

## BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE ADOPTION

NOTICE is hereby given that **Ordinance 16-2025** - Ordinance of the Borough of Eatontown Entitled **“ORDINANCE AMENDING CHAPTER 97 ENTITLED ANIMALS, ARTICLE III WILDLIFE FEEDING TO PROHIBIT THE FEEDING OF UNCONFINED WILDLIFE ON PRIVATE PROPERTY”** was passed after a public hearing at the regular meeting of **September 25, 2025** by the Governing Body of the Borough of Eatontown, at 47 Broad Street, Eatontown, NJ 07724. Borough of Eatontown - Julie Martin, RMC, Borough Clerk

### ORDINANCE 16-2025

#### BOROUGH OF EATONTOWN

#### COUNTY OF MONMOUTH, STATE OF NEW JERSEY

#### ORDINANCE AMENDING CHAPTER 97 ENTITLED ANIMALS, ARTICLE III WILDLIFE FEEDING TO PROHIBIT THE FEEDING OF UNCONFINED WILDLIFE ON PRIVATE PROPERTY

**WHEREAS**, the Borough Code prohibits the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Borough of Eatontown; and

**WHEREAS**, the Borough Council believes it is in the best interest of the Borough to extend the prohibition of unconfined wildlife on private property to ensure the protection of the public's health safety and welfare.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey that it hereby amends Chapter 97 “Animals,” “Wildlife Feeding” Section 97-15 “Prohibited Conduct” as follows:

[additions are underlined, and deletions are noted as strike-out]

#### §97-14 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.

##### WATERFOWL

Any bird that frequents the water, or lives about rivers, lakes, etc.; aquatic fowl including not limited to ducks, geese, swans, herons, and egrets.

##### WILD ANIMAL

Any animal, which is not human or domesticated, including but not limited to bears, coyotes, deer, feral cats, foxes, groundhogs, opossums, raccoons, skunks, waterfowl, wolves, and hybrid wolves.

#### §97-15 Prohibited Conduct

- A. Feeding of wild animals birds and waterfowl prohibited.
1. No person shall feed, bait or in any manner provide access to food to any wild animal, birds, or waterfowl in the Borough of Eatontown, on lands either publicly or privately owned, except as permitted by Subsection B below. This section shall not apply to the feeding of farm animals, nor to confined wildlife (for example, wildlife confined in stables, parks, or rehabilitation centers, nor unconfined wildlife at environmental education centers.) in any public park or on any other property owned or operated by the Borough of Eatontown, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).
2. No person shall purposely or knowingly, leave or store any refuse, garbage, food product, pet food, forage product or supplement, salt, seed or birdseed, fruit or grain in a manner that would constitute an attractant to any wild animal or waterfowl.
3. After being advised by the Borough to undertake remedial action to avoid contact or conflict with wild animals, no person shall continue to provide, or otherwise fail to secure or remove,

any likely food sources or attractants, including, but not limited to, outdoor trash, grills, pet food, bird feeders or any other similar food source or attractant.

B. Feeding of birds permitted. Feeding of 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 surrounding property owners and renders other persons insecure in the use of their property;
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 wild animals.

**§97-17 Violations and Penalties**

Any person, firm or corporation violating any provision of this article shall, upon conviction, be subject to a fine not exceeding ~~\$1,250~~ \$2,000, a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days, or any combination thereof.

**IT IS FURTHER ORDAINED**, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

**IT IS FURTHER ORDAINED** that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**IT IS FURTHER ORDAINED** that this Ordinance shall take effect upon passage and publication in accordance with applicable law.