

TOWNSHIP OF CLINTON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY

ORDINANCE # 1194-2024

**AN ORDINANCE OF THE TOWNSHIP OF CLINTON IN HUNTERDON COUNTY,
NEW JERSEY PERTAINING TO DEER MANAGEMENT AND AMENDING ARTICLE
VIII IN CHAPTER 198 OF THE "CODE OF THE TOWNSHIP OF CLINTON"**

BE IT ORDAINED by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey as follows:

SECTION 1. Preamble incorporated. The statements and findings set forth in the preamble above are hereby incorporated as if fully restated herein.

SECTION 2. Article VIII in Chapter 198 of the "Code of the Township of Clinton" amended. Article VIII, Deer Management in Chapter 198, Parks, Recreation Areas and Open Space is hereby amended as follows (new text is underlined thus; deleted text is in brackets [thus]):

Article VIII. Deer Management.

§198-27. General requirements.

- A. No person shall hunt, shoot, kill or remove deer from any park or open space, or carry or possess firearms of any description in which loaded or blank cartridges may be used, or air guns, spring guns, slings or any other form of weapon potentially dangerous to wildlife and human safety, unless that person has first obtained a municipal deer management or deer culling permit for such activity.
- B. The hunting, shooting, killing and removal of white-tailed deer shall be allowed solely for the purpose of reducing and managing the Township=s deer population and only in accordance with the following provisions set forth [herein below]hereinbelow, and shall otherwise be prohibited in any Township park or open space.
- C. The Mayor and Council shall annually determine by resolution the number of permits issued for that year, the properties for which the permits are issued, the number of hunters allowed on each property, the dates on which the properties may be hunted, the minimum number of deer to be taken to be eligible for future participation in the program, and the minimum

number of does to be taken prior to taking a buck, as well as any other conditions or requirements as shall be reasonable and necessary for public safety and for the efficacy of the program (including, but not limited to, assisting with the costs of processing any deer that are donated to the Hunters Helping the Hungry venison donation program), provided such conditions or requirements do not conflict with any provisions set forth in this article.

D. Each permit will cover one primary hunter and up to two ~~[alternate]~~additional hunters. A permit shall be obtained by written application to the Clerk of Clinton Township, which application shall contain at a minimum the following information:

(1) The name, street address, and email addresses of the primary hunter and any ~~[alternate]~~additional hunters (hereinafter collectively referred to as “applicant” and individually referred to as “participant”).

(2) ~~[The applicant=s]~~Each participant’s date of birth. Applicants must be 18 years of age or older to be eligible for a municipal deer management permit

(3) The license plate number for all vehicles ~~[the applicant]~~each participant might use to access hunting property.

(4) Current firearm or bow and arrow hunting license number, or proof of application for same and participation in a State hunter education course.

(5) ~~[Applicant]~~Each participant must have in their possession all current State permits allowing said individual to hunt the various permit seasons specified by the State of New Jersey (permit bow, permit shotgun, and/or muzzleloader rifle).

(6) A signed certification that the ~~[applicant]~~participant is not prohibited by law from possessing a firearm and has not been convicted of any felonies. Any ~~[applicant]~~participant who is prohibited by law from possessing a firearm or who has been convicted of a felony shall not be eligible for a permit.

(7) 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.*, and for violations of any local regulations pertaining to parks or to hunting. Any [applicant]participant who has violated any provision of the Fish and Game Code or 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.

(8) A copy of a certificate of insurance confirming general liability insurance with coverage with combined single limits for bodily injury and property damage of at least one million dollars (\$1,000,000) per single occurrence and one million dollars (\$1,000,000) annual aggregate. The insurance requirements set forth herein can be satisfied through full membership in the New Jersey State Federation of Sportsmen's Clubs or other sources.

(9) The property and hunting season(s) for which a permit is sought.

E. Applications shall be available in the Township Clerk=s office and on the Township's website. Prior to any permits being issued, all applications will be reviewed by the Clinton Township Police Department for accuracy of information supplied and for compliance with the requirements set forth herein. All applications must be complete upon submission. Incomplete applications will not be processed or otherwise considered unless/until all required documentation has been provided.

F. [Prior to receiving a]No permit shall be issued unless/until[,] each participant [applicant (including the primary hunter as well as any alternate hunters) shall be required to]has completed the Township=s mandatory hunter orientation and safety course.

G. Any resident of the State of New Jersey shall be eligible to apply for a permit, except that the Mayor and Council [in its discretion] may by annual resolution give first priority for such permits to individuals who either work or reside in the Township.

H. Permits shall be site-specific and non-transferable, except as follows:

(1) If a member of two-person or three-person team is unable

or unwilling to actively participate in the hunting activities for which the permit has been issued, the primary hunter (team leader) may apply to the Township for permission to "swap out" the non-participating team member for a different individual.

- (2) In order to remove a member of the team that was identified in the original permit and substitute a new participant, the primary hunter/team leader shall be required to submit an amended permit application containing all of the information and documentation listed in subsection D above, together with the applicable fee as set forth in section 198-30.
- (3) The substitute participant shall be subject to a background check by the Clinton Township Police Department.
- (4) The substitute participant shall be required to attend a hunter orientation and safety course pursuant to subsection F above prior to engaging in any hunting activities.
- (5) If the amended application is approved, a new permit shall be issued to the team in question from which the name of the non-participating team member has been deleted and the name of the substitute participant inserted. The issuance of the new permit shall terminate any rights of the former team member to engage in any hunting activities on the property or properties for which the permit was issued.

§198-28. Rules and regulations.

A. The following rules and regulations shall apply to all permit holders:

- (1) Hunting shall only take place from [commercially manufactured] elevated tree stands. Ground blinds shall be strictly prohibited. Only portable tree stands that do not harm the trees shall be permitted. All stands shall be removed no later than [fifteen]~~thirty~~ ([15]~~30~~) days following the expiration of the hunting and/or permit season. Baiting shall be allowed [but] only from automatic feeders holding [up to] a maximum of [30]~~thirty~~ gallons of feed.
- (2) [Permits shall be site-specific and non-transferable.

~~Permittees~~Participants shall be authorized to hunt only the property for which they have been issued a permit and shall be responsible for knowing the property lines and safety zone requirements as defined by the New Jersey Division of Fish and wildlife. Each ~~[permittee]~~participant shall be required to display his or her permit ~~[prominently]~~ when engaging in hunting activities.

- (3) Deer drives are strictly prohibited.
 - (4) Vehicles shall be restricted to public roads and designated parking areas. No all-terrain vehicles shall be allowed.
 - (5) Target practice is strictly prohibited. For purposes of this subsection, the discharge of a crossbow prior to transport shall not be considered target practice
 - (6) ~~[Permittees]~~Participants shall be allowed to enter their properties up to two hours before sunrise and must leave the property no later than two hours after sunset. In the event of a conflict between this provision and any other rule or regulation of the Township, this provision shall apply.
 - (7) All season dates and bag limits designated by the State of New Jersey Division of Fish and Wildlife and the Fish and Game Council for the deer management zones in which the Township is located shall apply.
 - (8) ~~[Only]~~Except as set otherwise forth in section 198-28.1 below, only white-tailed deer may be hunted; the hunting, shooting, killing, pursuit or removal of any other wildlife is strictly prohibited.
- B. Any permit issued by the Township may contain such additional conditions as the Clinton Township Police Department and/or Clinton Township Administrator determines are reasonably required to ensure the safety of the public, including but not limited to restricting the days and times during which the permittees may hunt thereon and restricting the areas within the parks or open spaces on which the permittees may hunt.
- C. Permits shall be valid only during the 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.

§198-28.2. Incidental hunting of coyote.

- A. Permittees shall be authorized to take coyotes while hunting white-tailed deer on their assigned property, provided it is incidental to, and not separate from, the deer hunting activities.
- B. The incidental taking of coyotes may take place during such six-day firearm, muzzleloader rifle permit, shotgun permit, fall bow, permit bow, or winter bow deer hunting season as is allowed on the property in question. To be considered "incidental," the coyote(s) must be encountered before the permittee has reached the applicable season's bag limit of deer.
- C. Once the permittee has reached his or her daily bag limit of deer, he or she must cease all hunting activities immediately, including the hunting of coyotes. Incidental hunting of coyotes may resume the following day (provided the season remains open and the season bag limit of deer has not been reached).
- D. Coyote or fox hunting at night is strictly prohibited, and shall conclude on the last day of deer hunting season.
- E. The hunting, shooting, killing, pursuit or removal of any other wildlife is strictly prohibited.

§198-29. Notice.

- A. A press release and/or notice informing the public of the designated hunting dates and locations shall be published on the Township's website and shall be submitted to the official newspaper of Clinton Township for publication.
- B. Prior to any hunting activities taking place, permittees shall be responsible for posting warning and no hunting signs along the boundaries of the properties for which they have received a permit and the Township shall post warning signs at the entrances to all properties for which permits have been issued.

§198-30. Fees.

- A. In order to defray increased maintenance, materials, labor

and administrative costs incurred by the Township in connection with its deer management program, [a permit fee of \$50.00 per primary hunter is]the following fees are hereby established[.]:

<u>Original permit:</u>	<u>\$100.00</u>
<u>Amended permit:</u>	<u>\$25.00</u>

B. [This]The cost of the permit shall be[is] in addition to the purchase of appropriate hunting licenses and permits that are issued by the State of New Jersey.

[B]C. Any permit fees collected that are not needed to defray the costs of administering the program shall be deposited into the Township=s open space fund and dedicated to the acquisition or maintenance of open space.

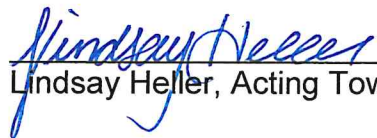
§198-31. Enforcement; violations; permit revocation; penalties.

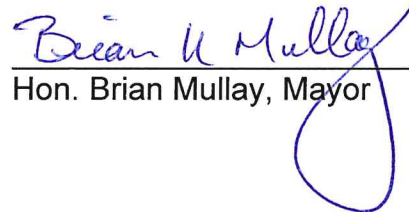
- A. The provisions of this article, including the conditions and requirements of any permits issued pursuant to this article, shall be enforced by the Police Department of the Township of Clinton.
- B. The Clinton Township Police Department shall be authorized to revoke a permit issued hereunder at any time if the safety of any persons or the safety of personal property, including that of Clinton Township, is threatened as a result of the activity authorized by the permit.
- C. Violations by any permittee of any applicable 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 are authorized to require that such person or persons leave the park area immediately and take all steps necessary to eliminate the condition which endangers persons or personal property.
- D. Violation of this article, any special condition or any applicable State or local regulation will result in the immediate loss of hunting privileges and will subject the hunter to any applicable penalties, including but not limited to the general penalties set forth in section 1-17 of this Code.

SECTION 3. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

SECTION 4. Severability. If any paragraph, section, subsection, sentence, sentence clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding and shall not affect the validity of the remaining paragraphs or sections hereof.

SECTION 5. Effective date. This ordinance shall take effect 20 days after final passage in accordance with N.J.S.A. 40:69A-181.


Lindsay Heller, Acting Township Clerk


Hon. Brian Mullay, Mayor

Introduced: February 28, 2024
Adopted: March 27, 2024

The foregoing ordinance was introduced on first reading at the February 28, 2024 meeting of the Mayor and Council of the Township of Clinton. It will be further considered for final passage following a public hearing thereon to be held on **March 27, 2024, at 7:00 p.m.**, on the third floor of the Clinton Township Public Safety Building, 1370 Route 31 North, Annandale, NJ 08801, at which time and place anyone from the public wishing to be heard will be permitted to ask questions or offer comments regarding the ordinance. During the week prior to and up to and including the date of such meeting and public hearing, copies of the full ordinance will be available at no cost during regular business hours in the Office of the Township Clerk for members of the public who shall request a copy of same. The ordinance will also be available on the Township's website at <https://clintontwpnj.gov>.