

Chapter 71A WILDLIFE FEEDING

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[HISTORY: Adopted by the Mayor and Council of the Borough of Wenonah 3-23-2006 by Ord. No. O-06-03. Amendments noted where applicable.]

Be it ordained, by the Mayor and Borough Council of the Borough of Wenonah, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

§ 71A-1. Purpose.

The purpose of this ordinance is to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Borough of Wenonah, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 71A-2. 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.

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.

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

WILDLIFE — All animals that are neither human nor domesticated.

§ 71A-3. Prohibited conduct.

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

§ 71A-4. Enforcement.

- A. This ordinance shall be enforced by the Police Department of the Borough of Wenonah, Animal Warden or any agency employed by the Borough to enforce the appropriate provisions of this ordinance.
- B. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

§ 71A-5. Violations and penalties.

Any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine in an amount not less than \$25. nor more than \$50.; upon a second violation, a fine in an amount not less than \$50. nor more than \$100.; and upon a third or subsequent violation, a fine in an amount not less than \$100. nor more than \$250.; and/or a period of community service not to exceed ten (10) days. Whenever such person shall have been officially notified or by service of a summons in a prosecution, or in any other official manner, that said person is committing a violation, each day's continuance of such violation after such notification shall constitute a separate offense, punishable by a like fine or penalty.

§ 71A-6. Severability.

Should any section, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

§ 71A-7. Repealer.

All prior ordinances or parts of ordinances inconsistent with this ordinance be and the same are hereby repealed to the extent of such inconsistencies.

§ 71A-8. When effective.

This ordinance shall take effect immediately upon final passage and publication in accordance with law.

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