

**AN ORDINANCE AMENDING CHAPTER 4, SECTION 35.2 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE**

I. PURPOSE

WHEREAS, the existence of stray, feral and otherwise unconfined wildlife in the Township of West Orange (the “Township”) creates a hazard to the health of Township residents and their pets; and

WHEREAS, the Township's Health Department (the “Department”) reports that during the period between 2010 and 2013, approximately four-hundred and thirty (430) stray cat complaints were registered with the Department's Animal Control Division (“ACD”), and five-hundred and seventeen (517) stray cats were impounded; and

WHEREAS, the Department reports that during the period between January 1, 2014 and June 30, 2014, sixty-eight (68) stray cat complaints were registered with the ACD, and eighty-one (81) stray cats were impounded; and

WHEREAS, the intentional feeding of stray, feral and otherwise unconfined wildlife within the Township is a major cause of the proliferation of stray, feral and otherwise unconfined wildlife in the Township; and

WHEREAS, Chapter 4, Section 35.2 of the Township's Revised General Ordinances (“Section 35.2”) prohibits the feeding of wildlife, excluding confined wildlife, in any public park or Township-owned property; and

WHEREAS, the prohibition set forth in Section 35.2, insofar as it is limited in application to public parks and Township-owned property, has proven insufficient to prevent the aforementioned hazard to the health of Township residents and their pets;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, in the County of Essex and State of New Jersey, that Chapter 4, Section 35.2 the Revised General Ordinances of the Township shall be amended as follows:

II. CHAPTER 4, SECTION 35.2 SHALL BE AND HEREBY IS AMENDED AND SUPERSEDED TO READ AS FOLLOWS:

4-35.2 Prohibited Conduct

No person shall feed any wildlife, excluding confined wildlife, anywhere within the Township.

BE IT 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 adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with law.

Susan McCartney
Council President

Robert D. Parisi, Mayor

Karen J. Carnevale, Municipal Clerk

Introduction: August 12, 2014

Adopted: September 9, 2014