

5-20 FEEDING OF UNCONFINED WILDLIFE PROHIBITED.

5-20.1 Purpose.

The purpose of this section is to prohibit the feeding of unconfined **wildlife** in any public park or any other property owned and operated by the Borough of Haworth, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply. This section is adopted in accordance with the New Jersey Municipal Stormwater Regulation Program, in order to implement the Best Management Practices required by the Tier A. Municipal Stormwater General Permit issued to the Borough of Haworth by the New Jersey Department of Environmental Protection. (Ord. No. 920 § 1)

5-20.2 Definitions.

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section 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 shall mean 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 shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Wildlife shall mean all animals that are neither human nor domesticated.
(Ord. No. 920 § 1)

5-20.3 Prohibited Conduct.

No person shall feed, in any public park or any other property owned or operated by the Borough of Haworth, any **wildlife**, excluding confined **wildlife** (for example, **wildlife** confined in zoos, parks or rehabilitation centers, or unconfined **wildlife** at environmental education centers). (Ord. No. 920 § 1)

5-20.4 Enforcement.

- a. This section shall be enforced by the Haworth Police Department.
- b. Any person found to be in violation of this section shall be ordered to cease the feeding immediately.
(Ord. No. 920 § 1)

5-20.5 Violations and Penalty.

Any person(s) who is found to be in violation of the provisions of this section shall, upon conviction thereof, be punished for a first offense by a fine of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars, as determined by the Municipal Court Judge. For a second or subsequent offense, a fine of not less than fifty (\$50.00) dollars nor more than five hundred (\$500.00) dollars shall be imposed. A separate offense shall be deemed committed on each day during, or on which, a violation occurs or continues. (Ord. No. 920 § 1)