

Ordinance Number 10-2023

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 4, Section 11, Wildlife Feeding Ordinance

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that Chapter 4-11.4 through 4-11.5 is hereby repealed and replaced with the following language:

4-11.4. Purpose:

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

4-11.5. 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.

4-11.6. Prohibited Conduct:

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

4-11.7. Enforcement:

- a. This ordinance shall be enforced by the **Police Department of the City of Lambertville**.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

4-11.8. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance upon conviction, shall be liable to the penalty stated in Chapter 1 Section 1-5.

4-11.9. 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.

INTRODUCTION AND FIRST READING: April 20, 2023

PUBLIC HEARING AND SECOND READING: May 18, 2023

NOTE: The current language from the City's ordinance book is as follows:

**§ 4-11.4. Unlawful Feeding of Nondomesticated Animals on Certain Public Lands.
[1990 Code § 4-11.4]**

It shall be unlawful for any person to feed nondomesticated animals on any public lands owned or controlled by the City of Lambertville.

§ 4-11.5. Unlawful Feeding of Nondomesticated Animals on Certain Private Lands. [1990 Code § 4-11.5]

It shall be unlawful for any person to feed nondomesticated animals on any private land which has public access upon the written request of the owner.