

*BOROUGH OF ROOSEVELT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY*

**ORDINANCE NO. 2023-12
INTRODUCTION DATE: 10-02-2023
ADOPTION DATE: 10-16-2023**

**AN ORDINANCE OF THE BOROUGH OF ROOSEVELT AUGMENTING
THE BOROUGH CODE TO INCLUDE NEW SECTION 5-14: "WILDLIFE FEEDING"
UNDER CHAPTER 5: "ANIMAL CONTROL" TO PROHIBIT THE FEEDING OF
UNCONFINED WILDLIFE IN PUBLIC PARKS AND/OR ON PUBLIC PROPERTY**

BE IT ORDAINED by the Governing Body of the Borough of Roosevelt, County of Monmouth, State of New Jersey, that the Borough's Revised General Ordinances are hereby amended to include new section 5-14: "Wildlife Feeding" as follows:

CHAPTER 5
ANIMAL CONTROL

* * *

§ 5-14 WILDLIFE FEEDING.

This Section shall prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by Borough of Roosevelt to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 5-14.1 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.

- 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.

§ 5-14.2 Prohibited Conduct.

No person shall feed, in any public park or on any other property owned or operated by the Borough of Roosevelt, 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).

§ 5-14.3 Enforcement.

- A. This Section shall be enforced by the New Jersey State Police and/or the Borough's Code Enforcement Officer.
- B. Any person found to be in violation of this Section shall be ordered to cease the feeding immediately.

§ 5-14.4 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this Section shall be subject to a fine not to exceed \$500.00 for a first offense; \$1,000.00 for a second offense; and \$2,000.00 for a third or subsequent offense.

BE IT FURTHER ORDAINED that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

BE IT FURTHER ORDAINED that, if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

BE IT FURTHER ORDAINED that this ordinance shall be in full force and take effect immediately upon final passage and publication.

ATTEST:

APPROVED

Kathleen Hart, Borough Clerk

Peggy Malkin, Mayor