

RESOLUTION NO. 927

A RESOLUTION INFORMING THE PUBLIC OF SUSPENSION  
OF ENFORCEMENT OF CERTAIN WILDLIFE PROTECTION  
PROVISIONS AND URGING THE USE OF NON-LETHAL  
CONTROL MEASURES FOR PRAIRIE DOGS AND BIRDS

WHEREAS, the City Council of the City of Boulder previously passed Sections 6-1-11, 6-1-12, 6-1-34, and 6-1-35, B R C 1981; and

WHEREAS, the intent of these provisions was to protect wildlife, particularly prairie dogs and birds, from being killed by commercial and residential property owners; and

WHEREAS, these provisions, in whole or in part, appear to be preempted by state law and therefore need to be repealed or amended; and

WHEREAS, City prosecutors cannot prosecute laws which have legal infirmities and, as a result, they are not currently prosecuting violations of these sections, and

WHEREAS, members of the public and of City staff need to be informed about the current state of enforcement of these provisions; and

WHEREAS, City staff will return to Council within sixty days with suggested amendments or alternative approaches to the current provisions, and


WHEREAS, the underlying policies of these code sections still reflect community values;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
BOULDER, COLORADO:


That members of the public and City staff be informed that enforcement of Sections 6-1-11, 6-1-12, 6-1-34, and 6-1-35, B R C 1981, will be suspended pending amendment or adoption of other alternative approaches by Council in order to resolve the current conflict between these local provisions and state law; and

Pending amendment of the noted provisions, the public is urged to comply on a voluntary basis with the underlying values of the provisions by avoiding lethal methods when dealing with prairie dogs and birds that become problematic, and by voluntarily working with City staff on alternative means of addressing particular problems as they arise

APPROVED this 19<sup>th</sup> day of August, 2003

  
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Mayor

Attest:

  
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City Clerk on behalf of the  
Director of Finance and Record