

**ORDINANCE NO. 2005-5**  
**ORDINANCE OF THE CITY OF BEVERLY**  
**TO PROHIBIT THE FEEDING OF WILDLIFE**

**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 Beverly, so as to protect public health, safety and welfare and to prescribe penalties for failure to comply.

**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. 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.

**SECTION III. Prohibited conduct:**

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

**SECTION IV. Enforcement:**

- A. This shall be enforced by the Police Department of the City of Beverly.
- B. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

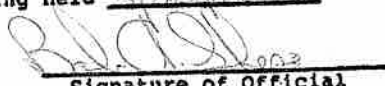
**SECTION V. Violations and Penalties.** Any person who is hound to be in violation of the provisions of this ordinance shall be subject to for the first offense of \$50.00, for the second offense, \$100.0 and for third and subsequent offenses a sum not to exceed \$500.00 for each day that the violation continues.

**SECTION VI. 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.

THE COMMON COUNCIL OF THE CITY OF BEVERLY ADOPTED THE ABOVE ORDINANCE ON FIRST READING AT A REGULAR MEETING HELD ON MARCH 8, 2005. A PUBLIC HEARING WILL BE HELD ON MARCH 22, 2005 AT 7:00PM IN COUNCIL CHAMBERS OF THE BEVERLY CITY MUNICIPAL BUILDING AT 446 BROAD STREET, BEVERLY NJ.

BARBARA A. SHEIPE RMC  
CLERK/ADMINISTRATOR

I hereby certify that the foregoing is a true copy of a Resolution/Ordinance duly adopted by the Governing Body of the City of Beverly, County of Burlington, State of New Jersey, at a meeting held 3/9/05

  
Signature of Official