

ORDINANCE NO. 507

**AN ORDINANCE OF THE BOROUGH OF MANTOLOKING,
OCEAN COUNTY, NEW JERSEY, PROVIDING FOR PROHIBITION OF THE
FEEDING OF UNCONFINED WILDLIFE IN ANY PUBLIC PARK, OR PUBLIC LANDS
OWNED OR OPERATED BY THE BOROUGH OF MANTOLOKING, AND
PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

BE IT ORDAINED, by the Mayor and Council of the Borough of Mantoloking,
Ocean County, New Jersey, 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 the Borough of Mantoloking, so as to protect the public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. 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 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 III. PROHIBITED CONDUCT:

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

SECTION V. ENFORCEMENT:

- a. This Ordinance shall be enforced by the Police Department of the Borough of Mantoloking
- b. Any person found to be in violation of this Ordinance shall be ordered to cease the feeding immediately.

SECTION VI. VIOLATIONS AND PENALTIES:

Any person who continues to be in violation of the provisions of this Ordinance, after being duly notified, shall be subject to a fine of not less than \$25.00 or more than \$100.00.

SECTION VII. 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 VII. 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.

CERTIFICATION

I, Irene H. Ryan, Clerk of the Borough of Mantoloking, County of Ocean, New Jersey, hereby certify the following attachment to be a true copy of Ordinance No. 507 as adopted by the Borough Council of the Borough of Mantoloking, New Jersey, at a Regular Meeting held in the Borough Hall at 8:00 p.m. on the 21st day of February, 2006 at which time a quorum was present.

Irene H. Ryan, R.M.C.
Clerk, Borough of Mantoloking