

Ordinance of the City of Paterson, N.J.

No.1st Reading No. 05-074

Date NOVEMBER 9, 2005

No.2.....Public Hearing
(2nd Rdg. & Final Passage)

Date to Mayor

Date Returned

Date Submitted to

Council

Division

Factual Contents Certified to By

Marcello
Title

5/14/05
Date

TITLE: AN ORDINANCE AMENDING SECTION
121-41 AND ENACTING CHAPTER 122
PROHIBITING WILDLIFE FEEDING

Approved As To Form and Legality
on Basis of Facts Set Forth

[Signature]
CORPORATION COUNSEL

Date

COUNCILPERSON . VERA AMES-GARNES Moved the Following Ordinance:

§121-41. Feeding of birds restricted and exceptions

The littering of [public or] private grounds for the purpose of feeding free and wild birds or the placing or causing to be placed or any food designed or intended for the purpose of feeding such birds in such a manner and in such quantity so as to create a hazard of rodent infestation so as to create any health hazard by so doing shall be prohibited.

Nothing contained herein shall be construed to prevent or prohibit the keeping of domestic pigeons in a place provided for their shelter or to prevent or prohibit the feeding of some birds or other varieties of birds not constituting a health hazards.

§122 PROHIBITION AGAINST WILDLIFE FEEDING

§122-1. 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 the City of Paterson, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§122-2. 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 directory.

- a. Feed – to give, place, expose, deposit 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.

§122-3. SECTION III. Prohibited Conduct:

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

§122-4. SECTION IV. Enforcement:

- a) This ordinance shall be enforced by the Police Department and/or other Municipal Officials of the City of Paterson.

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- b) Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

§122-5. SECTION VI. Violations and Penalty:

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 \$1,250.00.

§122-6. SECTION VII. 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.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

STATEMENT OF PURPOSE

These ordinance changes prohibit the feeding of wildlife.

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SECONDED BY COUNCILPERSON ASLON. GOOW, . . SB,

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RECORD OF COUNCIL VOTE ON FINAL PASSAGE	AYE	NAY	ABSTAIN	ABSENT
1. AMES-GARNES, VERADENE	X			
2. DAVIS, ANTHONY				
3. DIXON, JESSIE M.	X			
4. GOOW, ASLON	X			
5. McKOY, WILLIAM C.	X			
6. MORRIS, KENNETH	X			
7. ROONEY, THOMAS C.	X			
8. ROSADO, JERRY LUIS	X			
9. TORRES, JUAN	X			

Adopted on first reading at a meeting of the Council of the City of Paterson, N.J., on

second and final reading after hearing on NOVEMBER . 9 . . . 2005

Approved  Reconsidered _____ Over
Rejected By _____ By Council _____ Ride _____
JOSE "JOEY" TORRES, Mayor Date _____ Vote _____
KENNETH M. MORRIS, JR. Council President _____ Aye _____
JANE E. WILLIAMS-WARREN City Clerk _____ Nay _____