

CRANBURY TOWNSHIP ORDINANCE # 06-19-10

AN ORDINANCE ESTABLISHING A DEER MANAGEMENT PLAN ON
CERTAIN PUBLIC PROPERTY

WHEREAS, White-tailed deer populations have been increasing and flourishing in close proximity to humans, especially in suburban pockets where population control remains limited due to restrictive municipal hunting ordinances.

WHEREAS, Literature has shown that deer densities over 20 deer per square mile begin to have negative impacts on native vegetation species and over-all forest health as well as landscaping and agricultural crops.

WHEREAS, Deer can consume 2-7 lbs. of vegetation daily. Over the course of a year a single deer browsing on seedlings and native plants can suppress forest growth and diversity, can enable non-native, invasive plants to flourish, and can negatively impact other wildlife.

WHEREAS, public and private property in the Township of Cranbury has experienced significant damage from the Township's deer population; and

WHEREAS, the Township has worked closely with the Department of Environmental Protection, Division of Fish and Wildlife to chart a path forward to establish acceptable and safe deer management practices in the Township; and

WHEREAS, hunting on private property is authorized under State law with the permission of landowners, and

WHEREAS, the Township Committee would like to establish a deer management program for the municipally-owned properties known as the Fischer Property, Frosztega Property, Updike Property, Reinhart Preserve and Hagerty Tree Farm, and further would like to permit controlled hunts on those properties; and

WHEREAS, the Cranbury Township Committee finds that there is a compelling need to establish regulated deer hunting as a management tool in the Township Code to mitigate the negative impacts caused by an over-abundant deer population, including incidence of Lyme disease and other tick-borne illnesses, deer-vehicle collisions, agriculture crop losses, landscape damage and the degradation of natural habitat on both public and private property.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, as follows:

SECTION 1

The Code of the Township of Cranbury , New Jersey Chapter 110 is hereby supplemented to include the following provisions and shall read as follows (additions are underlined; deletions are in [brackets]):

§ 110-6 Prohibitions on Hunting

A. No person shall hunt, shoot, kill or remove any animal, whether by gun or other firearms, by bow and arrow, crossbow or other weapon, on any lands under the control of or owned by the Township of Cranbury except for those lands addressed in Section 110-7.

B. Notwithstanding the above-mentioned provision nothing in this section shall apply to any person authorized by the Township Administrator, Chief of Police or Township Committee to hunt, shoot, kill or otherwise remove any animal on Township-owned lands for the purpose of protection of persons or property or in the interest of public welfare.

§110-7 D (12) Deer Management.

There shall be no deer hunting on Township property except for wildlife management purposes as approved by resolution of the Township of Cranbury Committee, in accordance with applicable State laws and regulations.

(a) Deer Management on Fischer Property, Frosztega Property, Updike Property, Reinhart Preserve and Hagerty Tree Farm

No person shall hunt, kill, or remove deer from the above named properties, or enter such properties while carrying or possessing any weapon otherwise lawfully possessed for the purposes of hunting, unless that person has first obtained a municipal deer management permit for such activity.

(b) Permits

Permit Eligibility. Municipal deer management permits shall be issued through a random lottery to any holder of a valid State of New Jersey hunting license age 18 or older. The Township reserves the right to limit the number of permits issued. All permits shall be site-specific and non-transferable.

Permit Application Process. All applications must be submitted in writing to the Township of Cranbury Chief of Police, by the applicant, on a form promulgated by the Police Chief. Application forms may be made available online. The applicant shall provide the following information:

1. Name, address, phone number, and date of birth.
2. Automobile license plate number, year, make, model and color.
3. Copies of the applicant's current and valid New Jersey hunting license(s).

4. A signed certification that the applicant is not prohibited by law from possessing a firearm and has not been convicted of any felony. Any applicant who is prohibited by law from possessing a firearm or who has been convicted of a felony shall not be eligible for a municipal deer management permit.
5. A release authorizing the township to conduct a background check for violations of the New Jersey Fish and Game Code, N.J.A.C. 7:25-5 et seq., plus N.J.S.A. Title 23 and for violations of any local regulations pertaining to parks or to hunting. Any applicant who has violated any significant provision of the Fish and Game Code, Title 23 or has violated any local regulation pertaining to parks or to hunting within five years of the date of the application shall not be eligible for a permit.
6. A copy of a current certificate of insurance confirming general liability insurance with combined single limits coverage for bodily injury and property damage of at least one million (\$ 1,000,000.00) dollars per single occurrence and one million (\$ 1,000,000.00) dollars annual aggregate, which can be satisfied through full membership in the New Jersey State Federation of Sportsmen's Clubs or other sources.
7. Applications shall be reviewed by the Cranbury Township Police Department for accuracy and for compliance with the requirements set forth herein. After review, the Cranbury Township Police Department shall either grant or deny the permit application.

Permit Fees. To defray increased maintenance, materials, labor and administrative costs incurred by the Township in connection with its deer management program, the Township Committee may, by resolution, establish permit fees. The applicant shall submit the required fee to the township with the completed application. Any application submitted without the required fee shall not be processed. Fees collected from applicants who do not receive a permit shall be returned to the applicant within sixty (60) days of the denial.

Duration of Permit. Permits shall be valid only during all applicable State-approved deer hunting seasons, as said dates may be amended from time to time by the New Jersey Division of Fish and Wildlife and the Fish and Game Council. The Township Committee reserves the right to adjust the duration of the permits by resolution.

Revocation of Permit. The Township Administrator, Police Chief or designee shall be authorized to revoke any permit issued at any time if the safety of any persons or personal property, including that of the Township of Cranbury, is threatened by a permittee. Violations by any permittee of any significant, applicable state or local rules and regulations pertaining to hunting or to the use of recreation land or township property shall be cause for permit revocation. Authorized personnel may require such a permittee to leave the area immediately for just cause.

Enforcement. The Township Administrator, Police Chief or designee shall be authorized to revoke a permit issued hereunder at any time if the safety of any persons or the safety of personal property, including that of the Township, is threatened. Violations by any permittee of any significant state or local rules and regulations pertaining to hunting or use of parkland shall also cause the permit to be

revoked. Where such permit has been revoked or where persons or personal property are endangered as set forth above, the Police Department is authorized to require that such person or persons leave the area immediately and take all steps necessary to eliminate the condition which endangers persons or personal property.

Violations and penalties. Any hunting activity undertaken in violation of this chapter, will result in the immediate loss of hunting privileges on the property and will subject the hunter to any applicable penalties, including but not limited to the general penalties set forth in this Code. The maximum penalty for a first offense shall be \$500. The maximum penalty for a second or subsequent offense shall be \$1,000. Any individual hunting on municipally owned property without a permit issued pursuant to this chapter shall be considered trespassing and subject to the fines and may be prosecuted as trespassers.

Permit Availability, Designated Properties and Notifications. The number of permits issued each year, the properties for which the permits are issued and the dates on which those properties may be hunted, shall be determined annually by resolution of the Township Committee. A press release and/or notice informing the public of said designated dates and locations shall be published as follows: the township's website, the township's television channels, and a press release shall be provided to the official newspaper(s) of Cranbury Township. Residents within 200 feet of these designated properties also will be notified by mail.

(c) Hunter Requirements

Any recipient of a permit under this chapter shall comply with all applicable State laws, as well as any rules and regulations promulgated by the Division of Fish and Wildlife in the New Jersey Department of Environmental Protection.

Deer management program rules and regulations shall be determined annually by resolution of the Township Committee. In addition, the following requirements shall apply to all permitted hunters:

1. This deer management program is restricted to bow and arrow hunting only, as defined in the New Jersey Division of Fish and Wildlife Game Code, N.J.A.C. 7:25-5 et seq.; and is further restricted to the pursuit of deer, by licensed hunters, during annual prescribed open seasons as designated in the Game Code and as approved by the Township Committee.
2. All hunting shall be from commercially made tree stands maintained in safe condition and utilized according to the manufacturer's specifications and instructions. A commercially produced fall-restraint harness must be used at all times when using the tree stand. Only one tree stand is allowed per permit holder. Hunting from ground blinds, still hunting, and driving deer may be prohibited per the Deer Hunt Management rules. The type, size, and maintenance of tree stands shall be established by the Township Committee, by resolution, for each hunting season.

3. All deer must be reported using the New Jersey Division of Fish and Wildlife's Automated Harvest Report System.
4. Permittees shall be authorized to hunt only the property for which they have been issued a permit and shall be responsible for knowing property boundaries and where they are at all times. Each permittee is required to carry his or her municipal deer management permit on their person when engaging in hunting activities on properties within this program. Tree stands must be identified with the permit number clearly readable from the ground. Vehicle permits must be displayed on the front left side of the dashboard of the authorized vehicle registered with the deer management program.
5. Motorized vehicles shall be restricted to public roads and designated parking areas.
6. Target practice is strictly prohibited. The legal discharge of a crossbow into a portable target at the hunt's end is not considered to be target practice.
7. Season dates and bag limits shall comply with those designated by the State of New Jersey Division of Fish and Wildlife and the Fish and Game Council for applicable deer management zones. Additional date and harvest restrictions may be determined annually by resolution of the Township Committee. Pursuant to State law, Sunday hunting is prohibited on municipal lands.
8. The hunting, killing, pursuit, or removal of any other wildlife is strictly prohibited.
9. Compliance with any additional conditions as may be deemed necessary to ensure the safety of residents by the Cranbury Township Police Chief or Township Committee after reasonable notification. Such conditions may include limiting the days and times during which the permittees may hunt and restricting the areas within the parks or open spaces where hunting is permitted.
10. Failure to comply with the rules and regulations in this ordinance, or other applicable laws, rules, or regulations promulgated by the State or Township Committee, shall result in the forfeiture of a permit issued under this chapter and may affect future permit eligibility.

SECTION 2. Repealer.

All ordinances and resolutions, or parts thereof, inconsistent with this Ordinance, are hereby repealed.

SECTION 3. Severability.

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph,

subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4. Effective Date.

This Ordinance shall take effect immediately upon its passage and publication as required by law.

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Cranbury, in the County of Middlesex, State of New Jersey, held on June 10th, 2019. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held in the Meeting Room of Town Hall, 23-A North Main Street, in the Township of Cranbury on June 24th, 2019 at 7:00 P.M. 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 or by going to the Township's web site: www.cranburytownship.org, click on Document Library and then "New Ordinances" to members of the general public who shall request same.

Debra Rubin, RMC
Municipal Clerk