

INTRODUCTION CARRIED TO MARCH 9, 2011
TOWNSHIP OF WALL
ORDINANCE NO. 7-2010

**ORDINANCE TO AMEND SECTION 65-22, ARTICLE II "WILDLIFE FEEDING" OF
THE CODE OF THE TOWNSHIP OF WALL BY MODIFICATION AND ADDITION
TO PERMIT THE FEEDING OF SONGBIRDS AND OTHER BACKYARD BIRDS**

BE IT ORDAINED by the Township Committee of the Township of Wall as follows:

SECTION ONE

The provisions of Section 65-23 of the Code of the Township of Wall entitled "Prohibited Conduct" shall become Section 65-23(a).

SECTION TWO

The provision of Section 65-23 of the above entitled ordinance is hereby modified and amended by the inclusion of an additional section as set forth below.

Section 65-23(b) Permitted Conduct.

1. Feeding of songbirds and other backyard birds shall be permitted at such times and in such numbers that the feeding:

- a. Does not create an unreasonable disturbance that affects the rights of surrounding property owners or render other persons insecure in the use of their property.
- b. Does not create an accumulation of droppings on the property or surrounding properties.
- c. Does not become an attractant for rodents or other wild animals.

2. Each Property owner shall be permitted to have four bird or suet feeders for every 5000 square feet of lot area, no closer than 25 feet from any property line.

- a. Bird Feeder. A bird feeder shall be either:

- i. a tube or cylinder type feeder.
- ii. a hopper type feeder, which shall be fully enclosed on all sides with an opening of no more than ½ inch in size.

Bird feeders shall be suspended or mounted no less than four (4) feet and no more than eight (8) feet from the ground. Bird feeders shall be filled with no more than two gallons of bird feed at any time.

- b. Suet. Suet, is a formulation of animal fat and other ingredients in cake or brick form. Suet shall be placed in either a mesh bag, or wire cage and suspended or mounted no less than four (4) feet and no more than eight (8) feet from the ground.
- c. No bird seed or any form of bird food shall be thrown or scattered on the ground of any property. No suet shall be smeared on any tree.

SECTION THREE

Severability: Each section, subsection, sentence, clause and phrase of the Ordinance is declared to be an independent section, subsection, sentence, clause and 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.

SECTION FOUR

Effective date: This Ordinance shall take effect upon final passage and publication as provided by law.

Motion made by Committee person, _____, seconded by Committee person
 _____ and adopted on roll call by the following vote:

MEMBER	YES	NO	ABSTAIN	ABSENT
Mayor Ann Marie Conte				
Deputy Mayor Jeffrey W. Foster				
Committeeman Clinton C. Hoffman				
Committeeman Todd W. Luttman				
Committeeman George K. Newberry				

**TOWNSHIP OF WALL
 NOTICE AND SUMMARY OF ORDINANCE 7-2011**

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Adoption of this Ordinance permits feeding of songbirds and other backyard birds on private properties within the Township of Wall.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on February 9, 2011, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on March 9, 2011, at 7:30 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at www.wallnj.com.

**LORRAINE KUBACZ, R.M.C.
 Township Clerk**