

# **BOROUGH OF ROCKLEIGH**

## **ORDINANCE #2023-10**

**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 ROCKLEIGH AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF.**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Rockleigh, in the County of Bergen, and State of New Jersey as follows:

### **Section 1. Purpose.**

This Ordinance is intended to prohibit the feeding of unconfined wildlife in any public park or municipal property owned or operated by the Borough and to prescribe penalties for the failure to comply.

### **Section 2. 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.

#### **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 that are neither human nor domesticated.

### **Section 3. Prohibited Conduct.**

- a. No person shall feed, in any public park or on any other property owned or operated by the Borough of Rockleigh, 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 4. Enforcement.**

- a. This Ordinance shall be enforced by the Police Department providing police services to the Borough of Rockleigh or such other municipal officials as may be designated by the Mayor and Council.
- b. Any person found to be in violation of this Ordinance shall be ordered to cease the feeding immediately.

**Section 5. Penalties.**

Any person who is convicted of violating any provision of this Ordinance shall be subject to such fine and general penalty as set forth in §1-5, General Penalty, of the Code of the Borough of Rockleigh, within the discretion of the Municipal Court Judge.

**Section 6. Severability.**

If any section, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such subject shall be rendered.

**Section 7. Inconsistent Ordinances Repealed.**

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

**Section 8. Effective Date.**

This Ordinance shall take effect after publication thereof and final passage as required by law.

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**JAMES PONTONE, Mayor**

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**MARCELLA GIAMPICCOLO, RMC**  
**Borough Clerk**

Introduced: March 6, 2023

Adopted:

Approved: