

ORDINANCE NO. 8-2013

AN ORDINANCE FOR THE PARTIAL AMENDMENT, SUPPLEMENTATION AND REVISION OF CHAPTER 28, ENTITLED "DEER CULLING PROGRAM" OF THE "REVISED ORDINANCES OF THE BOROUGH OF MORRIS PLAINS, NEW JERSEY, 1972" WITH PROVISIONS RELATING TO HUNTING ON PRIVATE LANDS.

**WHEREAS**, the Borough Council is desirous of amending the existing Deer Culling Program with provisions relating to hunting on private lands located within the Borough of Morris Plains.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Morris Plains, they being the Governing Body thereof, as follows:

**Section 1:**

Chapter 28, "Deer Culling Program" of The Revised Ordinances of the Borough of Morris Plains, New Jersey, 1972" (hereinafter "Revised Ordinances or "Revision") is hereby amended, supplemented and revised by renumbering Section 28-4, entitled Additional violations and penalties" as Section 28-5.

**Section 2:**

Chapter 28, "Deer Culling Program" of the Revised Ordinances is hereby further amended, supplemented and revised with the addition of a new Section 28-4, which shall read, in its entirety, as follows:

**28-4. Hunting on private property.**

No person shall enter upon private property located within the Borough for hunting purposes without obtaining the written permission of the property owner. Such written permission shall be signed and dated by the landowner and the hunter and it shall include the following information: (1) the hunter's name, address, vehicle information including

make/year/color and license plate, number of persons in hunting party, permitted hunting dates, hunting limitations, if any, hunting license/tag numbers, an acknowledgement that the hunter accepts responsibility for his hunting activities on the property, agrees to comply with the instructions of the landowner while on the property, and an acknowledgement that NJ law absolves the landowner from liability for non-paying recreationists engaged in hunting, except in the case of willful or malicious failure to guard or warn of hazards; (2) the landowner's name, address, phone number, purpose and extent of landowner's permission to enter the landowner's private property, limitations, if any; and (3) whether the bowhunter may hunt within 150 feet of a building, or within 450 feet of any school playground even if unoccupied. Prior to hunting on private property, any person holding a Borough deer culling permit shall notify the Borough's deer culling officer of any such landowner written permission and keep such written permission in the permit holder's possession while hunting on such private property.

**Section 3:**

All other provisions of the aforesaid Chapter 28 of the Revised Ordinances shall be unaffected and are hereby continued.

**Section 4:**

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 5:**

If any section, subsection, sentence, clause or phrase of

this Ordinance is, for any reason, held to be invalid by a Court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Ordinance.

**Section 6:**

This Ordinance shall take effect immediately after final passage and publication.

Introduced: 7/20/13  
Adopted: 8/15/13

/s/Frank J. Druetzler