

**ORDINANCE NO. 06-21
BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT
THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD,
CHAPTER V
“ANIMAL CONTROL,”
MORE SPECIFICALLY, THE CREATION OF
SECTION 5-4, “WILDLIFE FEEDING”**

WHEREAS, the Borough of North Plainfield seeks to create and establish uniform rules for the prohibition of feeding of wildlife throughout the Borough; and,

WHEREAS, it is in the best interest of the community to ban the feeding of wildlife so as to protect public health, safety and welfare within the Borough of North Plainfield.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that Section 5-4 of the Code of the Borough of North Plainfield entitled, “Wildlife Feeding” is created as follows:

SECTION I. 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 II. Prohibited Conduct:

a. No person shall feed, in any public park or on any other property owned or operated by the Borough of North Plainfield, 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 III. Enforcement:

a. This ordinance shall be enforced by the Police Department and/or other Municipal Officials of the Borough of North Plainfield.

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

SECTION IV. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,250.

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. All ordinances or portions of ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.


2. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this Ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.

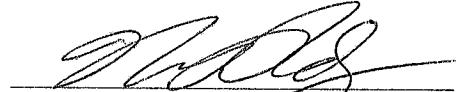
3. This Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the mayor as provided by law or an override of a mayoral veto by the council, whichever is applicable and publication in accordance with law,

unless a resolution is adopted, pursuant to N.J.S.A. 40:69A-181(b), declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

INTRODUCED: July 10, 2006
PASSED: July 10, 2006
PUBLISHED: July 14, 2006
ADOPTED: August 14, 2006
ROLL CALL: AYES: Giordano, Hitchcock, Jones, Righetti,
Singleterry, Stabile, Rudy
NAYS: None
ABSTAIN: None
ABSENT: None

APPROVED BY THE MAYOR: August 18, 2006
ATTEST:


Gloria Pflueger, Borough Clerk


Nathan Rudy, Council President


Janice Allen, Mayor