

**THE BOROUGH OF RIVERTON
BURLINGTON COUNTY**

ORDINANCE NO. 2005 -10

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 45 OF THE RIVERTON BOROUGH CODE, TO PROHIBIT THE FEEDING OF UNCONFINED WILDLIFE IN ANY PARK AREA OR ANY OTHER PROPERTY OWNED OR OPERATED BY THE BOROUGH OF RIVERTON

WHEREAS, the Mayor and Council of the Borough of Riverton, (the “Borough”) have been required to enact certain ordinances which regulate the feeding of wildlife;

AND WHEREAS, the Mayor and Council desires to prohibit the feeding of unconfined wildlife in any public park or any other property owned or operated by the Borough of Riverton so as to protect the public health, safety and welfare of its citizens, and to prescribe penalties for failure to comply;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE MAYOR AND THE COUNCIL OF THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT:

I. Chapter 45, Animals, be amended and supplemented as follows:

ARTICLE IV

Wildlife Feeding

SECTION I. 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 Riverton, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

Section 45-24. 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 45-25. Prohibited Conduct:

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

Section 45-26. Enforcement:

- a. This ordinance shall be enforced by the Riverton Police Department and/or the duly appointed animal warden of the Borough of Riverton.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

Section 45-27. 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 not to exceed \$500.00.

Section 45-28. 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.

II. This Ordinance shall take effect upon immediate adoption.

ATTEST:

BOROUGH OF RIVERTON

By: _____
MARY LONGBOTTOM
BOROUGH CLERK

By: ROBERT MARTIN, MAYOR

CERTIFICATE OF

CLERK

I, Mary Longbottom, Municipal Clerk of the Borough of Riverton, County of Burlington and State of New Jersey, do hereby **CERTIFY** that the foregoing to be a true and correct copy of an Ordinance introduced and passed by the Borough Council at a meeting of said Council held August 3, 2005, and said Ordinance was finally adopted at a regular meeting of the Borough Council held September 7, 2005, after a public hearing.

Mary Longbottom, RMC

Municipal Clerk

RECORDED VOTE AYE

NAY

ABSTAIN

ABSENT

DANIEL
VILLARI
SMYTH
GILMORE
CESARETTI
ALLS-MOFFATT
MAYOR (TIE)