

**ARTICLE III      Feeding of Wildlife and Waterfowl (§ 117-28 — § 117-33)**

[Adopted 7-12-2001 by Ord. No. 10-2001]

**§ 117-28      Purpose and intent.**

It is the intent of this article to protect the health, safety and welfare of the community and wildlife animals and wild waterfowl within the Township of Hanover by prohibiting the feeding of wildlife animals and wild waterfowl on all Township-owned public property, including its parks and recreational facilities. The feeding of wildlife animals and wild waterfowl within the Township can contribute to rat and other predatory animal infestation problems, damage to public parks and public forested areas, water quality problems, traffic hazards, soiled and contaminated private yards and swimming pools and the increased potential for the spread of disease to residents. In addition, it is the intent of this article to protect the welfare of wildlife animals and wild waterfowl themselves since wildlife studies have shown that the feeding of wildlife animals and wildlife waterfowl can cause nutritional problems, increase predation and promote the spread of serious diseases such as the lime tick in the case of deer and avian cholera, plague and botulism in the case of wild waterfowl. The feeding of wild waterfowl can also interrupt their normal migration patterns, thus making them permanent residents.

**§ 117-29      Feeding prohibited.**

No person shall feed or provide food for any wildlife animal and/or any wild waterfowl at anytime during the year within the Township of Hanover on any Township-owned public property, including but not limited to its parks and recreational facilities, forested land, vacant land or in and around any Township-owned public building.

**§ 117-29.1      Feeding of deer prohibited.**

[Added 2-24-2005 by Ord. No. 6-2005]

No person shall purposely or knowingly, as said terms are defined in Title 2C of the New Jersey Revised Statutes, feed wild white-tailed deer (*Odocoileus virginianus*) in said Township on lands either publicly or privately owned. It shall be presumed that the person is purposely or knowingly feeding deer unless the feed is placed on a platform that is raised at least four feet off the ground and has a lip around the edge of the platform, is placed on a platform that is raised at least five feet off the ground, or is placed in a feeder whose opening is sufficiently restricted so as to prevent deer from accessing the feed. Nothing in this section shall apply to any agent of the Township authorized to implement an alternative control method set forth in any approved community based deer management plan, and possessing a special deer management permit issued by the New Jersey Division of Fish and Wildlife, in accordance with the provisions of P.L. 2000, c. 46, or any hunter engaging in baiting for the purpose of hunting pursuant to a valid hunting license issued in accordance with the provisions of Title 23 of the New Jersey Revised Statutes.

**§ 117-30      Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**FEED**

To place, deposit, scatter or distribute on any Township-owned public property any type of feed, including but not limited to corn, wheat or other grains, bread, cake products, apples, popcorn, scraps or any other food substances liable to be eaten by wildlife animals and wild waterfowl.

**WILDLIFE ANIMALS**

Nondomesticated animals such as deer, wild turkey, raccoon, bear, possums and groundhogs.

**WILD WATERFOWL**

Nondomesticated waterfowl, whether migratory or not, including but not limited to Canada geese, mallard ducks, swans, brant and sea gulls.

**§ 117-31      Exceptions.**

This article shall not be construed to prohibit humane acts toward wild waterfowl in individual cases, such as the temporary nurturing of a wounded bird on a person's private property. In addition, nothing contained in this article shall prohibit persons from feeding by throwing or scattering small quantities of food directly to birds or certain small wildlife animals such as squirrels and chipmunks or prohibit persons from feeding certain wildlife animals and birds on their private property by leaving food for such animals in a manner commonly or ordinarily used for the feeding of these wildlife animals and birds such as bird feeders or other receptacles.

**§ 117-32      Enforcement.**

The provisions of this article shall be administered and enforced by members of the Hanover Township Police Department.

**§ 117-33            Violations and penalties.**

Any person, firm or corporation convicted of violating the provisions of this article shall be subject to a fine not to exceed \$1,000 and/or imprisonment up to 90 days, or both. Each and every day such a violation occurs shall be deemed a separate and distinct violation.