

BOROUGH OF PEMBERTON

ORDINANCE NO. 2005-17

**AN ORDINANCE OF THE BOROUGH OF PEMBERTON
PROHIBITING THE FEEDING OF UNCONFINED WILDLIFE
IN ANY PUBLIC PARK OR ON ANY OTHER PROPERTY OWNED OR
OPERATED BY THE BOROUGH OF PEMBERTON
AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF**

BE IT ORDAINED by the Borough Council of the Borough of Pemberton, in the County of Burlington, and State of New Jersey, assembled this 19th day of December, 2005 as follows:

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 Borough of Pemberton so as protect public health, safety and welfare, and to prescribe penalties for the 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 Borough of Pemberton, 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/or Code Enforcement Officer of the Borough of Pemberton.

b. Any person found to be in violation of this Ordinance shall be ordered to cease the feeding immediately.

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 \$1,000.

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be 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.