

Explanation: This Ordinance prohibits the feeding of unconfined wildlife on any public property

**TOWNSHIP OF BERKELY HEIGHTS
ORDINANCE NO. 14-05**

**“INTRODUCTION OF AN ORDINANCE TO AMEND TITLE 13 - PUBLIC SERVICES
TO ESTABLISH A NEW CHAPTER 13.17 ENTITLED “STORMWATER CONTROL”
SECTION 13.17.060 PROHIBITING THE FEEDING OF UNCONFINED WILDLIFE OF
THE CODE OF THE TOWNSHIP OF BERKELEY HEIGHTS”**

BE IT ORDAINED by the Township Committee of the Township of Berkeley Heights that Title 13 entitled “Public Services” is amended by adding a new chapter, Chapter 13.17, to the Municipal Code of the Township of Berkeley Heights and is hereby amended as follows:

1. Title 13 is revised as follows:

13.17.060 WILDLIFE FEEDING ORDINANCE

SECTION I. 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 2. PROHIBITED CONDUCT

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

SECTION 3. ENFORCEMENT

- a. This Ordinance shall be enforced by the Police Department and Zoning Official of the Township of Berkeley Heights.

- b. Any person found to be in violation of this Ordinance shall be ordered to cease the feeding immediately.

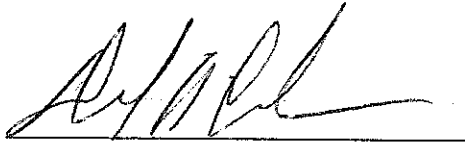
SECTION 4. PENALTIES

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 \$50.00 per occasion.

2. All Ordinances of the Township of Berkeley Heights that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
3. If any section, subsection, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not effect the remaining portion of this Ordinance.
4. This Ordinance shall take effect after final hearing and publication according to law.

INTRODUCED the 8th day of March, 2005.

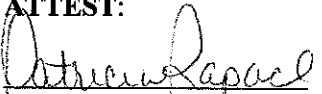
ADOPTED the 22nd day of March, 2005



DAVID A. COHEN

Chairman (Mayor) Township Committee

ATTEST:

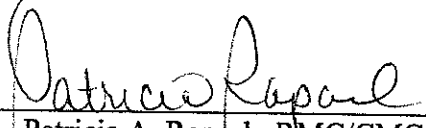


PATRICIA A. RAPACH
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

NOTICE OF INTRODUCTION

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced on First Reading at a meeting of the Township Committee of the Township of Berkeley Heights, County of Union and State of New Jersey, on 3/8/05 and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on March 22, 2005, at 8:00 p.m. or as soon thereafter, as practical, same can be considered, at the Municipal Building, 29 Park Avenue, Berkeley Heights, NJ, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. During the week prior to and up to the time of Public Hearing, copies of said Ordinance will be available in the Municipal Clerk's office in said Municipal Building, to the members of the general public who shall request the same.



Patricia A. Rapach, RMC/CMC
Township Clerk

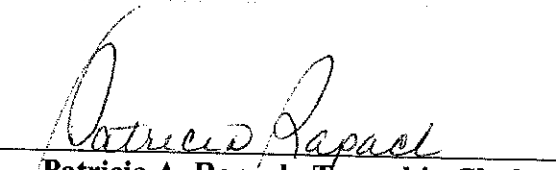
**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

NOTICE OF FINAL ADOPTION

**PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE
INTRODUCED ON MARCH 8, 2005:**

**“AN ORDINANCE TO AMEND TITLE 13 - PUBLIC SERVICES TO ESTABLISH A
NEW CHAPTER 13.17 ENTITLED “STORMWATER CONTROL” SECTION
13.17.060 PROHIBITING THE FEEDING OF UNCONFINED WILDLIFE OF THE
CODE OF THE TOWNSHIP OF BERKELEY HEIGHTS”** (Explanation: This Ordinance
prohibits the feeding of unconfined wildlife on any public property)

I, Patricia A. Rapach, Township Clerk of the Township of Berkeley Heights, County of
Union, State of New Jersey, hereby certify that the above entitled Ordinance was adopted on
Final Passage by the Township Committee of the Township of Berkeley Heights at its
meeting held on March 22, 2005.



**Patricia A. Rapach, Township Clerk
Township of Berkeley Heights**