



INTENTIONAL FEEDING OF DEER ORDINANCE



Share this with your neighbors!

The City of Austin adopted an ordinance on February 23, 2009 prohibiting intentional feeding of deer. The ordinance amends the City Code to add Chapter 10-8 which:

- Prohibits intentional feeding of or making food available to deer within City limits
- Creates a Class C Misdemeanor for violations
- Establishes a fine of not less than \$75 or more than \$125

SUPPLEMENTAL FEEDING CAN HARM DEER

Feeding congregates deer into unnaturally high densities that:

- Artificially increase birth rates resulting in even higher populations
- Cause over-browsing of local vegetation and ornamental plants
- Increase the number of deer-vehicle collisions
- Lower the instinctive fear deer have toward humans and domestic animals
- Increase the number of negative deer/human and deer/pet confrontations

HOW TO REPORT A VIOLATION

Let's work together to share this information with your neighbors. They may not be aware of this ordinance or that supplemental feeding causes harm to deer. If someone continues to feed deer, here's two ways to report it:

1. The Austin/Travis County Health and Human Services Department's Rodent and Vector Program is responsible for administering and enforcing the ordinance. To report a deer feeding complaint, call the Program's Deer Feeding Ordinance information/message line at 978-0370 or e-mail ECHU.Service@austintexas.gov
2. You may also file a written complaint with the City's Municipal Court if you witness an ordinance violation. Go to www.austintexas.gov/department/filing-case for more information.

IMPORTANT TIPS TO REMEMBER

- Don't feed or make food available to deer
- Educate yourself about the negative impacts of supplemental feeding
- Deer will not starve if supplemental food is withdrawn or unavailable
- Communicate to your neighbors that feeding deer is illegal and could cause harm
- Landscape your yard with plants that deer do not prefer to eat. Find more information about deer resistant plants at www.austintexas.gov/department/deer-feeding-ordinance



MUNICIPAL COURT COMPLAINT FILING INSTRUCTIONS

If a citizen wants to file a complaint directly with the Municipal Court, he or she (the complainant) will be required to submit a sworn affidavit to include the violator's personal information. The complaint form must be printed and completed before it can be filed by mail or in person.

To file a complaint by mail, the required information and affidavit must be sworn before a notary public and mailed to:

Municipal Court
P.O. Box 2135
Austin, TX 78768
Phone: (512) 974-4800
Fax: (512) 974-4882

To file a complaint in person, the required information and affidavit must be sworn before a Municipal Court deputy court clerk at one of the following locations:

Downtown (Main Location)

700 East 7th Street

(Monday - Thursday, 7 a.m. - 10 p.m.; Friday, 7 a.m. - 6 p.m.)

North Service Center

12425 Lamplight Village Avenue

(Monday - Friday, 8 a.m. - 4:30 p.m.)

South Service Center

5700 Manchaca Road

(Monday - Friday, 8 a.m. - 4:30 p.m.)

The information and affidavit will be reviewed by the Prosecutors' Office to determine if a criminal case should be filed. If there is insufficient information concerning the alleged criminal conduct or the accused, the complaint will be rejected. If the case is accepted, it will be set for trial and the complainant will be notified to appear in court as a witness. The Prosecutors' Office will inform the complainant if the case is rejected.

REQUIREMENTS WHEN FILING COMPLAINT

1. The complainant (person making the complaint) must, in good faith, make full, fair and honest disclosure of all facts and circumstances known to him/her at the time the complaint is made. The facts, as presented, must be in the form of an affidavit and signed under oath. Said affidavit will form the basis of any further investigation and the charging instrument.
2. The complainant must appear in court to testify against the defendant if the charges are contested (the accused pleads not guilty and a trial is held).
3. If the defendant is found guilty, the maximum sentence that may be assessed in Municipal Court is a fine plus court costs and fees (no jail time). The defendant may appeal the case to a higher court.
4. The defendant may file a counter-complaint if the complainant has also been involved in some illegal activity. Please be advised that any statement made at this time or in the future to a prosecutor or other city investigative person may be used against you should the counter-complaint go forward to trial. Please be advised that when speaking to the prosecutor, that the prosecutor represents the state and no attorney-client relationship is established by any communications with regard to the application for complaint or any matters related thereto.
5. Once a case is filed, only a Municipal Court Judge, upon recommendation of a prosecutor, has the authority to dismiss the case.
6. The prosecutor reserves the right to subpoena the presence of the citizen-complainant and enforce the subpoena by ordering a peace officer to bring the citizen-complainant to court.

I have read and agree to the above requirements.

COMPLAINANT'S SIGNATURE
(Person making the complaint)

DATE

AFFIDAVIT BY CITIZEN CITY CODE VIOLATION

Information about the person you are accusing:

Name of Person Accused: _____

Address: _____ City, State, Zip _____

Phone Number: _____ Work Number: _____

Race: _____ Sex: _____ Height: _____ Weight: _____

Date of Birth: _____ Age (if no date of birth): _____

Facts about the case:

The undersigned Affiant, who after being duly sworn by me, on oath, makes the following statement:

Date of Offense: _____ Time of Offense: _____

Location of Offense (must be in Austin city limits):

Type of Premises: _____

What is your Complaint? Describe with as much detail as possible:

Use as many pages as necessary to fully, fairly and honestly relate all material facts and circumstances.

Has this occurred before?: Yes No **When has it happened before?:** _____

Where charges filed?: Yes No **What was the outcome?:** _____

Information about you:

Name: _____

Address: _____ City, State, Zip: _____

Phone Number: _____ Work Number: _____

Email Address (if any): _____

Witness Information (if any):

Name of Witness: _____ Phone Number: _____

Address: _____ Work Number: _____

Name of Witness: _____ Phone Number: _____

Address: _____ Work Number: _____

Name of Witness: _____ Phone Number: _____

Address: _____ Work Number: _____

Vehicle Information (if applicable):

Year: _____ Make: _____ Model: _____ Body Style: _____ Color: _____

State of Registration: _____ License Plate Number: _____ Special Features: _____

I swear that the statements made herein are within my personal knowledge and are true and correct.

Printed Name of Person Making Complaint

Signature of Person Making Complaint

Date

Sworn to me on this the _____ day of _____, 20____.

Deputy Court Clerk OR
Notary Public for the State of Texas

My Commission Expires: _____

DO NOT WRITE BELOW THIS LINE

Reviewed by: _____ (Prosecutor/Investigator)

File Charge: Yes No

Charged Offense/Offense Number: _____

On this, the ____ day of _____, 20 ____ . I hereby acknowledge that I have examined the foregoing affidavit and have determined that probable cause exists for the issuance of an arrest warrant for the individual accused therein.

Magistrate, Municipal Court, Austin, Texas