

BOROUGH OF NORTHVALE
County of Bergen
State of New Jersey

ORDINANCE #826-2006

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 NORTHVALE

WHEREAS, there exists a need to amend the Code of the Borough of Northvale;
and

WHEREAS, the New Jersey Pollutant Discharge Elimination System Tier A Municipal Stormwater Master Permit requires the Borough to adopt and enforce certain specific Ordinances to prohibit the improper disposal of waste;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Northvale that the Code of the Borough of Northvale be amended as follows:

SECTION 1. Purpose.

An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by Borough of Northvale, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply with said Ordinance.

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.

- 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 3. Prohibited Conduct.

No person shall feed, in any public park or on any other property owned or operated by Borough of Northvale, any wildlife, excluding confined wildlife.

SECTION 4. Enforcement.

- a. This ordinance shall be enforced by the Police Department and the Code Enforcement Officer of the Borough of Northvale.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

SECTION 5. 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 \$1,000.

SECTION 6. Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 7. Effective date.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

JOHN E. ROONEY, MAYOR

ATTEST:

Wanda A. Worner

Introduced: July 12, 2006

Passed: August 23, 2006