

# SANDYSTON TOWNSHIP

2023-11

## AN ORDINANCE AMENDING CHAPTER 60 ENTITLED “DOGS AND OTHER ANIMALS” TO ADD A NEW ARTICLE ENTITLED “WILDLIFE FEEDING” OF THE CODE OF SANDYSTON, OF THE TOWNSHIP OF SANDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY

### Section I. Purpose.

An Ordinance to prohibit the feeding of unconfined wildlife on any property owned or operated by the Township of Sandyston, so as to protect 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 discretionary.

- 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 or domesticated.

### Section III. Prohibited Conduct:

- a. No person shall feed, on any public property owned or operated by the Township of Sandyston, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks, or rehabilitation centers, or confined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

### Section IV. Enforcing Official Designated.

- a. The Sandyston Township Code Enforcement Official shall be and is hereby designated as the officer to enforce the provisions of this chapter.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

**Section V. Violations and penalties.**

Any person violating the provisions of this Chapter shall, upon conviction, be subject to a fine of not less than \$100 not more than \$500. If the violation is of a continuing nature, each day during which it continues constitutes a separate and distinct offence.

**SECTION II.** All Ordinances of the Township of Sandyston, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION III.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION IV.** This Ordinance may be renumbered for purposes of codification.

**SECTION V.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Roll Call Vote: Ayes: Harper, Hull, Green (3); Nays (0); Absent (0); Abstain (0)

Introduced: August 15, 2023  
Adopted: September 12, 2023  
George B. Harper, Jr., Mayor  
Attest:  
Amanda F. Lobban, RMC  
Municipal Clerk

**NOTICE OF ADOPTION**

**NOTICE** is hereby given that the aforementioned ordinance was introduced and passed upon first reading at a regular meeting of the Mayor and Township Committee of the Township of Sandyston, in the County of Sussex, State of New Jersey, held on Tuesday, August 15, 2023 at 7 pm. The same had benefit of second reading and public hearing at which time all interested and present were given the opportunity to be heard during a regular meeting on Tuesday, September 12, 2023 at 9 am at the Sandyston Township Municipal Building, 133 Route 645, Sandyston, NJ at such time the Ordinance became law.

Amanda F. Lobban, RMC  
Municipal Clerk