

TOWNSHIP OF EDGEWATER PARK

ORDINANCE 2011-6

*AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AMENDING
CHAPTER 6.08 AND ORDINANCE NO. 9-2007 EDGEWATER PARK TOWNSHIP
MUNICIPAL CODE ENTITLED
“DOMESTIC ANIMALS”*

WHEREAS, the Township Committee of the Township of Edgewater Park determined that there is a need to amend Chapter 6.08 and Ordinance No. 9-2007 of the Municipal Code Entitled “Domestic Animals” which established the rules, regulations and licensing of domestic animals.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, that the Township Code of the Township of Edgewater Park is hereby amended as follows:

SECTION ONE: SECTION 6.08.080 Entitled Cats – “*Public nuisance when*” is Hereby Repealed.

SECTION TWO: SECTION 6.08.100 Entitled Limit on number of dogs and cats in a residence is Hereby Repealed And Replaced With The Following:

6.08.100 Limit on number of dogs and cats in a residence.

- A. Not more than four dogs or four cats, or any combination thereof not exceeding four, shall be allowed in any residence. Any residence may contain only a total of four dogs or cats altogether, except that a litter or portion thereof may be kept for a period of 90 days without a permit issued by the board of health annually in conjunction with the issuance of dog and/or cat licenses. The cost of the permit shall be one hundred (\$100.00) dollars. The issuance of the permit shall be subject to the following:
 - 1. The residential premises shall have a fenced yard or penned area sufficient in size in relation to the amount of dogs being kept.
 - 2. The residential premises and yard area shall be kept in a sanitary manner.
 - 3. The residential premises shall be inspected by the Burlington County Health Department and the Animal Control Officer.
- B. Any violation of subsection A of this section will result in revocation of the aforesaid permit. Notice of the township's intention to revoke a permit must be given to the alleged violator, who must be given an opportunity to be heard before the board of health.
- C. Those persons (as defined in Section 6.08.010) who, at the time the ordinance codified in this section becomes effective, have in their possession dogs or cats exceeding the number permitted in the township shall be exempt from the requirements of this chapter for the lifetime of those animals; however, upon the deaths of those animals, those persons shall be subject to the requirements of this chapter with respect to any replacement animals.

- D. The provisions of this chapter shall not apply to licensed premises where cats and/or dogs are kept for breeding, sale and/or boarding.

SECTION THREE: Chapter 6.08 Entitled “Domestic Animals”, Section 6.08.030: “Dog License and registration tag: fee and expiration – Exception” is Hereby Repealed And Replaced With The Following:

Section: 6.08.030 Dog license and registration tag: fee and expiration— Exception.

- A. Persons applying for a license and registration tag shall pay the sum of sixteen dollars and eighty cents (\$16.80) for the license and one dollar (\$1.00) for the registration and twenty cents (\$.20) for the pilot clinic fee payable by the municipality to the state of New Jersey for each dog, effective January 1st, 2012 and thereafter. In addition, there will be a three dollar (\$3.00) charge for each unneutered dog payable by the municipality to the state of New Jersey. Said licenses, registration tags and renewals thereof shall expire the last day of January of each year.
Persons applying for the renewal of a license and registration tag after the last day of January of each year shall pay an additional sum of ten dollar (\$10.00) to defray the administrative costs incurred by the township as a result of a late renewal.
- B. Dogs used as guides for blind persons and commonly known as “seeing eye dogs” shall be licensed and registered as other dogs hereinbefore provided for, in accordance with the provisions of NJSA 4:19-15.3 and shall not be required to pay any municipal license fee therefor.

SECTION FOUR: SECTION 6.08.180 Entitled: Violations and penalties is Hereby Repealed and Replaced with Section 1.08.010 of the Edgewater Park Township Code Establishing Penalties for Violation of Any Provision of the Edgewater Park Township Code or Any Ordinance of the Township of Edgewater Park for Which No Other Specific Penalty is Provided as adopted by Ordinance No. 07-2006 on February 21, 2006.

SECTION FIVE: The following Sections regulating the licensing and regulations Of cats are Hereby Created:

6.09.020 Cat license and registration fee required.

Any person who shall own, keep or harbor a cat of licensing age shall, in the month of April of each year, apply for and procure from the township clerk a license and official metal registration tag for each such cat and shall place on each such cat a collar or harness with said registration tag securely fastened thereto.

6.09.030 Cat license and registration tag: fee and expiration.

Persons applying for a cat license and registration tag shall pay the sum of eighteen dollars (\$18.00) for the license payable to the Township of Edgewater Park, effective April 1st, 2012 and thereafter. In addition, there will be a three-dollar (\$3.00) charge for each unneutered cat payable to the Township of Edgewater Park. Said licenses, registration tags and renewals thereof shall expire the last day of March of each year.

Persons applying for the renewal of a license and registration tag after the last day of April of each year shall pay an additional sum of ten dollar (\$10.00) to defray the administrative costs incurred by the township as a result of a late renewal.

6.09.040 Licensing time limits.

The owner of any newly acquired cat of licensing age or any cat which attains licensing age shall make applications for and procure a license and registration tag for such cat within ten days after the acquisition or age attainment. A cat of licensing age shall be any cat which has attained the age of three months or which possesses a set of permanent teeth, whichever is sooner. There shall be no adjustment of the license or registration fee for licenses or registration tags issued and valid for a fractional portion of the license year.

6.09.050 Time limit for cat brought into township.

Any person who shall bring a cat into this township from another jurisdiction or state shall apply for a license and registration tag for said cat within thirty days.

6.09.060 Annual canvass.

Promptly after May 1st of each year, a canvass shall be made of all cats owned, kept or harbored in the township.

6.09.070 Cats—General regulations.

Every person owning, keeping or harboring any cat in this township shall:

- A. Prevent such cat from injuring or damaging any vegetable garden, flower garden, lawn, plant, tree, shrubbery, grounds of other property of any person other than the person owning, keeping or harboring such cat.
- B. Prevent such cat from worrying, wounding or killing any other dog or other domestic Animal.
- C. Prevent such cat from becoming a public nuisance.
- D. Prevent such cat, if it is a female and in season, from being off the grounds or property of the person owning, keeping or harboring such dog.
- E. Prevent such cat from soiling, defiling or defecating on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place where people congregate or walk or upon any public property whatsoever and upon any private property without the permission of the owner of said property. Any person responsible under this code for such cat who defecates at the aforesaid locations shall immediately and in a sanitary fashion remove and dispose of all feces deposited by such cat in a sealed nonabsorbent leakproof container.

6.09.080 Cats—Public nuisance when.

A cat shall be considered a public nuisance if it has no known owner or if it has no known place of care or shelter or if it habitually trespasses upon or damages either private or public property or annoys or harms lawful users or occupants thereof.

6.09.090 Limit on number of dogs and cats in a residence.

Refer to Section 6.08.100: Limit on number of dogs and cats in a residence.

6.09.100 Impoundment and disposition of certain cats— Notice.

- A. The chief of police/chief law enforcement officer or the animal control officer appointed by the township committee shall take into custody and impound or cause to be taken into custody and impounded and thereafter destroyed or disposed of as provided in this chapter:
1. Any cat on the premises of the person owning, keeping or harboring said cat without a current registration tag on its collar or harness.
 2. Any cat off the premises of the person owning, keeping or harboring said cat without a current registration tag on its collar or harness.
 3. Any female cat in season off the premises of the person owning, keeping or harboring said cat.
 4. Any cat, whether licensed or not, that shall be found running at large upon any public street or other public place at any time, or that shall be found at any time doing any of the other things prohibited in Section 6.09.070 of this chapter and which the person owning, keeping or harboring said cat is required by this chapter to prevent.
- B. If any cat so seized wears a collar or harness having inscribed thereon or attached thereto the name and address of any person or a registration tag, or the owner or the person keeping or harboring said cat is known, the chief of police/chief law enforcement officer or animal control officer or any person authorized by him/her in that behalf, shall forthwith serve on the person whose address is given on the collar or harness or on the owner or person keeping or harboring said cat, if known, a notice in writing stating that the cat has been seized and will be liable to be disposed of or destroyed if not claimed within seven days after the service of the notice.
- C. A notice under this section may be served:
1. By delivering it to the person on whom it is to be served.
 2. By leaving it at such person's usual or last known place of abode or at the address shown on the collar or harness.
 3. By forwarding it by mail addressed to such person at his usual or last known place of abode or to the address shown on the collar or harness.
- D. When any cat so seized has been detained for seven days after notice, when notice can be given as above set forth, or has been detained for seven days or seizure when no notice has been given as above set forth, and if the owner or person keeping or harboring said cat has not claimed said cat and paid all expenses incurred by reason of its detention, including maintenance costs as set by resolution or contract by the township committee, and if said cat be unlicensed at the time of seizure and the owner or person keeping or harboring said cat has not produced a license and registration tag for said cat, the chief of police/chief law enforcement officer, township administrator or the animal control officer may cause said cat to be destroyed in a matter causing as little pain as possible.

6.09.110 Cat Bite or Scratch —Quarantine— Release authorization.

When a cat has attacked, bitten and injured a human being, the chief of police/chief law enforcement officer or animal control officer shall impound the cat for a period of ten days or may order the owner of the cat to quarantine the cat on the owner's premises or in a veterinary clinic for ten days. At the end of the aforesaid ten-day period, any cat under impoundment or quarantine shall be examined by a licensed veterinarian who shall ascertain that the cat is free of rabies and shall issue a certificate to that effect, which certificate must be presented to the local board of health or animal control officer before the cat can be released from impoundment or quarantine. A copy of the said certificate shall be provided by the local board of health to each person bitten or otherwise injured by the cat. The owner shall be responsible for reimbursement of any costs borne by the township with respect to the cat's impoundment, quarantine and examination by a veterinarian (including the issuance of a certificate, as aforesaid). A cat which is found to be rabid or who is not reclaimed at the end of the period of impoundment or quarantine may be disposed of humanely by order of the chief of police/chief law enforcement officer or the animal control officer.

6.09.120 Right of entry.

Any officer or agent authorized or empowered to perform any duty under this chapter is hereby authorized to go upon any premises to seize for impounding any cat which he may lawfully seize and impound when such officer is in immediate pursuit of such cat or cats, except upon the premises of the owner of the cat if said owner is present and forbids the same.

6.09.130 Interference with officers prohibited.

No person shall hinder, molest or interfere with anyone performing any duty which he is authorized or empowered to perform under this chapter.

6.09.140 Humane treatment required.

Any person who shall own, keep or harbor a cat shall provide it with proper and adequate food and water, proper shelter and protection from the weather and with humane care and treatment. No person shall inhumanely beat, ill-treat, torment or otherwise abuse a cat.

6.09.150 Township policy.

It is declared to be policy of the township to:

- A. Provide a central agency for the rapid reuniting of lost cats and their owners.
- B. Provide facilities for the quick removal of unwanted cats from the community.
- C. Enable as many unclaimed cats as possible to be placed in new homes and provide for the humane destruction of unwanted cats.
- D. Provide clean, comfortable shelter and adequate food and water for the animals impounded.
- E. Protect the rights of cat owners.
- F. Provide protection of the rights of citizens of the community against careless or thoughtless cat owners.

6.09.160 Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

NOTICE

The foregoing was introduced by the Edgewater Park Township Committee at its meeting held on August 16, 2011. This ordinance will be consider for adoption of final reading and public hearing to be held on September 20, 2011 at 7:00 PM, or shortly thereafter, and place to which such meeting may be adjourned, in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. At which time and place all persons interested will be given an opportunity to be heard concerning said Ordinance. 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 to the members of the general public who shall request the same.

Linda M. Dougherty, R.M.C.,
Municipal Clerk/Administrator