

**BOROUGH OF WOODLAND PARK
COUNTY OF PASSAIC
STATE OF NEW JERSEY**

ORDINANCE NO. 23-04

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WOODLAND
PARK'S ANIMAL CONTROL AND WILDLIFE FEEDING ORDINANCES**

SECTION 1

Through this new Ordinance, please note that the Borough of Woodland Park hereby amends, revises, and supplements, previously enacted Ordinances numbered 10-12.2 Feeding of Wildlife and feral cats prohibited; 10-16.1, purpose; 10-16.3 and 10-16.3 prohibited conduct

A. PURPOSE

For the protection of the health and welfare of the citizens of Woodland Park, the County of Passaic and State of New Jersey, it shall be unlawful to feed or bait wildlife including but not limited to bears, deer, feral cats, any undomesticated animal, Canada geese, wild turkeys, pigeons or water fowl or other non-domesticated animals in any manner, within the Borough. This Article does not prohibit baiting and the legal taking of fish or game, the feeding of confined wildlife or farm animals that are displayed at petting zoos, parks, rehabilitation centers, zoos or unconfined wildlife at environmental education centers, County or State Parks, or cat colonies that comply with the provisions of this Article.

B. 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. Notwithstanding the foregoing, it shall be lawful to feed birds as long as the number of bird feeders on private property is limited to three (3). Such feeding shall: 1) require the feeder(s) and surrounding area to be kept clean and well kept, 2) not result in an accumulation of droppings on the property and surrounding properties, 3) not become an attractant for rodents or other wildlife animals.
- c. Wildlife – all animals that are neither human nor domesticated.

C. PROHIBITED CONDUCT

- a. No person shall feed any wildlife, excluding confined wildlife as stated herein. For example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers and are exempt from the provisions of this ordinance.

D. ENFORCEMENT

- a. This ordinance shall be enforced by the Borough of Woodland Park's Animal Control Officer, Health Officer and/or Code Enforcement Official.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately, and may be subject to the violations and penalties stated herein.

E. 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 \$2,000.00.

It must be noted that the conduct prohibited herein may also violate other ordinances of the Borough of Woodland Park, which shall include but not be limited to: Nuisance(s)- § 18-2, et seq.; Compliance with Other Ordinances - § 18-5, et seq.; Duties and Responsibilities of Owners, Operators and Occupants - § 18-6, et seq.; and Maintenance - § 18-7, et seq.

SECTION II

All other provisions of this Chapter shall remain unchanged and in full force and effect.

SECTION III

All Ordinances or parts of Ordinances that are inconsistent with the provisions of the within Ordinance are hereby repealed to the extent of such inconsistency only.

SECTION IV

If any article, section, subsection, sentence, clause or phrase of this Ordinance is for any reason deemed to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION V

This Ordinance shall take effect immediately upon final passage and publication as required by law.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
DeCesare					Sica				
Gatti					Tiseo				
Kallert					Yodice				
					Mayor Kazmark				

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 15th day of February 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

February 15, 2023

Dated

Motioned By: _____

Seconded By: _____