

BOROUGH OF HAMBURG
ORDINANCE 18-2024

AN ORDINANCE AMENDING CHAPTER 70 – ANIMALS - ARTICLE III – WILDLIFE FEEDING - OF THE GENERAL CODE OF THE BOROUGH OF HAMBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO PROVIDE REGULATIONS REGARDING THE FEEDING OF SONGBIRDS AND OTHER BIRDS AND PROHIBIT THE FEEDING OF UNCONFINED WILDLIFE IN ANY PUBLIC OR PRIVATE PROPERTY IN OR UPON THE BOROUGH OF HAMBURG.

BE IT ORDAINED, by the Mayor and Council of the Borough of Hamburg, County of Sussex, State of New Jersey, that Chapter 70, Animals - Article III – Wildlife – is amended as follows:

1. Chapter 70-18. PURPOSE - shall hereafter provide in its entirety as follows:

An Article to prohibit the feeding of unconfined wildlife in, on or upon any private property or any public part or property owned or operated by the Borough of Hamburg, so to protect the public health, safety and welfare, and to prescribe penalties for failure to comply.

- 2 Chapter 70-20 A shall hereafter provide as follows: No person shall feed 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 spellcheck part of an approved trap-neuter-release program) in any public park, or other property owned or operated by the Borough of Hamburg, or in, on, or upon any private property located in the Borough of Hamburg.

2. New Chapter 70-20B – Songbirds. Feeding of other songbirds and other backyard birds shall be permitted outdoors provided:

- A. Such feeding does not create a disturbance that affects the rights of surrounding property owners and renders other persons insecure in the use of their property;
- B. Does not create an accumulation of droppings on the property and surrounding properties;
- C. Does not become an attractant for rodents or other wild animals; and
- D. Only one Bird feeder per lot shall be permitted provided that it is placed at least five feet above the ground.

3. This Ordinance is deemed divisible and in the event any provision or part hereof is deemed invalid by a Court of competent jurisdiction, the rest and remainder shall remain in full force and effect.
4. This Ordinance shall take effect upon passage and publication as provided by law.

CERTIFICATION

NOTICE is hereby given that the above ordinance was introduced and passed on first reading of a meeting of the Mayor and Council of the Borough of Hamburg, held on Wednesday September 4, 2024 at 7 p.m. and will be considered for a final passage at a regular meeting of the Mayor and Council to be held on Monday October 7, 2024 at 7 p.m. or as soon thereafter as same can be considered, in the Municipal Building, 16 Wallkill Avenue, Hamburg, New Jersey at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. A copy of said Ordinance is on file in the Office of the Borough Clerk, Municipal Building, 16 Wallkill Avenue, Hamburg, New Jersey and is available for public inspection during regular business hours. During the week prior and up to the time of public hearing, copies of said Ordinance will be available to the member of the general public who request the same.



Beth Martin
Acting Municipal Clerk

