

*Borough of Berlin, NJ
Friday, July 20, 2018*

Chapter 89. Animals

Article VII. Wildlife Feeding

[Adopted 4-7-2005 by Ord. No. 2005-6]

§ 89-33. Purpose.

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

§ 89-34. Definitions.

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 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 not domesticated.

§ 89-35. Prohibited conduct.

No person shall feed, in any public park or on any public street or any other property owned or operated by the Borough of Berlin, any wildlife, excluding confined wildlife, such as wildlife confined in rehabilitation centers or environmental education centers.

§ 89-36. Enforcement.

This article shall be enforced by the Police Department and/or other municipal officials of the Borough of Berlin.

§ 89-37. Violations and penalties.

Any person, entity or corporation who shall violate any of the provisions of this article shall, upon conviction thereof, before the Municipal Court of the Borough of Berlin, be subject to a fine not exceeding \$500 or imprisonment in the county jail for a term not exceeding 90 days, or both, in the discretion of the Municipal Court Judge before whom such defendant shall be convicted. A separate offense may be deemed committed on each day that a violation occurs or continues.