

WILDLIFE FEEDING

Section 2. There is hereby created a new section 3-21 entitled "Wildlife Feeding"

which reads as follows:

"3-21 WILDLIFE FEEDING.

3-21.1 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 Bernardsville, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

3-21.2 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.

- 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 domesticates.

3-21.3 Prohibited Conduct.

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

3-21.4 Enforcement.

- a. This ordinance shall be enforced by the Borough Police Department, the Code Enforcement Officer or any other official of the Borough of Bernardsville.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

3-21.5 Violations and Penalties. Any person who violates any provision of this section shall be liable, upon conviction, to the penalties stated in Chapter I, section 1-5.