

**TOWNSHIP OF PEMBERTON**  
**ORDINANCE NO. 15-2005**

**ORDINANCE TO AMEND THE ORDINANCES  
OF THE TOWNSHIP OF PEMBERTON, COUNTY  
OF BURLINGTON, STATE OF NEW JERSEY  
AND SPECIFICALLY BY ADDING CHAPTER 188  
TO BE ENTITLED WILDLIFE FEEDING**

**BE IT ORDAINED**, by the Township of Pemberton, in the Township of Pemberton, County of Burlington and State of New Jersey, as follows:

**SECTION I. INTRODUCTION.**

**WHEREAS**, as a requirement of the Pemberton Township Municipal Stormwater General Permit, it is necessary to adopt and enforce a variety of Ordinances dealing with the proper disposal of specific waste; and

**WHEREAS**, one of those requirements is to adopt and enforce an Ordinance to prohibit the feeding of unconfined wildlife in any public park or any other property owned or operated by Pemberton Township; and

**WHEREAS**, Pemberton Township intends to amend this Ordinance to comply with any Pinelands Commission requirements, if and when made available.

**NOW, THEREFORE**, the Township Council of the Township of Pemberton hereby amends the Code of the Township of Pemberton by adding a new Chapter designated as Chapter 188 entitled "Wildlife Feeding" as follows:

**Section 188-1. Purpose.**

This is an Ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Township of Pemberton, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**Section 188-2. 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 188-3. Prohibited Conduct.**

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

**Section 188-4. Enforcement.**

This ordinance shall be enforced by the Police Department and Code Enforcement Officer of Pemberton Township.

**Section 188-5. Violations and Penalties.**

Any person found to be in violation of this Ordinance shall be ordered to cease the feeding immediately and shall be issued a written warning for a first offense. Second and subsequent offenses shall be subject to the penalties provided for in the general penalty provisions of the Pemberton Township Code.

**SECTION II.**

All Ordinances, or parts of Ordinances, inconsistent with the provisions hereof, are repealed insofar as said inconsistency exists.

**SECTION III.**

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 IV.**

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

**PEMBERTON TOWNSHIP COUNCIL**

**TOWNSHIP OF PEMBERTON  
NOTICE OF PUBLIC HEARING  
ORDINANCE NO. 15-2005**

**ORDINANCE TO AMEND THE ORDINANCES  
OF THE TOWNSHIP OF PEMBERTON, COUNTY  
OF BURLINGTON, STATE OF NEW JERSEY  
AND SPECIFICALLY BY ADDING CHAPTER 188  
TO BE ENTITLED WILDLIFE FEEDING**

Public notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the governing body of Pemberton Township at a meeting held on September 15, 2005, and will be considered for final passage after a public hearing at a meeting of the said governing body to be held on October 6, 2005, at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road, New Lisbon, New Jersey, at 7:30 p.m. prevailing time, at which time any interested member of the public may comment on said Ordinance. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

ATTEST:

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MARY ANN YOUNG, TOWNSHIP CLERK

**TOWNSHIP OF PEMBERTON  
NOTICE OF FINAL PASSAGE  
ORDINANCE NO. 15-2005**

**ORDINANCE TO AMEND THE ORDINANCES  
OF THE TOWNSHIP OF PEMBERTON, COUNTY  
OF BURLINGTON, STATE OF NEW JERSEY  
AND SPECIFICALLY BY ADDING CHAPTER 188  
TO BE ENTITLED WILDLIFE FEEDING**

Notice is hereby given that Ordinance No. 15-2005 as entitled above has been finally adopted on final reading by the governing body of Pemberton Township after a public hearing, at a meeting held on October 6, 2005. Said Ordinance shall take effect in accordance with law.

ATTEST:

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MARY ANN YOUNG, CMC, TOWNSHIP CLERK

ACKNOWLEDGEMENT OF APPROVAL BY MAYOR \_\_\_\_\_

Robert McCullough

DATE \_\_\_\_\_

ATTEST:

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MARY ANN YOUNG, CMC, TOWNSHIP CLERK