

**Code of the Township of  
Berlin Chapter 55  
Article V: Wildlife Feeding**

**A. Purpose:**

An ordinance to prohibit the feeding of unconfined wildlife in any park or on any other property owned or operated by the Township of Berlin, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**B. 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 Article clearly demonstrates a different meaning. When not consistent 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, 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.

**C. Prohibited Conduct:**

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

**D. Enforcement:**

- a. This ordinance shall be enforced by the Berlin Township Police Department.

**E. Violations and Penalties:**

Any person found to be in violation of this Article shall be ordered to cease the feeding immediately. Any person(s) who continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine not to exceed twenty five dollars (\$25.) for the first offense. For the second or subsequent offense the fine shall not exceed one hundred dollars (\$100.).

**F. Severability:**

Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, clause or 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.

**G. 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.

ALL OF WHICH IS ADOPTED this \_\_\_ day of \_\_\_\_\_ ,2005, by the  
Governing Body of the Township of Berlin.