

TOWNSHIP OF NORTH BERGEN

HUDSON COUNTY, NEW JERSEY

AN ORDINANCE TO PROHIBIT WILDLIFE FEEDING FOR THE
TOWNSHIP OF NORTH BERGEN

WHEREAS, the Township of North Bergen has been issued a General Stormwater Permit by the New Jersey Department of Environmental Protection Agency, which requires the establishment and adoption of wildlife feeding ordinance for the Township; and

WHEREAS, the Ordinance shall prohibit the feeding of Wildlife in Township owned parks and land; and

WHEREAS, the Board of Commissioners wishes to adopt said Ordinance as required by the stormwater permit and applicable laws and regulations.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NORTH BERGEN that:

SECTION I. Purpose:

An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by Township of North Bergen, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

b. Person – any individual, corporation, company, partnership, firm, association, or

political subdivision of this State subject to municipal jurisdiction.

c. Wildlife – all animals that are neither human nor domesticated.

SECTION III. Prohibited Conduct:

a. No person shall feed, in any public park or on any other property owned or operated by The Township of North Bergen any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).

SECTION IV. Enforcement:

a. This ordinance shall be enforced by the Police Department and Health Department of the Township of North Bergen.

SECTION V. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$25.00.

SECTION VI. Separability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced: September 14, 2005

Published: Sept. 17, 2005 & Oct. 3, 2005

Adopted: Sept. 28, 2005

Attest Carol Ann Fontana
Township Clerk

<u>Commissioner Cabrera</u>	<u>Absent</u>
<u>Commissioner Ferraro</u>	<u>Yes</u>
<u>Commissioner Gargiulo</u>	<u>Yes</u>
<u>Commissioner Pascual</u>	<u>Yes</u>
<u>Mayor Sacco</u>	<u>Yes</u>