

BOROUGH OF HAMBURG

Model Ordinance - Wildlife Feeding

Ordinance No. 18-2023

SECTION I. Purpose:

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

SECTION II. 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 III. Prohibited Conduct:

- a. No person shall feed, in any public park or on any other property owned or operated by the Borough of Hamburg, 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 part of an approved Trap-Neuter-Release program).

SECTION IV. Enforcement:

- a. This ordinance shall be enforced by the **Property Maintenance** of the Borough of Hamburg.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

SECTION V. Violations and Penalties:

For violation of any provision of this ordinance the maximum penalty shall be as provided in Chapter 1, Article III, Section 1-17, and 1-18, of the Code of the borough of Hamburg.

SECTION VI. Repealer:

Any ordinance or part thereof inconsistent with any provision of this ordinance is hereby repealed.

SECTION VII. 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.

SECTION VIII. 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.

ALL OF WHICH IS ADOPTED this 6th day of September, 2023, by the Borough of Hamburg.

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 August 7, 2023 at 7 pm and will be considered for a final passage at a regular meeting of the Mayor and Council to be held on September 6, 2023 at 7 pm or as soon thereafter as same can be considered, in the Municipal Building, 16 Walkill 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 Walkill 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 members of the general public who request the same.




Doreen Schott, RMC
Municipal Clerk

STATEMENT

The above ordinance was duly adopted by a roll call vote at the September 6, 2023 Regular Meeting of the Hamburg Mayor and Council.

Roll Call:

Ayes: Burd, Oehler, Endres, Law, Haig, Sena
Nays: none
Abstain: none
Absent: none


Doreen Schott, RMC