

## **§ 9-15. FEEDING OF UNCONFINED WILDLIFE PROHIBITED.**

### **§ 9-15.1. Purpose. [Ord. No. 05-26-OAB § 1; Ord. No. 06-21-OAB § 1]**

The purpose of this section is to establish an ordinance to prohibit the feeding of uncontrolled wildlife in any public park or on any other property owned or operated by Township of Berkeley, so as to protect the public's health, safety and welfare, and to prescribe penalties for failure to comply.

### **§ 9-15.2. Definitions. [Ord. No. 05-26-OAB § 2; Ord. No. 06-21-OAB § 2]**

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 text, 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 — Shall mean 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 — Shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

WILDLIFE — Shall mean all animals that are neither Human nor domesticated.

### **§ 9-15.3. Prohibited Conduct. [Ord. No. 05-26-OAB § 3; Ord. No. 06-21-OAB § 3]**

No person shall feed, in any public park or on any other property owned or operated by Township of Berkeley, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).

### **§ 9-15.4. Enforcement. [Ord. No. 05-26-OAB § 4; Ord. No. 06-21-OAB § 4]**

- a. This section shall be enforced by the Berkeley Township Police Department, Ocean County Board of Health, Berkeley Township Code Enforcement Officer and the Berkeley Township Animal Control.
- b. Any person found to be in violation of this section shall be ordered to cease the feeding immediately.

### **§ 9-15.5. Violations and Penalty. [Ord. No. 05-26-OAB § 5; Ord. No. 06-21-OAB § 5]**

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 for each and every violation. If the violation is of a continuing nature each and every day during which it continues constitutes a separate and distinct offense.