common~~ Council of the ~~City~~ Town of Chapmanville in Regular session assembled:

1. That the entire area embraced within the Town of Chapmanville be, and the same is hereby designated as a Bird Sanctuary.
2. ~~(a)~~ That it shall be unlawful to trap, hunt, shoot, or attempt to shoot or molest in any manner any bird or wild fowl, or to rob bird nests or wild fowl nests within said Town areas, except as provided for hereafter.
 - a. In the event starlings, sparrows, pigeons, or other similar birds are found to be congregating in such numbers in said Town area that they constitute a nuisance or menace to health or property in the opinion of the County Health Officer or the Mayor of the Town of Chapmanville, such authorities shall ~~meet with~~ representatives of the ~~Shade and Spade Garden Club of the Town of~~ Chapmanville call a meeting of the Town Council of Chapmanville, after having given at least three (3) days written notice of the time and place of said meeting to the ~~representatives of said Club Council and Citizens of the Town, to~~ determine the method of procedure of eliminating any such nuisance or health condition. If as result of said meeting no satisfactory alternative is found to abate such nuisance or health condition, then said birds may be destroyed in such numbers and in such manner as is deemed advisable by the County Health Officer under the supervision of the Chief of Police of the Town of Chapmanville. In the event that any wild fowl is establishing or has established a nest in or on one's house, building, or other structure, the owner of said structure may remove the nest and birds by any manner they deem necessary.
 - c. In the event that Starlings, Sparrows, Pigeons, or other similar birds are found to be a personal nuisance to farms, gardens, structures, etc., the owners of said property may approach the Mayor with proof of damage. The Mayor may approve the destruction of the fowl in such numbers and in such manner as he deems advisable, under the supervision of the Chief of Police of Chapmanville. Due to concerns to public health and safety, birds are not to be fed within town limits, unless the person feeding said birds owns, or has written permission from the owner of, the property they are feeding birds on.

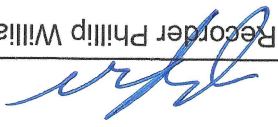
3. The designation of the Town of Chapmanville as a bird sanctuary shall in no way be construed a relinquishment Over the Town of Chapmanville's control over the town areas and any organizations or persons who desire to sponsor any programs relative to the bird sanctuary shall not commence or implement any such program without first obtaining the approval of the Mayor.

4. Anyone violating the provisions of this Ordinance shall be punishable by a fine of not more than One Hundred Dollars or imprisonment not exceeding thirty days.

First Reading: 03/12/24
Second Reading: 04/16/24
Third Reading: 5/17/24



Mayor Joel S McNeely



Recorder Phillip Williamson

Council Members.

