

Chapter #8 – Wildlife Feeding

8-1. 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 the **Borough of Victory Gardens**, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

8-2 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 or domesticated.

8.3 SECTION III. Prohibited Conduct:

- a. No person shall feed, in any public park or on any other property owned or operated by the **Borough of Victory Gardens**, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).

8.4 SECTION IV. Enforcement:

- a. This ordinance shall be enforced by the **Municipal Officials** of the **Borough of Victory Gardens**.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

8.5 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 \$ 100.00.

8.6 SECTION VI. Severability:

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 the Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

8.7. 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.

ALL OF WHICH IS ADOPTED this 27th day of Sept, 2005, by the **Borough of Victory Gardens**.

BOROUGH OF VICTORY GARDENS

Nanette Courtine
Nanette Courtine, Mayor

ATTEST:

Deborah Evans
Deborah Evans, Borough Clerk

INTRODUCED:

I hereby certify that the above is a true copy of the ordinance passed by the Mayor and Council of the Borough of Victory Gardens, Morris County, at a regular meeting held on the day of Sept. 27, 2005.

Deborah Evans

Deborah Evans, Borough Clerk

ADOPTED:

9/27/05

Introduced : 8/23/05