

**ADOPTED ORDINANCE O-26-07
TOWNSHIP OF MONTCLAIR**

AN ORDINANCE TO AMEND CHAPTER 82 ANIMALS OF THE CODE THE TOWNSHIP OF MONTCLAIR, ESSEX COUNTY, NEW JERSEY TO PROHIBIT THE USE OF LETHAL METHODS OF **NATIVE WILDLIFE MANAGEMENT WITHIN THE TOWNSHIP OF MONTCLAIR**

March 12, 2026 (date of introduction)
March 24, 2026 (date of public hearing)
April 7, 2026 (date of 2nd public hearing)

WHEREAS, the Township Council of Montclair recognizes that **native** wildlife are an integral part of the community's natural environment, and Montclair actively promotes co-existence as a principal and policy; and

WHEREAS, the Township Council finds that lethal methods of **native** wildlife management, including culling, sharpshooting, bow hunting, and organized hunting on or by the Township, present public safety risks, raise ethical concerns, and conflict with the Township's values regarding animal welfare and coexistence with nature; and

WHEREAS, the Township is empowered under N.J.S.A. 40:48-2 to adopt ordinances to protect the public health, safety, and welfare, and under N.J.S.A. 40:61-1 to regulate and control the use of public lands, parks, and open spaces; and

WHEREAS, the Township Council seeks to promote humane, non-lethal methods of **native** wildlife management, when necessary, that are consistent with the Town's policy of peaceful co-existence with **native** wildlife.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Montclair, County of Essex, that Chapter 82 entitled "Animals" be amended as follows:

CHAPTER 82 /ARTICLE IX PROHIBITION ON THE TOWNSHIP'S USE OF LETHAL METHODS FOR **NATIVE WILDLIFE MANAGEMENT**

§ 82-46 PURPOSE

A. The purpose of this Ordinance is to establish a binding municipal policy of non-lethal **native wildlife** management utilizing conflict-based strategies.

B. Lethal **native wildlife** management shall be considered only under the limited emergency circumstances expressly provided in this Ordinance.

§ 82-47 DEFINITIONS

As used in this Ordinance:

LETHAL WILDLIFE MANAGEMENT means any activity undertaken with the intent to lethally eliminate or reduce **native wildlife** populations within the Township with any weapon whatsoever, including but not limited to, rifles, shotguns, muzzleloaders or any other firearms, bow and arrow, crossbows, compound bows, or trapping with lethal intent. This includes organized culling and killing by outside entities.

NATIVE WILDLIFE means any wild bird, mammal, reptile, amphibian, fish or other animal species indigenous to New Jersey as defined and regulated by the New Jersey Division of Fish and Wildlife pursuant to N.J.S.A. 23:1-1 et seq. and N.J.A.C. 7:25-1-1 et seq.

§ 82-48 PROHIBITIONS

- A. The Township shall not authorize, fund, conduct, or participate in any lethal **native wildlife** management activity within the Township
- B. The Township shall not enter contracts, grant agreements, or interlocal arrangements for lethal **native wildlife** management.
- C. The Township shall not participate in state, county, or regional programs involving lethal **native wildlife** population reduction except in cases of a declared public health emergency as determined by the Montclair Department of Health in coordination with the New Jersey Department of Health and where no non-lethal approaches exist to address the declared public health emergency.

§ 82-49. EMERGENCY EXCEPTIONS

Lethal action against **native wildlife** may only be taken by Licensed veterinarians, certified wildlife rehabilitators, animal control officers or law enforcement officers performing humane euthanasia of injured or diseased **native wildlife** or in cases of a declared public health emergency as determined by the Montclair Department of Health in coordination with the New Jersey Department of Health and where no non-lethal approaches exist to address the declared public health emergency.

§ 82-50. SEVERABILITY

If any section, paragraph, sentence, or clause of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions, which shall remain in full force and effect.

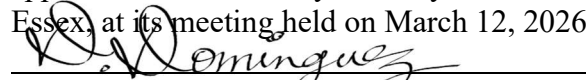
BE IT FURTHER ORDAINED that, this amendment to Chapter 82 of the Montclair Township Code of Ordinances with new Article IX shall take effect immediately upon final passage and publication according to applicable law.

[RECORD OF COUNCIL VOTE ON NEXT PAGE]

**TOWNSHIP OF MONTCLAIR
ADOPTED ORDINANCE O-26-07**

RECORD OF COUNCIL VOTE ON INTRODUCTION						
COUNCIL MEMBER	MOVANT	SECOND	YES	NO	ABSTAIN	ABSENT
Deputy Mayor Andersen						✓
Councilor Birmingham						✓
Councilor D'Amato			✓			
Councilor Harrison			✓			
Councilor Toler	✓		✓			
Councilor Williams						✓
Mayor Baskerville		✓	✓			

I HEREBY CERTIFY the foregoing to be a true copy of Ordinance O-26-07 introduced and approved as amended by the Mayor and Council of the Township of Montclair, in the County of Essex, at its meeting held on March 12, 2026.


Denise Dominguez, Deputy Township Clerk

RECORD OF COUNCIL VOTE ON AMENDMENTS AFTER PUBLIC HEARING						
COUNCIL MEMBER	MOVANT	SECOND	YES	NO	ABSTAIN	ABSENT
Deputy Mayor Andersen			✓			
Councilor Birmingham			✓			
Councilor D'Amato			✓			
Councilor Harrison	✓		✓			
Councilor Toler			✓			
Councilor Williams			✓			
Mayor Baskerville		✓	✓			

I HEREBY CERTIFY the foregoing to be a true copy of Ordinance O-26-07 as amended by the Mayor and Council of the Township of Montclair, in the County of Essex, at its meeting held on March 24, 2026.


Denise Dominguez, Deputy Township Clerk

RECORD OF COUNCIL VOTE ON ADOPTION						
COUNCIL MEMBER	MOVANT	SECOND	YES	NO	ABSTAIN	ABSENT
Deputy Mayor Andersen			✓			
Councilor Birmingham			✓			
Councilor D'Amato				✓		
Councilor Harrison			✓			
Councilor Toler	✓		✓			
Councilor Williams			✓			
Mayor Baskerville		✓	✓			

I HEREBY CERTIFY the foregoing to be a true copy of Ordinance O-26-07 adopted by the Mayor and Council of the Township of Montclair, in the County of Essex, at its meeting held on April 7, 2026.


Angelese Bermudez Nieves, Township Clerk