

**BOROUGH OF PROSPECT PARK  
COUNTY OF PASSAIC**

2007 – 11

**AN ORDINANCE CREATING CHAPTER 48A OF THE CODE OF THE BOROUGH OF PROSPECT PARK ENTITLED "WILDLIFE FEEDING" PROHIBITING THE FEEDING OF UNCONFINED WILDLIFE IN ANY PUBLIC PARK OR ON ANY OTHER PROPERTY OWNED OR OPERATED BY THE BOROUGH OF PROSPECT PARK**

**Chapter 48A - Wildlife Feeding**

**§ 48A-1 Purpose:**

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 Prospect Park, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**§ 48A-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.

**§ 48A-3 Prohibited Conduct:**

- a. No person shall feed, in any public park or on any other property owned or operated by the Borough of Prospect Park, 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).
- b. No person shall purposely or knowingly contaminate, destroy, or interfere with, or purposely or knowingly cause to be contaminated or destroyed, any ground feeding station, salt lick or other established mechanism to sustain approved

wildlife in the Borough of Prospect Park, provided such feeding station is created or used solely by an agent or other authorized person by the Mayor and Council of the Borough to implement said stations or alternative method within the community which will meet the requirements as set forth by the Wildlife Prevision and Damage Control Laws.

**§ 48A-4 Enforcement:**

- a. This ordinance shall be enforced by the Police Department and the Board of Health of the Borough of Prospect Park.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

**§ 48A-5 Violations and Penalties:**

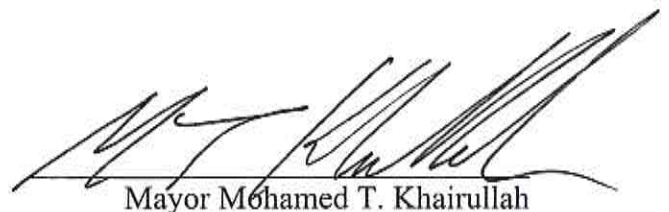
Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to penalties and fines as set forth in § 1-15 of the Code of the Borough of Prospect Park.

**§ 48A-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.

**§ 48A-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.



Mayor Mohamed T. Khairullah

This Ordinance was duly adopted by the Council of the Borough of Prospect Park at a meeting held June 18, 2007.



Nancy Wazimas, RMC  
Municipal Clerk