

AN ORDINANCE

ORDINANCE OF THE TOWNSHIP OF SPARTA, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING CHAPTER 11 OF THE MUNICIPAL CODE OF THE TOWNSHIP OF SPARTA TO INCLUDE A PROHIBITION ON FEEDING WHITE-TAILED DEER ON PRIVATE PROPERTY

WHEREAS, the unregulated and uncontrolled feeding of wild white-tailed deer (*Odocoileus virginianus*) creates a nuisance for the people of the Township of Sparta (“Township”); and

WHEREAS, the unregulated and uncontrolled feeding of wild white-tailed deer creates a health a safety risk for the people of the Township and creates a health and safety risk for motorists using the roads of the Township; and

WHEREAS, the Township Council has determined that it is in the best interests of the Township to prohibit the feeding of wild white-tailed deer within the Township; and

WHEREAS, ordinances and mechanisms of enforcement are needed to regulated the feeding of wild white-tailed deer within the Township; and

WHEREAS, the Township Code must be amended to prohibit the feeding of wild white-tailed deer (*Odocoileus virginianus*) on all lands public and private; and

NOW, THEREFORE, BE IT ORDAINED by the by the Township Council of the Township of Sparta as follows:

SECTION 1. Chapter 11 Section: Public Health Nuisance Code of the Municipal Code of the Township of Sparta is hereby amended as follows:

CHAPTER 11-4.3: PROHIBITED CONDUCT

§ 11-4.3. Prohibited Conduct

- (a) No person shall feed, in any public park or on any property owned or operated by Sparta Township, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).
- (b) No person shall purposely or knowingly feed wild white-tailed deer (*Odocoileus virginianus*) in the Township of Sparta, on lands either publicly or privately owned, except in cases of legal hunting seasons, where permitted by New Jersey fish and wildlife regulations, and where all legal distances from inhabited dwellings are met.

SECTION 3. Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity of constitutionality of any other sections or parts thereof.

SECTION 4. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval, and publication by law.

SECTION 6. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. Repealer

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 8. This Ordinance may be renumbered for codification purposes.

SECTION 9. Effective Date

This Ordinance shall take effect upon passage and publication as provided by law.

NOTICE

PLEASE TAKE NOTICE that the above ordinance was introduced and passed upon first reading at a regular meeting of the Sparta Township Council held at the Municipal Building, 65 Main Street, Sparta, New Jersey on October 11, 2022 and will be considered for final passage and adoption at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey, on October 25, 2022 at 7:00 p.m. at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

KATHLEEN CHAMBERS, RMC
MUNICIPAL CLERK

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on October 11, 2022. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, held on October 25, 2022 at 7:00 p.m. at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

KATHLEEN CHAMBERS, RMC
MUNICIPAL CLERK