



ORDINANCE NO. 13 - 2023

AN ORDINANCE TO PROHIBIT THE FEEDING OF UNCONFINED WILDLIFE IN ANY PUBLIC PARK OR ON ANY OTHER PROPERTY OWNED OR OPERATED BY KINGWOOD TOWNSHIP, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY

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 Kingwood Township 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:

- a. No person shall feed, in any public park or on any other property owned or operated by Kingwood Township, 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 State Police for Kingwood Township.
- 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 \$50 - \$100.

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.

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Kingwood Township Committee at a meeting held on October 5, 2023.

James Moscagiuri,
Township Attorney

Andrew Russano, Jr.,
Mayor

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent
Committeeman Riggio		X	X			
Committeewoman Syrnick	X		X			
Mayor Russano			X			
		Total Votes	3			

Introduction: September 7, 2023

Publication of Introduction: September 14, 2023

Public Hearing: October 5, 2023

Adoption: October 5, 2023

Publication of Adoption: October 19, 2023

NOTICE

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Kingwood Township Committee held September 7, 2023. It was adopted at a regular meeting held October 5, 2023, beginning at 7:00 P.M. at the Municipal Building, 599 Oak Grove Road, Frenchtown, New Jersey.