

ORDINANCE 2005:07

AN ORDINANCE CREATING CHAPTER 6.05 "WILDLIFE FEEDING"

WHEREAS, the Governing Body desires for the betterment of the community and the general health and welfare of its citizens to create to the Borough Code Chapter 6.05 entitled "Wildlife Feeding"; and

BE IT ORDAINED by Mayor and Council of the Borough of Stratford, County of Camden, State of New Jersey, as follows:

SECTION 01. 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 Stratford, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION 02. 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. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Feed is 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 is any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Wildlife is all animals that are neither human nor domesticated.

SECTION 03. Prohibited Conduct:

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

SECTION 04. All ordinances and provisions thereof inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 05. If any article, section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision or invalidity shall not affect the remaining portions or provisions of this ordinance.

SECTION 06. This ordinance shall take effect immediately after final passage and publication in accordance with the laws of the State of New Jersey.

PUBLIC NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on the first reading at a meeting of the Governing Body held on the 8th day of March, 2005 and will be considered for final passage on the 12th day of April, 2005 at a meeting to be held at the Stratford Justice Facility, 315 Union Avenue, Stratford, NJ.

John D. Keenan, Jr., R.M.C.