

## **HILLSBOROUGH TOWNSHIP**

### **ORDINANCE NO.2005-40**

**An Ordinance amending Chapter 300, Titled “Animals”, of the code of the Township of Hillsborough, by adding an Article IV, Titled “Wildlife Feeding”, Sections 300-19 through 300-25.**

**Be it Ordained by the Township Committee of the Township of Hillsborough, in the County of Somerset, and State of New Jersey as follows:**

1. Chapter 300 of the Code of the Township of Hillsborough is amended by adding an Article IV, titled “Wildlife Feeding”, sections 300-19 through 300-25 as follows:

### **Chapter 300**

### **ANIMALS**

### **Article IV**

### **Wildlife Feeding**

#### **300-19. Purpose:**

An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Township of Hillsborough, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

### **300-20 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.

### **300-21 Prohibited Conduct:**

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

### **300-22 Enforcement:**

- a. This ordinance shall be enforced by the Health Officer of the Township of Hillsborough.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

### **300-23 Violations and Penalties:**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to the provisions of this ordinance, after being duly notified, shall be subject to Imprisonment in the Somerset County Jail or in any place provided by the Township of the detention of prisoners, for any term not exceeding ninety (90) days; or by a fine not exceeding One thousand two hundred and fifty dollars (\$1,250.00); or by a period of community service not exceeding ninety (90) days.

### **300-24 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.

### **300-25 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.

*Introduced: 9/13/05*

*Published: 9/22/05*

*Public Hearing: 10/11/05*

*Adopted: 10/11/05*

*Published: 10/20/05*

**ATTEST:**

**HILLSBOROUGH      TOWNSHIP  
COMMITTEE**

By: \_\_\_\_\_

\_\_\_\_\_  
Kevin P. Davis, Clerk/Administrator

By: \_\_\_\_\_

Robert C. Wagner, Jr., Mayor