

CHAPTER IV POLICE REGULATIONS

4-17 WATERFOWL AND WILDLIFE.

4-17.1 Purpose.

The purpose of this section is to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by Borough of Tinton Falls, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply. (Ord. #05-1171, §1)

4-17.2 Definitions.

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section 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 shall mean 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 shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Wildlife shall mean all animals that are neither human nor domesticated.
(Ord. #05-1171, §2)

4-17.3 Prohibited Conduct.

- a. No person or persons shall feed, cause to be fed or provide food for all waterfowl in the Borough of Tinton Falls, on lands either publicly or privately owned.
- b. No person shall feed, in any public park or on any other property owned or operated by Borough of Tinton Falls, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers). Also excluded are feral cats as part of an approved Trap, Neuter and Release (TNR) Program.

(Ord. #98-976, §1; Ord. #05-1171, §3)

4-17.4 Exceptions.

This chapter shall not be construed to prohibit humane acts toward waterfowl in individual cases, such as the temporary nurturing of a wounded bird on one's own premises, and authorized wildlife management activities. (Ord. #98-976, §1)

4-17.5 Abandonment of Waterfowl Prohibited.

No person shall abandon, leave or discard any waterfowl upon any public or private property within the Borough of Tinton Falls. (Ord. #98-976, §1)

4-17.6 Enforcement.

The provisions of this section shall be enforced by complaint signed by a member of the Department of Public Works, Code Enforcement or Public Safety of the Borough of Tinton Falls. (Ord. #98-976, §1; Ord. #05-1171, §4)

4-17.7 Violations and Penalties.

Any person, firm or corporation who violates or neglects to comply with any provision of this section or any rule, regulation or directive promulgated pursuant thereto shall be liable, upon conviction, to the penalty stated in Chapter I, Section 1-5 et seq. (Ord. #98-976, §1; Ord. #05-1171, §5)