

**BOROUGH OF OLD TAPPAN
ORDINANCE # 1209-22**

AN ORDINANCE TO AMEND CHAPTER 91 OF THE CODE OF THE BOROUGH OF OLD TAPPAN TITLED "ANIMALS" BY DELETING AND REPLACING ARTICLE III, SECTIONS 91-22 THROUGH 91-26 THEREOF TITLED "WILDLIFE FEEDING"

BE IT ORDAINED by the Mayor and Council of the Borough of Old Tappan, County of Bergen and State of New Jersey, as follows:

Section 1. Chapter 91 Article III of the Code of the Borough of Old Tappan is hereby deleted in its entirety and replaced by the following:

The purpose of this article is to prohibit the feeding of unconfined wildlife in any public or private property located in the Borough, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 91-23 Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article 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.

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.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

WILDLIFE

All animals and waterfowl that are not domesticated, to include feral cats.

§ 91-24 Prohibited conduct.

No person shall feed, in any public park or on any other public or private property, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers), and except as may be permitted by New Jersey Department of Environmental Protection regulations.

§ 91-25 Enforcement.

A.

This article shall be enforced by the Police Department, Building Department personnel and Health Department.

B.

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

§ 91-26 Violations and penalties.

Any person(s) who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$500.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. This ordinance shall take effect immediately after passage and publication as provided by law.

Section 4. All other parts of Chapter 91 of the Code of the Borough of Old Tappan not specifically amended herein shall remain in full force and effect.