**ORDINANCE 2023-12**

*Township of New Hanover*

*County of Burlington*

*State of New Jersey*

**ORDINANCE PROHIBITING WILDLIFE FEEDING**

**WHEREAS,** the New Jersey Department of Environmental Protection adopted amendments to the New Jersey Stormwater Management Rules, N.J.A.C. 7:8 which, in part recommends the adoption at the municipal level of certain measures as part of a comprehensive stormwater management plan, including those contained herein; and

**BE IT ORDAINED** by the Township Committee of the Township of New Hanover in the County of Burlington, State of New Jersey, 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 New Hanover,** 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:**

1. No person shall feed, in any public park or on any other property owned or operated by **Township of New Hanover,** any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

**SECTION IV. Enforcement:**

a. This ordinance shall be enforced by the **Police Department and/or other**  **Municipal Officials** of **Township of New Hanover.**

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 **$500.00**.

**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 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.

Introduction:   
Date of Publication:

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| COUNCILMEMBER | YES | NO | NV | AB | COUNCILMEMBER | YES | NO | NV | AB |
| KOSHAK |  |  |  |  | SMITH |  |  |  |  |
| PAWLYZYN |  |  |  |  | PETERLA |  |  |  |  |
| MURPHY |  |  |  |  |  |  |  |  |  |
| MOTION |  | | | | SECOND |  | | | |
| X – INDICATES VOTE AB- ABSENT NV- NOT VOTING | | | | | | | | | |

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Township Committee of

the Township of New Hanover, Burlington County, New Jersey at a regular meeting held on July 11, 2023.

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Susan D. Jackson, RMC

Borough Clerk

Adopted:

Date of Publication:

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| COUNCILMEMBER | YES | NO | NV | AB | COUNCILMEMBER | YES | NO | NV | AB |
| KOSHAK |  |  |  |  | SMITH |  |  |  |  |
| PAWLYZYN |  |  |  |  | PETERLA |  |  |  |  |
| MURPHY |  |  |  |  |  |  |  |  |  |
| MOTION |  | | | | SECOND |  | | | |
| X – INDICATES VOTE AB- ABSENT NV- NOT VOTING | | | | | | | | | |

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Township Committee of the

Township of New Hanover, Burlington County, New Jersey at a regular meeting held on August 8, 2023.

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Susan D. Jackson, RMC

Borough Clerk

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Susan Jackson, RMC Paul Peterla

Township Clerk MAYOR