

Title 6

ANIMALS

Chapters:

6.04 Animals Generally

6.08 Domestic Animals

6.12 Kennels, Pet Shops, Shelters and Pounds Chapter 6.04

ANIMALS GENERALLY

Sections:

6.04.010	Permit required.
6.04.020	Application.
6.04.030	Fee—Expiration.
6.04.040	Enclosure required.
6.04.050	Enclosure to be kept clean.
6.04.060	Construction of corral.
6.04.070	Animals to be confined when unattended.
6.04.080	Limitations on size of land tract and number of animals.
6.04.090	Homing pigeons allowed.
6.04.100	Manure disposal.
6.04.110	Revocation.
6.04.120	Violation—Penalty.

6.04.010 Permit required.

It is unlawful for any person, firm or corporation to own, harbor, keep and maintain any pigeons, fowl, horse, cattle, goat, swine or other domestic or wild animal, excepting cats and dogs, within the limits of the township, without first obtaining a permit therefor from the board of health of the township. (Prior code § 7:10-1)

6.04.020 Application.

Any person, firm or corporation desiring to own, harbor, keep or maintain any pigeons, fowl, horse, cattle, goats, swine or other domestic or wild animal, excepting cats and dogs, shall make an application in writing to the board of health of the township for a permit. Such application shall be made upon forms to be furnished by the board of health and shall set forth the name and address of the applicant, description of the premises to be used by lot and block according to the tax map of the township, and shall illustrate by diagram the land and buildings to be used by the applicant and the relative position of the buildings or corral to be used for the keeping and harboring of the animal or animals, with respect to the boundary lines of the applicant's property and other buildings within said plot or lot and the relative position of all other buildings on lands immediately adjacent on all sides of the land of the applicant. (Prior code § 7:10-2)

6.04.030 Fee—Expiration.

A license fee of two dollars (\$2.00) shall be paid for each permit issued. Such permit shall not be transferable and each such permit issued shall expire on December 31st of each year unless sooner revoked by the board of health. (Prior code § 7:10-3)

6.04.040 Enclosure required.

No permit shall be issued unless the applicant has a completely enclosed building which is

suitable to be used as a stable or coop and a corral to keep and harbor said animal or animals. Any said stable, coop, corral and pen shall be at least fifty (50) feet from the doors or windows of any neighboring residential or business dwelling and at least twelve and one-half (12.5) feet from any neighboring property line. (Prior code § 7:10-4)

6.04.050 Enclosure to be kept clean.

The building, stable, coop, corral and pen shall be kept reasonably clean at all times to prevent offensive odors and accumulation of manure and organic refuse; and the said building, stable or coop shall be kept in good repair, waterproof and free from rats and vermin, and properly ventilated. (Prior code § 7:10-5)

6.04.060 Construction of corral.

The corral shall be constructed in such a manner and of such material to prevent said animal or animals from running at large. (Prior code § 7:10-6)

6.04.070 Animals to be confined when unattended.

Said animal or animals, if left unattended, shall remain confined in said corral, stable or coop. (Prior code § 7:10-7)

6.04.080 Limitations on size of land tract and number of animals.

Crowing roosters, sheep, cattle, goats or swine, shall only be kept upon a farm or tract of land containing at least three acres; and, upon parcels of land less than three acres, no more than twenty-five (25) fowl, or two other animals—except cats or dogs—shall be kept by any one applicant at any one location. (Prior code § 7:10-8)

6.04.090 Homing pigeons allowed.

Registered homing pigeons, without restriction as to number, are allowed within the township—provided all other terms of this chapter be complied with. (Prior code § 7:10-9)

6.04.100 Manure disposal.

All manure, pending disposal, shall be kept or stored in tightly covered metal containers, or in such manner as shall be approved by the health officer or board of health as not to create a nuisance or breed flies. (Prior code § 7:10-10)

6.04.110 Revocation.

Any permit under this chapter may be revoked for any violation of the provisions of this chapter or for any variance from the terms of the application for such permit, or if the premises upon which such pigeons, fowl, horse, cattle, goat, swine or other domestic or wild animal or animals are housed be not kept at all times in a clean and sanitary manner. Notice of intention to consider the revocation of such permits shall be served upon the party named in the application therefor, either by delivering the same to him personally, or by mailing the same to the address given in the application for the permit, at least five days before the considering of such revocation, which notice shall state the time and place when and where the board of health will consider the question of such revocation. The person so notified of the intention to consider revocation, as aforesaid, shall be permitted to enter a defense either personally or through counsel and if the charge made in such notice be established, the board of health may suspend or revoke said permit. (Prior code § 7:10-11)

6.04.120 Violation—Penalty.

Any person, firm or corporation who shall violate any provision of this chapter or fail to comply therewith, shall severally for each and every such violation and noncompliance, forfeit and pay a penalty

of not less than ten dollars (\$10.00) nor more than two hundred dollars (\$200.00). The imposition of a penalty for a violation of this chapter shall not excuse the violation, or permit it to continue; and such violation shall be remedied within a reasonable time. The imposition of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. (Prior code § 7:10-12)

Chapter 6.08

DOMESTIC ANIMALS

Sections:

6.08.010	Definitions.
6.08.020	Dog license and registration fee required.
6.08.030	Dog license and registration tag: fee and expiration—Exception.
6.08.040	Licensing time limits.
6.08.050	Time limit for dogs brought into township.
6.08.060	Annual canvass.
6.08.070	Dogs—General regulations.
6.08.080	Cats—Public nuisance when.
6.08.090	Control of domestic animals.
6.08.100	Limit on number of dogs and cats in a residence.
6.08.110	Impoundment and disposition of certain dogs—Notice.
6.08.120	Vicious or potentially dangerous dogs— Regulation.
6.08.130	Dog bite—Quarantine— Release authorization.
6.08.140	Right of entry.
6.08.150	Interference with officers prohibited.
6.08.160	Humane treatment required.
6.08.170	Township policy.
6.08.180	Violations and penalties.

6.08.010 Definitions.

As used in this chapter:

“Cat” means any member of the feline (*felis catus*) species, regardless of age or sex, and includes those altered.

“Dog” means any member of the canine (*canis familiaris*) species, regardless of age or sex, and includes those altered.

“Domestic animals” means all household pets, including, but not limited to, cats and dogs as defined in this section.

“Person” means a family unit, corporation, partnership or other association.

“Residence” means a dwelling unit used for residential purposes including, but not limited to, detached house, attached, semidetached, townhouse, or cooperative condominium. (Ord. 1-97 (A))

6.08.020 Dog license and registration fee required.

Any person who shall own, keep or harbor a dog of licensing age shall, in the month of January of each year, apply for and procure from the township clerk a license and official metal registration tag for each such dog and shall place on each such dog a collar or harness with said registration tag securely fastened thereto. (Prior code § 4:1-1)

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 six dollars (\$6.00) 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, 1985 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 one dollar (\$1.00) 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. (Prior code § 4:1-2)

6.08.040 Licensing time limits.

The owner of any newly acquired dog of licensing age or any dog which attains licensing age shall make applications for and procure a license and registration tag for such dog within ten days after the acquisition or age attainment. A dog of licensing age shall be any dog which has attained the age of seven 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. (Prior code § 4:1-3)

6.08.050 Time limit for dogs brought into township.

Any person who shall bring a dog into this township from another state shall apply for a license and registration tag for said dog within ninety (90) days after it is brought into this township if it is registered in such other state, and within ten days if it is not registered in such other state. (Prior code § 4:1-4)

6.08.060 Annual canvass.

Promptly after February 1st of each year, a canvass shall be made of all dogs owned, kept or harbored in the township. (Prior code § 4:1-5)

6.08.070 Dogs—General regulations.

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

A. Prevent such dog from running at large upon any public street or other public place at any time;

B. Prevent such dog from being on any public street or other public place at any time unless such dog is accompanied by a person over the age of twelve (12) years and is securely confined and controlled by an adequate leash not more than six feet in length;

C. Prevent such dog from running at large upon the lands of any person, other than the person owning, keeping or harboring such dog, without the consent of the owner of such lands;

D. Prevent such dog 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 dog;

E. Prevent such dog from worrying, wounding or killing any other dog or other domestic animal;

F. Prevent such dog from becoming a public nuisance;

G. Prevent such dog, if it is a female and in season, from being off the grounds or property of the person owning, keeping or harboring such dog;

H. Prevent such dog 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 (other than the blind user of a seeing eye dog) responsible under this code for such dog who defecates at the aforesaid locations shall immediately and in a sanitary fashion remove and dispose of all feces deposited by such dog in a sealed nonabsorbent leakproof container. (Prior code § 4:1-6)

6.08.080 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. (Ord. 1-97(G))

6.08.090 Control of domestic animals.

All premises on which domestic animals are kept must be maintained in a sanitary condition. A public health nuisance shall be deemed to exist in the following unsanitary situations:

A. The keeping of domestic animals in a manner that will foster the breeding of insects or rodents or germination of bacteria or other infectious microbes, any of which may cause disease in animals or humans;

B. The keeping of domestic animals in a manner that will create foul and noxious odors. (Ord. 1-97 (F))

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

A. Not more than six dogs or six cats shall be allowed in any residence. Any residence may contain only a total of six dogs or cats altogether, except that a litter or portion thereof may be kept for a period of five months without a permit issued by the board of health annually in conjunction with the issuance of dog licenses. No cost shall be charged for the permit. 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.

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. (Ord. 1-97(B)—(D): prior code § 4:1-6.1)

6.08.110 Impoundment and disposition of certain dogs— Notice.

A. The director of public safety/chief law enforcement officer or the dog warden 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 dog on the premises of the person owning, keeping or harboring said dog without a current registration tag on its collar or harness;

2. Any dog off the premises of the person owning, keeping or harboring said dog without a current registration tag on its collar or harness;

3. Any female dog in season off the premises of the person owning, keeping or harboring said dog;

4. Any dog, 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 6.08.070 of this chapter and which the person owning, keeping or harboring said dog is required by this chapter to prevent.

B. If any dog 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 dog is known, the director of public safety/chief law enforcement officer or township

administrator, or any person authorized by him 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 dog, if known, a notice in writing stating that the dog 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 in a prepaid letter 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 dog 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 dog has not claimed said dog 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 dog be unlicensed at the time of seizure and the owner or person keeping or harboring said dog has not produced a license and registration tag for said dog, the director of public safety/chief law enforcement officer, township administrator or the dog warden may cause said dog to be destroyed in a matter causing as little pain as possible. (Ord. 1-97(H) (part): prior code § 4:1-7)

6.08.120 Vicious or potentially dangerous dogs—Regulation.

A. The township does incorporate NJSA 4:19-17 et seq. as applicable in this section of the codified ordinances of the township.

B. The owner of a dog which is declared vicious or potentially dangerous shall be responsible for all actual costs and expenses in impounding and destroying the dog, convening the panel, notices and such other administrative functions as may be required to be provided by the township.

C. The license fee for a potentially dangerous dog shall be the sum of seven hundred dollars (\$700.00).

D. Said license shall provide for the issuance of dog registration number and a red identification tag. The last three digits of the registration number shall be the three number code assigned to the township pursuant to the regulations promulgated pursuant to NJSA 4:19-17 et seq. (Ord. 1-97(H) (part): prior code § 4:1-8)

6.08.130 Dog bite—Quarantine— Release authorization.

When a dog has attacked, bitten and injured a human being, the director of public safety/chief law enforcement officer or animal control warden shall impound the dog for a period of ten days or may order the owner of the dog to quarantine the dog on the owner's premises or in a veterinary clinic for ten days. At the end of the aforesaid ten-day period, any dog under impoundment or quarantine shall be examined by a licensed veterinarian who shall ascertain that the dog 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 warden before the dog 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 dog. The owner shall be responsible for reimbursement of any costs borne by the township with respect to the dog's impoundment, quarantine and examination by a veterinarian (including the issuance of a certificate, as aforesaid). A dog 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 director of public safety/chief law enforcement officer or the animal control warden. (Prior code § 4:1-8.1)

6.08.140 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 dog which he may lawfully seize and impound when such officer is in immediate pursuit of such dog or dogs, except upon the premises of the owner of the dog if said owner is present and forbids the same. (Prior code § 4:1-9)

6.08.150 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. (Prior code § 4:1-10)

6.08.160 Humane treatment required.

Any person who shall own, keep or harbor a dog 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 dog. (Prior code § 4:1-11)

6.08.170 Township policy.

It is declared to be policy of the township to:

- A. Provide a central agency for the rapid reuniting of lost dogs and their owners;
- B. Provide facilities for the quick removal of unwanted dogs from the community;
- C. Enable as many unclaimed dogs as possible to be placed in new homes and provide for the humane destruction of unwanted dogs;
- D. Provide clean, comfortable shelter and adequate food and water for the animals impounded;
- E. Protect the rights of dog owners;
- F. Provide protection of the rights of citizens of the community against careless or thoughtless dog owners. (Prior code § 4:1-12)

6.08.180 Violations and penalties.

Any person who violates this chapter shall be subject to a fine of not more than one hundred dollars (\$100.00) for each violation. Each day of a continuing offense shall be considered a separate violation. (Ord. 1-97(E): prior code § 4:1-13)

Chapter 6.12

KENNELS, PET SHOPS, SHELTERS AND POUNDS

Sections:

6.12.010 License required— Application.

6.12.020 Fee.

6.12.010 License required— Application.

A. Any person who keeps or operates or proposes to establish a kennel, a pet shop, a shelter or a pound shall apply to the township clerk or other official designated to license dogs in the township for a license entitling him to keep or operate such establishment.

B. The application shall describe the premises where the establishment is located or is proposed to be located, the purpose or purposes for which it is to be maintained, and shall be accompanied by the written approval of the local municipal and health authorities showing compliance with the local and state rules and regulations governing location of and sanitation at such establishments.

C. All licenses issued for a kennel, pet shop, shelter or pound shall state the purpose for which the establishment is maintained and all such licenses shall expire on the last day of January of each year, and be subject to revocation by the municipality on recommendation of the state department of health or the local board of health for failure to comply with the rules and regulations of the state department or local board governing the same after the owner has been afforded a hearing by either the state department or local board.

D. Any person holding such license shall not be required to secure individual licenses for dogs owned by such establishments; such licenses shall not be transferable to another owner or different premises. (Prior code § 4:2-1)

6.12.020 Fee.

The license fee shall be twenty-five dollars (\$25.00) per annum for said license. (Prior code § 4:2- 2)