

**BOROUGH OF FANWOOD**

**BOARD OF HEALTH**

**ORDINANCE 15-05-03**

**AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 300, ANIMALS**

**BE IT ORDAINED BY THE BOARD OF HEALTH OF THE BOROUGH OF FANWOOD, COUNTY OF UNION AND STATE OF NEW JERSEY, as follows:**

Section 1. Chapter 300, Animals, of the Code of the Borough of Fanwood, County of Union, State of New Jersey (the "Borough Code") is hereby amended so as to add the following:

**Article III Wildlife**

**Section 300-11 Purpose.**

The purpose of this article is to prohibit the feeding of unconfined wildlife in or on any public or private property within the Borough of Fanwood so as to protect the public health, safety and welfare and to prescribe penalties for failure to comply.

**Section 300-12 Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**FEED**

To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife, including purposely or knowingly leaving or storing any refuse, garbage, food product, pet food, forage product or supplement, salt seed or bird seed, fruit, grain in a manner that would constitute an attractant to any wild animal or waterfowl. 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 municipal jurisdiction.

**WILDLIFE**

All animals that are neither human or domesticated

**Section 300-13 Prohibited conduct.**

A No person shall feed, in or on any private property or public property in the Borough of Fanwood, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).

B. No person shall feed on any public or private property in the Borough of Fanwood deer or any other wildlife.

C. Feeding of songbirds and backyard birds shall be permitted outdoors at such times and in such numbers that: (1) such feeding does not create an unreasonable disturbance that affects the rights of the surrounding property owners or renders other persons insecure in the use of their property and (2) does not create an accumulation of droppings on the property and surrounding properties; and (3) does not become an attractant for rodents or other wildlife animals; and (4) bird feeders are placed at least five (5) feet above the ground.

### **Section 300-14. Enforcement**

This article shall be enforced by the Health Department, Police Department and/or other municipal official of the Borough of Fanwood. Any person found to be in violation of this article shall be ordered to cease the feeding immediately.

### **Section 300-15. Violations and Penalties**

Any person violating any provision of this Article shall be punished by a fine of not less than One Hundred dollars ( \$100) for the first offense, nor more than five hundred dollars (\$500). Each day the violation continues shall constitute a separate and distinct offense not to exceed two thousand dollars (\$2,000.00)

Section 2. All other provisions of Chapter 300 shall remain in full force and effect.

Section 3. This Ordinance shall take effect as provided by law.

Introduced: April 7, 2015

Adopted: August 5, 2015

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Philomenia Fischer, President

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Colleen M. Huehn, Secretary

**PUBLIC NOTICE  
BOROUGH OF FANWOOD  
BOARD OF HEALTH  
INTRODUCTION OF  
ORDINANCE 15-04-02  
AND PUBLIC HEARING**

Ordinance 15-04-02 was introduced by the Board of Health of The Borough of Fanwood on April 7, 2015.

Copies of this ordinance can be obtained without cost at the Fanwood Borough Hall, 75 N Martine Avenue, Fanwood NJ between the hours of 8AM and 4PM, Monday thru Friday and Thursday Evening 5PM thru 8PM.

The purpose of this ordinance is **“AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 300, ANIMALS, ARTICLE II”**

Public hearing and adoption of this ordinance will be held on or before May 7, 2015 or as soon thereafter as the matter may be heard.

Colleen M. Huehn, Secretary  
Fanwood Board of Health