

Article V Feeding of Wildlife

[Adopted 2-20-2007 by Ord. No. 1768]

§ 146-40 Purpose. ^[1]

The purpose of this article is to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Borough of South Plainfield, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

§ 146-41 Definitions; word usage.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article 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.

§ 146-42 Prohibited conduct.

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

§ 146-43 Enforcement.

A. This article shall be enforced by the Police Department, local Health Department, and Code Enforcement of the Borough of South Plainfield.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

B. Any person found to be in violation of this article shall be ordered to cease the feeding immediately.

§ 146-44 Violations and penalties. ^[1]

Any person(s) who is found to be in violation of the provisions of this article shall be subject to a fine not exceeding \$2,000, any imprisonment for a term not exceeding 90 days or a period of community service not exceeding 90 days, or any combination thereof.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*