

ORDINANCE

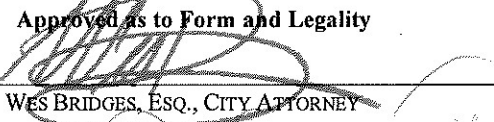
No. 24-032

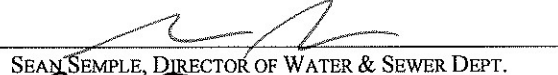
1st Reading ADD 18 2024
Public Hearing MAY 09 2024
2nd Reading & Pass MAY 09 2024
Withdrawn _____
Lost _____

Date to Mayor MAY 14 2024
Date Returned _____
Date Resubmitted to Council _____

Approved as to Form and Legality

Factual content certified by


WES BRIDGES, ESQ., CITY ATTORNEY


SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

Councilman /woman  presents the following Ordinance:

AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING FEEDING OF WILDLIFE AND TO AMEND CHAPTER 21 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the City of Trenton, as a Tier A municipality with respect to Stormwater Quality Management, is required by the New Jersey Department of Environmental Protection ("NJDEP") to periodically adopt certain model ordinances; and

WHEREAS, the City is required to adopt NJDEP's model ordinance regarding the feeding of wildlife; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Trenton, in the County of Mercer, as follows:

Section 1. Chapter 21 ("Animals"), Article IV ("Feeding of Wildlife") of the Code of the City of Trenton shall be renamed and amended as follows (deletions are ~~struck through~~ and additions are underlined):

~~§ 21-30~~ 21-32 Purpose.

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

~~§ 21-31~~ 21-33 Definitions.

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. 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.

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WILDLIFE

All animals that are neither human nor domesticated.

§ ~~21-32~~ 21-34 Regulated Activities Prohibited conduct.

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

§ ~~21-33~~ 21-35 Exemptions.

Exemptions include unconfined wildlife at environmental education centers and feral cats as part of an approved Trap-Neuter-Release program.

§ ~~21-33~~ 21-36 Enforcement.

A. This article shall be enforced by the City of Trenton Police Department.

B. Any person found to be in violation shall be ordered to cease the prohibited activity immediately.

§ ~~21-34~~ 21-37 Violations and penalties.

Any person who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$2,000, as stated in Chapter 1, Article III, General Penalty, § 1-17.

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Trenton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

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Section 4. Effective date. This ordinance shall take effect upon its passage and publication and as otherwise provided for by law.

INTRODUCTION:	MOTION: <i>Feliciano</i>				SECOND: <i>Edwards</i>				ORD. AUTHORED BY:	ADOPTION				MOTION: <i>Edwards</i>				SECOND: <i>Harrison</i>								
	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION				INTRODUCTION				ADOPTION				
	AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB	
EDWARDS	✓				✓				GONZALEZ	✓				✓				FELICIANO	✓				✓			
IGUEROA	✓				✓				HARRISON	✓				✓												
RISBY	✓				✓				WILLIAMS	✓				✓												
IV - NO VOTE	AB - ABSENT																									

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on APR 18 2024

Adopted on second reading after the public hearing on MAY 09 2024

[Signature]
 Mayor

APPROVED
[Signature]

Reconsidered by Council – Override Vote

[Signature]
 President of Council

[Signature]
 City Clerk