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TOWN OF MORRISTOWN

ORDINANCE O - 46 - 04

**AN ORDINANCE AMENDING THE CHAPTER 146 OF THE
CODE OF THE TOWN OF MORRISTOWN, ENTITLED
"PARKS AND PLAYGROUNDS"**

WHEREAS, as part of the New Jersey Pollutant Discharge Elimination System (NJDPDES) Municipal Stormwater Regulation Program, municipalities are required to adopt various ordinances to protect and improve the water quality; and

WHEREAS, among the Ordinances that the Town must adopt in order to comply with the program is an ordinance that prohibits the feeding of unconfined wildlife in any public park or other property, so as to protect public health, safety and welfare.

NOW THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Morristown, being the governing body thereof as follows:

SECTION I. Chapter 146 of the Code of the Town of Morristown, entitled "Parks and Playgrounds," is hereby amended as follows:

1. Section 146-2 Definitions, is hereby amended by adding the following definitions:

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.

WILDLIFE – all animals that are neither human nor domesticated

2. Section 146-34A is hereby amended to read as follows:

146-34A Domestic Fowl and Other Wildlife.

A. No person shall feed, in any public park or on any other property owned or operated by the Town, any wildlife, including any waterfowl, and excluding confined wildlife (for example, wildlife confined in, parks or rehabilitation centers, or unconfined wildlife at environmental education centers)

B. It shall be unlawful to place, allow to be placed or to set free any waterfowl in any park.

SECTION II. Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that

section, paragraph, subdivision, clause or provision, and the remainder of this Ordinance shall be deemed valid and effective.

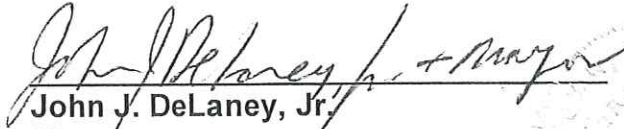
SECTION III. Repealer. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV. Effective Date. This ordinance shall take effect upon passage and publication as required by law.

ATTEST:

ADOPTED:


Matthew K. Stechauner,
Town Clerk


John J. DeLaney, Jr.,
Mayor

