

ORDINANCE

"AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER V OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED ANIMAL CONTROL"

05-06

DELETE SECTION 5-10.5 IN ITS ENTIRETY

5-11 WILDLIFE FEEDING PROHIBITION

5-11.1 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 Lakehurst, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

5-11.2 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.

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.

Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Wildlife – all animals that are neither human nor domesticated.

5-11.3 Prohibited Conduct.

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

5-11.4 Enforcement.

This ordinance shall be enforced by the police department and code enforcement officer. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

5-11.5 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 as scheduled in the general penalties not to exceed \$ 1,250.00.

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.

Effective date.

This ordinance shall take effect immediately upon final passage and publication as required by law.

"Hon. Stephen F. Childers
Mayor

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that an Ordinance #05-06 entitled: "AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER V OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED "ANIMAL CONTROL" was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the seventeenth day of March, 2005.

Bernadette Dugan, RMC
Municipal Clerk