

CHAPTER XI ANIMAL CONTROL

See Ch. XIX, Section 19-2 for habitat protection within Woodbridge Waterfront Park.

11-1 DEFINITIONS.

11-1.1 Words and Phrases Defined.

As used in this chapter.

Cat shall mean all cats over the age of six (6) months.

Dog shall mean any male or female dog, bitch or spayed bitch.

Dog of licensing age shall mean any dog which has attained the age of seven (7) months or which possesses a set of permanent teeth, whichever comes sooner.

Domestic animal shall mean any dog, cat or livestock other than poultry.

Owner, when applied to the proprietorship of a dog, cat or other domestic animal, shall mean every person having a right of property in such dog, cat or other domestic animal and every person who harbors or has such dog, cat or domestic animal in his keeping.

Run at large applies to any dog, cat or domestic animal not being physically restrained by the owner which is off and not on the premises of the owner.

(1974 Code § 6-1; Ord. #90-36; Ord. #07-82)

Editor's Note: For municipal authority to regulate or restrict the running at large of dogs, see N.J.S.A. 40:48-1.

For State statutes relating to licensing, tagging, impounding, destruction or disposal of dogs and licensing, keeping and operating of kennels, pet shops and the like, see N.J.S.A. 4:19-15.1 et seq. License fees, registration tag fees and certain costs and expenses incurred for the detention and maintenance of dogs, collected pursuant to this chapter, and fines are turned over and disposed of in accordance with and as provided by law. See N.J.S.A. 4:19-15.11 and 4:19-15.20. See also Lamanna v. Kennedy, 130 N.J.L. 223, 32 A 2d 446 (Sup. Ct. 1943); Blakely v. Moorestown, 3 N.J. Super, 518, 67 A. 2d 330 (Law Div. 1949).

Subsection 2-20.2b,3 provides that the Division of Health, within the Department of Health and Welfare, shall administer any dog ordinances of the Township.

11-2 LICENSING OF DOGS.

11-2.1 License and Registration Tag Required; Placing Tag on Dog; Inoculation Required.

a. Any person who shall own, keep or harbor a dog of licensing age in the Township shall, in the month of January in each year, apply for and procure from the Department of Health and Human Services a license and official metal registration tag for each such dog so owned, kept or harbored and shall place upon each such dog a collar or harness with the registration tag securely fastened thereto.

b. No license and official metal registration tag for any dog shall be granted unless the owner thereof provides evidence that such dog has been inoculated with a rabies vaccine in accord with N.J.S.A. 4:19-15.2a. (P.L. 1973, c. 263, § 1).

c. No more than five (5) dog licenses shall be issued to any residential household.

(1974 Code § 6-2; Ord. #99-75 § 1; Ord. #07-82)

11-2.2 Newly Acquired Dog or Dog Attaining Licensing Age.

The owner of any newly acquired dog of licensing age or of any dog which attains licensing age within ten (10) days after such acquisition or licensing age attainment shall be required to obtain a license and registration tag for each such dog. (1974 Code § 6-3; New; Ord. #07-82)

11-2.3 Exemption from Licensing and Tag Requirements.

Only one (1) license and registration tag shall be required in any licensing year for any dog owned in New Jersey, and such license and tag issued by any other municipality of this State shall be accepted by the Township as evidence of compliance with subsections 11-2.1 and 11-2.5. (1974 Code § 6-4; Ord. #07-82)

11-2.4 Dogs Brought into Township.

a. Any person who shall bring or cause to be brought into the Township any dog licensed in another State for the current year and bearing a registration tag and who shall keep the same or permit the same to be kept within the Township for a period of more than ninety (90) days shall immediately apply for a license and registration tag for each such dog.

b. Any person who shall bring or cause to be brought into the Township any unlicensed dog of licensing age and who shall keep the same or permit the same to be kept within the Township for a period of more than ten (10) days shall immediately thereafter apply for a license and registration tag for each such dog.

(1974 Code § 6-5; Ord. #07-82)

11-2.5 Fees; Expiration Date of License.

a. License and Registration Tag Fees.

1. The person applying for the license and registration tag shall pay to the Department of Health and Human Services a fee of eighteen (\$18.00) dollars for the licensing of each dog, as follows:

Type	Fee
Local registration fee	\$13.80
State registration fee	1.20
Unaltered dog of reproductive age	3.00
Total	<u>\$18.00</u>

2. The fee shall be for each annual renewal. The fee for the license and for the registration tag shall be the same as for the original license and tag. The licenses, registration tags and renewals thereof shall expire annually on January 31. No blank tags will be issued.

3. A late fee of three (\$3.00) dollars will be charged after March 1 of each year for any dog over six (6) months of age that requires a registration tag as per the above.

4. Dogs used as guides for blind persons and commonly known as "seeing eye" dogs, dogs used to assist handicapped persons commonly known as "service dogs" or dogs used to assist deaf persons and commonly known as "hearing ear" dogs shall be licensed and registered as other dogs herein above provided for, except that the owner of such dog shall not be required to pay any fee therefor.

5. Seniors, age sixty-five (65) or older shall pay a reduced yearly "Local Registration Fee" of five dollars and eighty (\$5.80) cents. The State registration fee and unaltered fee and late fee shall remain as stated in paragraphs 1. and 3. above.

(1974 Code § 6-6; Dec. 16, 1975; Ord. #79-31; Ord. #81-77; Ord. #83-34; Ord. #90-36; Ord. #07-82; Ord. #08-90; Ord. #13-61 § 9)

11-2.6 Disposition of Fees.

a. License fees, redemption fees and other moneys collected or received under the provisions of this chapter, except registration tag fees, shall be forwarded to the Municipal Comptroller within thirty (30) days after collection or receipt.

b. Such fees and other moneys shall be placed in a separate account from any of the other accounts of the Township and shall be used only for the purposes permitted

by N.J.S.A. 4:19-15.11.

c. The registration tag fees shall be forwarded by the Township Clerk, within thirty (30) days after collection, to the State Department of Health, as prescribed by N.J.S.A. 4:19-15.11.

(1974 Code § 6-7; Ord. #07-82)

11-2.7 Animal Canvass.

The Department of Health and Human Services of the Township shall make a canvass of all dogs in the Township biennially and make reports thereof as required by N.J.S.A. 4:19-15.15. (1974 Code § 6-8; Ord. #07-82)

11-2.8 Removal of Tag or Attaching to Another Dog Prohibited.

No person, except an officer in the performance of his duties, shall remove a registration tag from the collar of any dog without the consent of the owner, nor shall any person attach a registration tag to a dog for which it was not issued. (1974 Code § 6-9; Ord. #07-82)

11-2.9 Loss of License.

If a license tag has been misplaced or lost the licensing authority may issue a duplicate license and/or registration sleeve for that particular dog at a fee of five (\$5.00) dollars. (Ord. #07-82)

11-2.10 Rabies Vaccination Required.

a. No person shall own, keep, harbor or maintain any dog over seven (7) months of age within the Township unless the dog is vaccinated and licensed. The provisions of this section do not apply to dogs held in a kennel, or those held by a State or Federal licensed research facility or a veterinary establishment where dogs are received or kept for diagnostic, medical, surgical, or other treatments or licensed animal shelters, pounds, kennels or pet shops.

b. Vaccination. All dogs shall be vaccinated against rabies by a licensed veterinarian in accordance with the latest "Compendium of Animal Rabies Vaccines and Recommendations for Immunization" published by the National Association of State Public Health Veterinarians, except as provided for in paragraph d. below.

c. Vaccination Certificate. A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form recommended by the State.

d. Exemptions. Any dog may be exempted from the requirements of such vaccination for a specified period of time by the Director of the Department of Health and Human Services upon presentation of a veterinarian's certificate stating that because of an infirmity or other physical condition, or regimen of therapy, the inoculation of the dog shall be deemed inadvisable.

(Ord. #07-82)

11-3 ATTACK AND GUARD DOGS.

11-3.1 Definitions.

As used in this section:

Attack dog shall mean any dog or canine trained to attack persons entering an area except for the trainer of such guard dog or canine.

Guard dog shall mean any dog or canine trained to attack a person at the command or instruction of a trainer.

Trainer shall mean any person who trains or owns an attack or guard dog from whom an attack or guard dog takes commands or instructions.

(1974 Code § 6-51; Ord. #84-59 § I; Ord. #07-82)

11-3.2 Registration Required.

a. All persons owning or controlling an attack or guard dog on premises within the Township shall file with the Director of Health a certificate of registration which shall set forth therein the name of the owners and persons in control of such premises and the street address thereof. The registration shall occur within seventy-two (72) hours from the time the dog is brought to the premises. For registering the guard or attack dog and issuing a duplicate thereof, the Director of Health shall receive a fee of twenty-five (\$25.00) dollars for each dog so registered.

b. The Director of Health or his designee shall notify the Police Department, the Board of Fire Commissioners, each fire company and each first aid squad servicing the municipality or any part thereof of the fact that an animal has been registered under the provisions of this section.

c. All persons owning or controlling an attack or guard dog shall also secure from the Department of Health and Human Services, a tag indicating that the animal is registered as an attack or guard dog. The tag shall not be issued by the Department of Health and Human Services unless the person owning or controlling the attack or guard dog shall furnish proof that the animal has been inoculated with the rabies vaccine and has been registered with the Director of Health.

d. Failure to register the attack or guard dog and to secure the tag and to have the tag securely fastened to the animal shall be a violation of this section.

(1974 Code § 6-52; Ord. #84-59 § I; Ord. #02-51; Ord. #07-82)

11-3.3 Guard or Security Services; Procedures.

It shall be unlawful for any guard or security service to have upon any premises within the Township any guard or attack dog unless:

a. The guard or attack dog has been registered with the Director of Health and has secured a registration tag as provided for by this section; and

b. The guard or security service has maintained a telephone number to which a call may be placed to a responsible person of the service twenty-four (24) hours per day.

(1974 Code § 6-53; Ord. #84-59 § I; Ord. #02-51; Ord. #07-82)

11-3.4 Posting of Signs.

a. The owner, or other persons in control if not the owner, of all premises upon which attack or guard dogs are maintained, shall post signs stating "Warning: Attack or Guard Dog On Premises."

b. If attack or guard dogs on the premises are owned or maintained thereon by any guard or security service, in addition to the signs required by paragraph a. above, the following information shall be posted: name of the service; address of the service; telephone number at which a responsible party of the service can be reached; and name and address of owner or person in control of the premises. Nothing herein shall be construed so as to prevent the sign required by this paragraph to be a single sign provided all the information by paragraphs a. and b. are contained therein.

c. All signs required by this section shall be posted on, over or next to all exterior doors, and at least one (1) such sign shall be posted at each driveway or entrance to the premises.

d. All signs required by this section shall contain lettering clearly visible from the lesser of the curblineline or fifty (50) feet and shall also be illuminated so as to be visible at night.

(1974 Code § 6-54; Ord. #84-59 § I; Ord. #07-82)

11-3.5 Violations and Penalties.

a. Any person violating the provisions of this section shall be liable to the penalty stated in Chapter I, Section 1-5.

b. Each day that a guard or attack dog is maintained upon any premises in the Township without registration and/or tag shall constitute a separate offense.

c. Each day that a sign required by this section is not maintained shall constitute a separate offense.

d. Notwithstanding the penalties hereinabove provided for the violation of this section, the Township shall be entitled to pursue any other remedies available at law or

11-4 LICENSING OF CATS.

11-4.1 Definitions.

As used in this section:

Animal Control Authority shall mean the Health Officer and his designee or any person or agency designated or certified by the State of New Jersey to enforce the provisions of this section.

Cat shall mean any member of the domestic feline species, male, female or altered.

Cat of licensing age shall mean any cat which has attained the age of seven (7) months, or which possesses a set of permanent teeth, whichever comes sooner.

Cattery shall mean any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein cats for sale are kept or displayed.

Licensing authority shall mean the Woodbridge Township Department of Health and Human Services or any designated representative thereof charged with administering the issuance and/or revocation of permits and licenses under the provisions of this section.

Neutered shall mean a cat rendered permanently incapable of reproduction as certified by a licensed veterinarian.

Owner, when applied to the proprietorship of a dog, cat or other domestic animal, shall mean every person having a right of property in such dog, cat or other domestic animal and every person who harbors or has such dog, cat or other domestic animal in his keeping.

Person shall mean any individual, corporation, partnership, organization, or institution commonly recognized by law as a unit.
(Ord. #91-37 § 6-56; Ord. #07-82)

11-4.2 Rabies Vaccination Required; Exceptions.

a. No person shall own, keep, harbor or maintain any cat over seven (7) months of age within the Township unless the cat is vaccinated and licensed. The provisions of this section do not apply to cats held in a cattery, or those held by a State or Federal licensed research facility or a veterinary establishment where cats are received or kept for diagnostic, medical, surgical, or other treatments or licensed animal shelters, pounds, kennels or pet shops.

b. Vaccination. All cats shall be vaccinated against rabies by a licensed veterinarian in accordance with the latest "Compendium of Animal Rabies Vaccines and Recommendations for Immunization" published by the National Association of State Public Health Veterinarians, except as provided for in paragraph d. below.

c. Vaccination Certificate. A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form recommended by the State.

d. Exemptions. Any cat may be exempted from the requirements of such vaccination for a specified period of time by the Director of the Department of Health and Human Services, upon presentation of a veterinarian's certificate stating that because of an infirmity or other physical condition, or regimen of therapy, the inoculation of the cat shall be deemed inadvisable.

(Ord. #91-37 § 6-57; Ord. #07-82)

11-4.3 License Required; Not Transferable.

a. Cats Must Have a License Number Displayed. Any person who shall own, keep, or harbor a cat of licensing age shall annually apply for and procure from, the licensing authority, a license and official registration tag with license numbers, or a registration sleeve for such cat so owned, kept or harbored, and shall place upon such cat a collar or other device with the license number securely fastened or displayed thereto. Acceptable methods of displaying license number shall include, but are not limited to, breakaway or elastic collars. License tags or sleeves are not transferable.

b. Time for Applying for License. The owner of any newly acquired cat of licensing age or any cat which attains licensing age, shall make application for license tag or sleeve for such cat within ten (10) days after such acquisition or age attainment. This requirement will not apply to a nonresident keeping a cat within the Township for no longer than ninety (90) days.

c. Cats Brought into Jurisdiction. Any person who shall bring, or cause to be brought into the Township any cat licensed in another State for the current year, and bearing registration tag or sleeve, and shall keep the same or permit the same to be kept within the Township for a period of ninety (90) days shall immediately apply for a license and registration tag or sleeve for each cat. Any person who shall bring or cause to be brought into the Township any unlicensed cat, and shall keep same, or permit same be kept within the Township for a period of more than ten (10) days, shall immediately apply for a license and registration tag or sleeve for each such cat.

d. No more than five (5) cat licenses shall be issued to any residential household.

(Ord. #91-37 § 6-58 A-C; Ord. #99-75 § 2; Ord. #07-82)

11-4.4 Application; Contents; Preservation of Information.

The application shall state the breed, sex, age, color and markings of the cat for which license and registration are sought, and whether it is of a long- or short-haired variety, also the name, street, and Post Office address of the owner, and the person who shall keep or harbor such cat. The information on the application and the registration number issued for the cat shall be preserved for a period of three (3) years by the licensing authority designated to license cats in the Township. (Ord. #91-37 § 6-58D; Ord. #07-82)

11-4.5 License Forms and Tags.

License forms and official tags or sleeves shall be furnished by the Township and shall be numbered serially and shall bear the year of issuance and the name of the Township. (Ord. #91-37 § 6-58E; Ord. #07-82)

11-4.6 Evidence of Inoculation Required; Certificate of Exemption.

The Department of Health and Human Services or the licensing authority shall not grant any such license and official registration tag or sleeve for any cat, unless the owner therefor provides evidence that the cat to be licensed and registered has been inoculated with a rabies vaccine of a type approved by and administered in accordance with the recommendations of the United States Department of Agriculture and the United States Department of Human Services or has been certified exempt as provided by subsection 11-4.2. The rabies inoculation shall be administered by a duly licensed veterinarian or by such other veterinarian permitted by law to do the same. (Ord. #91-37 § 6-58F; Ord. #07-82)

11-4.7 License Fee Schedule.

A license shall be issued after payment of a fee of twelve (\$12.00) dollars for each cat. If the cat is unaltered there shall be an additional fee of ten (\$10.00) dollars. Persons who fail to obtain a license as required within the time period specified in this section will be subject to a delinquent fee of three (\$3.00) dollars. (Ord. #91-37 § 6-58G; Ord. #07-82)

11-4.8 Fees for Renewals; Expiration of License.

Only one (1) license and registration tag or sleeve shall be required in the Township. Licenses from another municipality shall be accepted. Any valid New Jersey license tag or sleeve issued by a New Jersey municipality shall be accepted by this Township as evidence of compliance.

a. License and Registration Tag Fees.

1. The person applying for the license and registration tag shall pay to the Department of Health and Human Services a fee of twenty-two (\$22.00) dollars for the licensing of each cat, unless the cat is altered, as follows:

Type	Fee
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Local registration fee	\$12.00
Unaltered cat of reproductive age	10.00
Total	<u>\$22.00</u>

2. The fee shall be for each annual renewal. The fee for the license and for the registration tag or sleeve shall be the same as for the original license and tag. The licenses, registration tags and renewals thereof shall expire annually on September 30. No blank tags will be issued.

3. A late fee of three (\$3.00) dollars will be charged after November 1 of each year for any cat over seven (7) months of age that requires a registration tag as per the above.

4. Seniors, age sixty-five (65) or older shall pay a reduced yearly "Local Registration Fee" of six (\$6.00) dollars. The unaltered cat of reproductive age fee and the late fee shall remain as stated in paragraphs 1. and 3. above.
(Ord. #07-82; Ord. #08-90)

11-4.9 Loss of License.

If a license tag or sleeve has been misplaced or lost the licensing authority may issue a duplicate license and/or registration sleeve for that particular cat at a fee of five (\$5.00) dollars. (Ord. #91-37 § 6-58I; Ord. #07-82)

11-4.10 Proof of License.

Proof of licensing shall be produced by any person owning, keeping, maintaining or harboring a cat, upon the request of any Health Official, Police Officer, Animal Control Officer or other authorized person. (Ord. #91-37 § 6-58J; Ord. #07-82)

11-4.11 Other Regulations.

No person shall hinder, molest, or interfere with any person authorized or empowered to perform any duty under this section. (Ord. #91-37 § 6-58K; Ord. #07-82)

11-4.12 Penalty.

Except as otherwise provided in this section, any person who violates, or fails, or refuses to comply with this section, shall be liable to a penalty of not less than one hundred (\$100.00) dollars nor more than the penalty established in Chapter I, Section 1-5 for each offense, to be recovered by and in the name of the local Board of Health or by and in the name of the Township. (Ord. #91-37 § 6-59; Ord. #07-82)

11-5 SPECIFIC REGULATIONS FOR CONTROL OF ANIMALS.

11-5.1 Running at Large Prohibited.

No owner shall permit or allow any dog, cat or domestic animal to run at large. (1974 Code § 6-10; Ord. #90-36; Ord. #07-82)

11-5.2 Animals to Be Controlled by Capable Person.

No person owning, keeping or harboring any dog, cat or other domestic animal shall suffer or permit it to be upon public streets or in any public place of the Township, unless such dog, cat or other domestic animal is on a leash and accompanied by its owner or other person, sixteen (16) years or older, capable of controlling the dog, cat or other domestic animal. (1974 Code § 6-11; Ord. #90-36; Ord. #07-82)

11-5.3 Barking or Howling; Disturbing Peace and Quiet.

No person shall keep, harbor or maintain any dog which habitually barks, howls, whines or cries between the hours of 10:00 p.m. and 7:00 a.m. or which, by frequent barking, howling, whining or crying, disturbs the peace, comfort or quiet of the neighborhood, thereby creating or maintaining a nuisance. (1974 Code § 6-12; Ord. No. 93-95 § 1; Ord. #07-82)

Editor's Note: For regulations concerning noises as a nuisance, see Section 3-8 of this Code.

11-5.4 Injury to Property Prohibited.

No person owning, keeping or harboring a dog, cat or other domestic animal shall permit or suffer it to do any injury or any damage to any lawn, shrubbery, flowers, grounds or property of another, whether real or personal. (1974 Code § 6-13; Ord. #90-36; Ord. #07-82)

11-5.5 Defecation; Removal of Feces; Enforcement.

a. No person owning or in charge of any dog, cat or other domestic animal shall cause or allow such a dog, cat or other domestic animal to soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, playground, park area or any place where people congregate or walk or upon any public property whatsoever or upon any private property without the permission of the owner of the property.

b. Any person owning or in charge of any dog, cat or other domestic animal which soils, defiles, defecates on or commits any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place where people congregate or walk or upon any public property whatsoever or upon any private property without the permission of the owner of the property shall immediately remove all feces deposited by any such dog, cat or other domestic animal in a sanitary manner.

c. Sanitary methods for removing all feces approved by the local health authority are mechanical devices such as pooch scoops, small shovels and like devices. All feces removed by the person owning, harboring, keeping or in charge of any such dog, cat or other domestic animal shall be disposed of in a sealed, nonabsorbent, leakproof container.

d. The provisions of this subsection shall not apply to blind persons who may use dogs as guides.

e. Any person who violates the provisions of this subsection shall be liable to the penalty stated in Chapter I, Section 1-5. The enforcing officials for this section shall be the Director of Health and Welfare and/or his representatives and the Director of Police and or his representatives.
(1974 Code § 6-14; Ord. #80-47 §§ 1-5; Ord. #90-36; Ord. #07-82)

11-5.6 Vicious Dogs.

The Township hereby adopts and incorporates herein all of the provisions of N.J.S.A. 4:19-1 et seq. as amended and supplemented. (1974 Code § 6-15; Ord. #90-36; Ord. #07-82)

11-5.7 Seizure and Impounding.

The Director of Police, or any member of the Police Department acting under his direction, or any agency authorized or employed for the purpose by the Township shall take into custody and impound or cause to be taken into custody and impounded the following:

a. Any dog, cat or other domestic animal off the premises of the owner or of the person keeping or harboring the dog, cat or other domestic animal, which the Chief or member of the Police Department or agency has reason to believe is a stray dog, cat or other domestic animal.

b. Any dog, cat or other domestic animal off the premises of the owner or of the person keeping or harboring the dog, cat or other domestic animal without a current registration tag on his collar.

c. Any female dog, cat or other domestic animal in season off the premises of the owner or the person keeping or harboring the dog, cat or other domestic animal.

d. Any dog, cat or other domestic animal running at large in violation of subsection 11-5.1.

(1974 Code § 6-16; Ord. #90-36; Ord. #07-82)

11-5.8 Entry Upon Premises for Seizure.

Any officer or agent authorized or empowered to perform any duty under this chapter is authorized to go upon any premises to seize for impounding any dog, cat or other domestic animal which he may lawfully seize and impound when he is in immediate pursuit of such dog, cat or other domestic animal, except upon the premises of the owner of the dog, cat or other domestic animal if the owner is present and forbids the same. (1974 Code § 6-17; Ord. #90-36; Ord. #07-82)

11-5.9 Destruction or Other Disposal of Animals; Grounds; Notice Requirements.

a. If any dog, cat or other domestic animal seized, as provided in subsection 11-5.7, wears a collar or harness having inscribed thereon or attached thereto the name and address of any person, or a registration tag, or if the owner or the person keeping or harboring the dog, cat or other domestic animal is otherwise known, the Director of Police or person designated by him or an agency authorized or employed to perform the duties prescribed in this chapter shall forthwith serve or cause to be served on the person whose address is given on the collar or on the owner or on the person keeping or harboring the dog, cat or other domestic animal, if known, a notice in writing stating that the dog, cat or other domestic animal has been seized and will be liable to be disposed of or destroyed if not claimed within seven (7) days after the service of the notice.

b. The notice referred to in paragraph a. of this subsection may be served either by delivering it to the person on whom it is to be served or by leaving it at the person's usual or last known place of abode or at the address on the collar or by forwarding it by mail addressed to that person at his usual or last known place of abode or to the address given on the collar.

c. When any dog, cat or other domestic animal seized in accordance with subsection 11-5.7 has been detained for seven (7) days after notice, when notice can be given as above set forth, or has been detained for seven (7) days after seizure when notice has not and cannot be given as above set forth, and if the owner or person keeping or harboring the dog, cat or other domestic animal has not claimed the dog, cat or other domestic animal and paid all expenses incurred by reason of its detention, including maintenance not exceeding one (\$1.00) dollar per day and if the dog, cat or other domestic animal be unlicensed at the time of the seizure and the person keeping or harboring the dog, cat or other domestic animal has not produced a license and registration tag for the dog, cat or other domestic animal, the agency may cause the dog, cat or other domestic animal to be destroyed in a manner causing as little pain as possible. Any redemption of a dog, cat or other domestic animal pursuant to the provisions of this subsection shall not be deemed to discharge or release the owner thereof from the penalty prescribed in subsection 11-5.12 hereof for any violation of this chapter.

d. The preceding requirements of paragraphs a., b., and c. of this subsection shall not be deemed applicable when any dog, cat or other domestic animal found running at large or seized and impounded pursuant to subsection 11-5.7 (whether licensed or unlicensed) is vicious or appears to be suffering from rabies. In such case, the Director of Police or any delegated member of the Police Department or agency may forthwith cause the dog, cat or other domestic animal to be destroyed. (1974 Code § 6-18; Ord. #90-36; Ord. #07-82)

11-5.10 Abandonment of Dog, Cats or Other Animals Prohibited.

No person shall abandon any dog, cat or other domestic animal anywhere throughout the confines of the Township of Woodbridge. (Ord. #93-74 § 1; Ord. #07-82)

11-5.11 Humane Treatment Required.

a. Any person who shall own, keep or harbor a dog, cat or other pet 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 beat, ill-treat, torment or otherwise abuse a dog, cat or other pet within the Township, including but not limited to failure to provide prompt veterinary services for an injured or unhealthy animal.

b. No person shall beat, ill-treat, torment, cause intentional injury to or otherwise abuse any animal, wild or domesticated within the Township. Failure to properly trap an animal or failure to properly monitor a set trap which subsequently causes an animal to become ill or die shall be deemed to constitute abuse under this section.

c. No person shall feed an outside cat unless the cat is spayed or neutered.

d. Tethering of Animals. As used in this section:

1. Tethering shall mean the restraining of an animal by the tying to any object or structure, including, without limitation, a house, tree, fence, post, garage, weight or shed, by any means, including, without limitation, rope, cord, leash or running line, but shall not include the use of a leash used to walk the animal or to forms of restraint used in the transportation of an animal.
2. It shall be unlawful for any person to tether, fasten, tie, restrain or cause an unattended dog to be fastened, tied or restrained to houses, trees, fences, garages, stakes or other stationary or highly immobile objects by means of a rope, strap or other physical restraint for the purpose of confinement, except in circumstances where all of the following requirements are satisfied:
 - (a) The tethering is for a total of no more than six (6) hours within a twenty-four (24) hour period, with a maximum of two (2) hours at any one (1) interval and a minimum one (1) hour period between confinements.
 - (b) The tether is attached to the dog by a non-choke type collar, swivels at both ends, and attached to the stationary object by anchors, latches, or similar devices in a manner which the dog is able to move freely and prevents the tether from becoming entangled around the dog or any object so as to limit the dog's freedom within the tethered area or to prevent the dog, or any of its appendages, from becoming entangled by the tether.
 - (c) The tether shall be of a type commonly used for the size of the dog involved.
 - (d) The construction of the tether shall be of a lightweight, yet durable material, shall not exceed twenty (20%) percent of the animal's weight, and may not be thicker than one-eighth (1/8) inch.
 - (e) The tether must be a minimum of fifteen (15) linear feet in length, less than six (6) feet above the ground, and shall remain tangle free.
 - (f) The tethered dog has easy access to potable drinking water, edible food, dry ground, and adequate shade and/or shelter within the tethering area.
 - (g) The tethering area shall be clean, clear of obstructions and/or debris, and no less than one hundred fifty (150) square feet/per dog in total area.
 - (h) The dog, whether used for hunting, farming, breeding, or is an otherwise working dog, is regularly monitored while tethered for the aforementioned period of time.
3. No dog shall be tethered by means of a choke-type, pinch-type, prong-type, or improperly fitting collar.
4. Chains shall be prohibited for use as a tethering device.
5. If there are multiple dogs, each dog shall be tethered separately and in such a manner that the tethers shall not become entangled with each other.
6. No dog shall be tethered within five (5) feet of another person's property, public thoroughfare, and/or right-of-way.
7. No dog shall be tethered in a location in which the tether would allow such dog to reach a potentially dangerous object or obstruction, including, but not limited to, a pool, fence, tree, post, railing, half wall or other object or area that poses a risk of injury or strangulation.
8. No dog shall be tethered in a location where it may be approached by and attacked by another animal or people, without the chance to escape to a protected area.
9. No dog shall be tethered at a vacant structure or premises for any purpose when it is not monitored by a competent adult who is present at the property for the duration of such tethering.
10. Dogs that are not spayed or neutered shall not be tethered for any period of time.
11. No dog that is sick or injured shall be tethered.
12. No dogs shall be tethered between the hours of 10:00 p.m. and 7:00 a.m.

(Ord. No. 2017-20)

e. No animal shall be left outside during snow storms, ice storms or thunderstorms or if the National Weather Service has issued a weather alert or storm warning. (Ord. No. 2017-20)

(Ord. No. 11-14; Ord. No. 2017-20)

11-5.12 Penalty.

Any person who violates any provision of this chapter shall, upon conviction thereof, be subject to the provisions of Section 1-5 of these Revised General Provisions. (1974 Code § 6-19; Ord. #07-82)

11-6 KENNELS, PET SHOPS AND POUNDS.

Editor's Note: For State statute authorizing the licensing and regulation of kennels, pet shops and pounds, see N.J.S.A. 4:19-15.8 et seq. For rules and regulations of State Department of Health, see N.J.A.C. 8:23-3.1 et seq.

11-6.1 Definitions.

As used in this section:

Animal shall mean any animal subject to rabies and other diseases of dogs, cats or other domestic, nondomestic or exotic animals, birds or poultry.

Animal rescue organization shall mean any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.

Cat shall mean a member of the species of domestic cat, Felis Catus.

Dog shall mean a member of the species of domestic dog, Canis Familiaris.

Grooming establishment shall mean any facility, whether mobile or stationary that washes, clips or trims dogs and cats, but where such animals may or may not be kept overnight.

Kennel shall mean any establishment wherein or whereon the business of boarding or breeding dogs for sale is carried on, except a pet shop.

Offer for sale shall mean to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

Pet shop shall mean a retail establishment, or part of an establishment, where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include a kennel, shelter or animal rescue organization, as defined.

Pound shall mean an establishment for the confinement of animals seized under the provisions of this section or otherwise.

Shelter shall mean any establishment maintained by or under contract with any State, County, or municipality where animals are received, housed or distributed and whose mission and practice is, in whole or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

(1974 Code § 6-20; Ord. #90-36; Ord. #02-52; Ord. #07-82; Ord. No. 2017-37)

11-6.2 License Required; License Application.

- a. No person shall operate or maintain a kennel, pet shop, pound, shelter or grooming establishment without first obtaining a license. (1974 Code § 6-21; Ord. #07-82)
- b. The application for license shall describe the premises where the establishment is located or is proposed to be located and the purpose or purposes for which it is to be maintained and shall be accompanied by the written approval of the Department of Health and Human Services showing compliance with the local and State rules and regulations governing the location and sanitation of such establishments and the establishment shall be in compliance with this section. The application shall have annexed thereto blueprints of the building showing the site and plans of the premises and building and grounds. (1974 Code § 6-22; Ord. #07-82)

(Ord. No. 2017-37)

11-6.3 Restrictions on the Sale of Animals.

- a. A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:
 1. An animal shelter facility; or
 2. An Animal rescue organization.
- b. A pet shop shall not offer for sale a dog or cat that is younger than eight (8) weeks old.

(Ord. No. 2017-37)

11-6.4 License Fees; Exemption for Shelter or Pound.

- a. The annual license fee for a kennel, for-profit shelter or pound shall be one hundred fifty (\$150.00) dollars.
- b. The annual license fee for a pet shop shall be one hundred fifty (\$150.00) dollars.
- c. The annual license fee for a grooming establishment shall be one hundred (\$100.00) dollars.
- d. No fee shall be charged for a nonprofit shelter or pound.
- e. In the event more than one (1) category applies for the establishment, the licensee shall be charged the highest fee.

(1974 Code § 6-23; Ord. #90-36; Ord. #02-52; Ord. #07-82)

11-6.5 Issuance of License; Expiration Date.

- a. The Department of Health and Human Services shall issue the license upon payment of the fee therefor as provided in subsection 11-6.4.
- b. All licenses issued hereunder shall expire annually on January 31.

(1974 Code § 6-24; Ord. #07-82)

11-6.6 List of Licensed Establishments Forwarded to State Department of Health.

The Township Clerk shall forward to the State Department of Health a list of all kennels, pet shops, shelters and private pounds licensed within thirty (30) days after the licenses therefor are issued, which list shall include the name and address of the licensee and the kind of license issued. (1974 Code § 6-25; Ord. #07-82)

11-6.7 Individual Dog Licenses Not Required; Dogs Off Premises.

- a. Any person holding a license under this section shall not be required to secure individual licenses for dogs owned by him and kept at such establishment; such licenses shall not be transferable to another owner or different premises.
- b. No dog kept in a kennel, pet shop, shelter or pound shall be permitted off such premises, except on a leash or in a crate or other safe control.

(1974 Code § 6-26; Ord. #07-82)

11-6.8 Standards of Operation.

No person shall operate or maintain such a kennel, pet shop, pound, shelter or grooming establishment except in accordance with the following standards and according to the following rules and regulations:

- a. The size, location and sanitary facilities of secure enclosures and run areas connected thereto in kennels, pet shops and shelters shall be such that dogs and other animals cannot cause a nuisance.
- b. Buildings used for kennels, pet shops, grooming establishments and shelters shall comply in all respects with the Building and Zoning Codes of the Township.

Editor's Note: See Chapter XVII, Building and Housing and Chapter 150, Land Use and Development.

c. All secure enclosures shall be constructed of light-colored material. The floors of secure enclosures shall have a concrete steel-trowelled base or other smooth, impervious base approved by the Department of Health and Human Services and shall be pitched to provide proper subsurface septic system or sanitary sewer line, if available.

d. The buildings used for kennels, pet shops, pounds and shelters shall at all times have running hot and cold potable water, be maintained at a minimum temperature of fifty-five (55°F) degrees Fahrenheit; have facilities for washing and sanitizing utensils in a manner approved by the Department of Health and Human Services; have windows and doors to provide adequate ventilation and which are screened so that the premises are free from insects and foul odors.

e. Shelters and pounds shall have a room or rooms for segregating dogs or other animals to provide for the following circumstances:

1. Dogs and other animals that are diseased or which have been exposed to disease.
2. Dogs and other animals that are ill-tempered.
3. Dogs and other animals which have had contact with a known or suspected rabid animal.

f. Facilities for the humane destruction of dogs or other animals and the disposal of carcasses shall be approved by the Department of Health and Human Services.

g. Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin and insects. Adequate refrigeration shall be provided for supplies of perishable food which will maintain a temperature not in excess of fifty (50°F) degrees Fahrenheit.

h. Provision shall be made for the removal and disposition of animal and food wastes, bedding and debris. Disposal facilities shall be so provided and operated as to minimize insect and vermin infestation, odors and disease hazards.

i. Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in these rules and regulations. Premises shall remain free of accumulations of trash. Insects, ectoparasites and avian and mammalian pests shall be controlled effectively.

(1974 Code § 6-27; Ord. #07-82)

11-6.9 Facilities; General.

a. Housing facilities for animals shall be structurally sound and shall be maintained in good repair, to protect the animals from injury, to contain the animals, to restrict the entrance of other animals; and location, construction, arrangement and operation shall not constitute a nuisance.

b. Reliable and adequate electric power, if required to comply with other provisions of these rules and regulations, and adequate potable water shall be available.

c. Supplies of food and bedding shall be stored in facilities which adequately protect against infestation or contamination by vermin. Refrigeration shall be provided for supplies of perishable food.

d. Provision shall be made for the removal and disposal of animal and food wastes, bedding, dead animals and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors and disease hazards.

e. Facilities, such as washrooms, basins or sinks shall be provided to maintain cleanliness among animal caretakers.

f. Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in these rules and regulations. Premises shall remain free of accumulations of trash. Insects, ectoparasites and avian and mammalian pests shall be controlled effectively.

(1974 Code § 6-28; Ord. #07-82)

11-6.10 Facilities; Indoor.

a. Indoor animal facilities shall be provided for all pet shops, shelters and pounds. Kennels must also have indoor facilities, except for animals which are acclimated.

b. Indoor housing facilities for animals shall be sufficiently heated when necessary to protect the animals from cold and to provide for their health and comfort. In the case of dogs or cats, the ambient temperature shall not be allowed to fall below fifty (50°F) degrees Fahrenheit, unless the animals are acclimated to lower temperatures.

c. Indoor housing facilities for animals shall be adequately ventilated to provide for the health and comfort of the animals at all times. Such facilities shall be provided with fresh air either by means of windows, doors, vents or air conditioning and shall be ventilated so as to minimize drafts, odors and moisture condensation. Auxiliary ventilation, such as exhaust fans and vents or air conditioning, shall be provided when the ambient temperature is eighty-five (85°F) degrees Fahrenheit or higher.

d. Indoor housing facilities for animals shall have ample light, by natural or artificial means, or both, of good quality and well distributed. Such lighting shall provide uniformly-distributed illumination of sufficient light intensity to permit routine inspection and cleaning during the entire working period.

e. Primary enclosures shall be so placed as to protect the animals from excessive illumination.

f. The interior building surfaces of indoor housing facilities shall be constructed and maintained so that they are substantially impervious to moisture and may be readily cleaned.

g. A suitable method shall be provided to eliminate rapidly excess water from indoor housing facilities. Drains, when used, shall be properly constructed and kept in good repair to avoid foul odors therefrom. Closed drainage systems, when used, shall be equipped with traps and so installed as to prevent any backup of sewage into the floor of the room.

(1974 Code § 6-29; Ord. #07-82)

11-6.11 Facilities; Outdoor.

a. When sunlight is likely to cause overheating or discomfort, sufficient shade shall be provided to allow animals kept outdoors to protect themselves from the direct rays of the sun.

b. Animals kept outdoors shall be provided with access to shelter to allow them to remain dry during rain or snow.

c. Shelter shall be provided for animals kept outdoors when the atmospheric temperature falls below fifty (50°F) Fahrenheit. Sufficient clean bedding material or by other means of protection from the weather elements shall be provided when the ambient temperature falls below that temperature to which an animal is acclimated.

d. A suitable method shall be provided to drain surface water rapidly.

(1974 Code § 6-30; Ord. #07-82)

11-6.12 Primary Enclosures.

a. A primary enclosure is any structure used to restrict an animal or animals to a limited amount of space, such as a room, pen, run, cage or compartment.

b. Primary enclosures shall be structurally sound and maintained in good repair so as to:

1. Contain the animals.
2. Protect animals from injury.
3. Keep predators out.
4. Enable animals to remain dry and clean.
5. Permit animals convenient access to food and water as required in these rules and regulations.
6. Provide sufficient space for each animal to turn about freely and to stand, sit and lie in a comfortable normal position.

c. In addition to the other provisions of this subsection, each dog in any primary enclosure shall be provided a minimum square footage of floor space equal to the mathematical square of the sum of the length of the dog in inches, as measured from the tip of its nose to the base of its tail, plus six (6) inches, expressed in square feet.

d. Animals housed in the same primary enclosure shall be maintained in compatible groups, with the following additional restrictions:

1. Females in season (estrus) shall not be housed in the primary enclosure with males, except for breeding purposes, unless otherwise requested by the owner.

2. Any animal exhibiting a vicious disposition shall be housed in a primary enclosure.

3. Immature animals shall not be housed in the same primary enclosure with adults other than their mothers, except when permanently maintained in breeding colonies.

(1974 Code § 6-31; Ord. #07-82)

11-6.13 Feeding and Watering.

a. Animals shall be fed at least once each day except as otherwise might be required to provide adequate care.

b. The food shall be free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animals.

c. Immature animals shall be fed in accordance with generally accepted procedures.

d. Containers of food shall be accessible to animals and shall be located so as to minimize contamination by excreta.

e. Feeding pans shall be durable and kept clean.

f. Disposable food receptacles may be used but must be discarded after each feeding.

g. Self-feeders may be used for the feeding of dry food and they shall be cleaned regularly to prevent molding, deterioration or caking of feed.

h. If potable water is not accessible to the animals at all times, potable water shall be offered to animals at least twice daily, for periods of not less than one (1) hour except as might otherwise be required to provide adequate care. Receptacles for such purposes shall be kept clean at all times.

(1974 Code § 6-32; Ord. #07-82)

11-6.14 Sanitation.

a. Excreta shall be removed from primary enclosures as often as necessary to prevent contamination of the animals contained therein and to reduce disease hazards and odors. When a hosing or flushing method is used for cleaning, any animal contained therein shall be removed from such enclosures during the cleaning process, and adequate measures shall be taken to protect the animals in other such enclosures from being contaminated with water and other wastes.

b. Pet litter and/or bedding shall be changed as often as required to maintain good sanitary conditions but not less than once each day.

c. All pet cages shall be maintained in a clean and sanitary condition continually.

d. All pet cages and grids shall be cleaned with an appropriate disinfectant at least once each day.

e. Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury and disease, to facilitate the prescribed sanitary practices as set forth in these rules and regulations, and to prevent nuisances.

f. An effective program for the control of insects, ectoparasites, and avian and mammalian pests shall be established and maintained.

(1974 Code § 6-33; Ord. #07-82)

11-6.15 Disease Control.

a. Programs of disease control and adequate health care shall be established and maintained under the supervision and assistance of a doctor of veterinary medicine.

b. Each animal shall be observed daily by the animal caretaker in charge or by someone under his direct supervision. Sick, diseased, injured, lame or blind animals shall be provided with veterinary care or humanely disposed of unless such action is inconsistent with the purposes for which such animal was obtained and is being held; provided, however, that this provision shall not affect compliance with N.J.S.A. 4:19-15.16, which requires the holding for seven (7) days of all stray dogs.

c. Any animal under quarantine or treatment for a communicable disease shall be separated from other animals in order to minimize dissemination of such disease.

d. Any person operating or employed at a kennel, pet shop, shelter or pound who observes an animal which he suspects of being rabid shall at once notify by telephone or telegraph the Executive Officer of the local Department of Health and Human Services or the State Department of Health and segregate such animal for a period of ten (10) days unless examined and released on the written statement of a veterinarian.

e. All employees of a kennel or pet shop shall be tutored by a licensed veterinarian of the State of New Jersey in the methods of proper examination of canines received by them, such tutoring program to involve a specific disease and defect detection system.

f. Within twenty-four (24) hours after receipt by a pet shop or a kennel, canines shall be examined by properly trained employees to determine any defects or disease.

g. A chart shall be maintained for each canine received by a pet shop or kennel indicating the examination conducted, the date thereof and the results of such examination and the chart shall be maintained for a period of at least one (1) year.

h. A fecal sample of each canine received by each pet shop or kennel shall be taken and a record of the examination thereof shall be indicated on the chart aforesaid.

i. Newly received canines shall be subjected to examination within twenty-four (24) hours after receipt and shall be separated into categories of acceptable health, questionable health and rejectionable health.

j. A licensed veterinarian of the State of New Jersey shall visit the pet shop or kennel premises at least once each week and will examine all canines received since the prior visit and record the facts of such examinations on the respective canine charts.

k. All canines placed in the preliminary examination within the questionable or the rejectionable health category shall be examined by a licensed veterinarian prior to sale.

l. All newly received canines shall be administered measles vaccine and D.H.L. vaccine or D.M. vaccine within one (1) day of receipt by a pet shop or kennel and a record thereof shall be placed upon the charts for the respective canines.

(1974 Code § 6-34; Ord. #07-82)

11-6.16 Holding and Receiving of Animals.

a. Steps in the protection of the public from rabies infection include:

1. Impounded animals must be kept alive for seven (7) days to give opportunity for rabies disease surveillance and opportunity for owner to reclaim.

2. A dog or cat which has bitten a human may be kept alive and observed for ten (10) days following the bite if the owner of the animal so desires.

3. A dog or cat that is not wanted or any other animal which has bitten a human should be sacrificed for laboratory examination for rabies. The specimen to be submitted is the head of a small animal such as dog, cat, or mouse, the brain of a large animal such as a horse, cow or sheep, or an entire bat. The specimen should be delivered by messenger to the State Department of Health Laboratory, Health Agriculture Building, John Fitch Plaza, Trenton.

4. Animals brought in for elective destruction may not be killed until the person in charge of the facility has determined the animal is not a stray and that the person requesting the animal's destruction is its owner or a representative of the owner, and the animal has not bitten a human being within ten (10) days or evidenced other aggressive tendencies compatible with symptoms suspicious of rabies. If the animal has bitten a human being within ten (10) days, an appropriate specimen shall be delivered to the laboratory under the provisions of paragraph 3. above.

5. The person in charge of the facility shall keep a record of evidence submitted in support of paragraph 4. for a period of one (1) year.

b. Each shelter or pound shall post a sign establishing specific hours during which persons will be permitted to enter the facility to look at animals and records for the purpose of seeking animals that are missing:

1. The sign must be clearly visible from the outside.

2. The hours must be at least one (1) hour each business day.

3. The person who is searching for a missing animal shall identify himself by presenting a driver's license or other acceptable identification document.

4. The person who is searching for a missing animal shall furnish to the shelter or pound a written description of the missing animal and a license for any dog which

has attained the age of seven (7) months which possesses a set of permanent teeth, or a bill of sale or other proof of ownership of a younger dog or other animal.

5. The person who is searching for a missing animal shall abide by all reasonable security measures required by the shelter or pound to prevent the spread of disease.

(1974 Code § 6-35; Ord. #07-82)

11-6.17 Transportation.

a. Vehicles used in transporting animals shall be mechanically sound and equipped to prevent hazards to the health of all animals being transported.

b. The animal cargo space of all vehicles shall be so constructed and maintained as to prevent the ingress of exhaust from the vehicle's engine.

c. Primary enclosures used to transport animals, such as compartments or transport cages, cartons, or crates, shall be well-constructed and well-ventilated and transported to protect the health and insure the safety of the animals. Such enclosures shall be constructed or positioned in the vehicle in such a manner that:

1. Each animal in the vehicle has access to sufficient fresh air for normal breathing.

2. The opening of such enclosures are easily accessible at all times for emergency removal of the animals.

3. The animals are afforded adequate protection from the elements. The temperature within such enclosures shall not be allowed to exceed eighty-five (85°F) degrees Fahrenheit or fall below forty-five (45°F) degrees Fahrenheit for a period of more than four (4) hours, provided, however, that at no time may an animal be transported for longer than one (1) hour at a temperature of more than ninety-five (95°F) degrees Fahrenheit or less than thirty-five (35°F) degrees Fahrenheit.

d. Animals transported in the same primary enclosure shall be maintained in compatible groups, and any animal exhibiting a vicious disposition shall be transported individually in a primary enclosure. Further, any female animal shall not be transported in the same primary enclosure with any male animal unless otherwise requested by the owner.

e. Primary enclosures used to transport animals shall be large enough to insure that each animal contained therein has sufficient space to turn about freely, to stand erect and lie in a natural position.

f. Animals shall not be placed in primary enclosures over other animals in transit unless each enclosure is fitted with a floor of a material which prevents animal excreta from entering lower enclosures.

g. Primary enclosures used to transport animals shall be maintained in a clean and sanitary condition.

h. It shall be the responsibility of the attendant or driver to inspect the animals to determine whether they need emergency veterinary care, and if so, to obtain such care from a doctor of veterinary medicine at the earliest opportunity.

(1974 Code § 6-36; Ord. #07-82)

11-6.18 Records and Administration.

a. Each person in charge of a kennel, pet shop, shelter or pound shall be responsible for compliance with these rules and regulations.

b. There shall be kept at each kennel, pet shop, shelter or pound a record of all animals received and/or disposed of. Such record shall state the date each animal was received, description of animal, license number, breed, age and sex; name and address of person from whom acquired; date killed and method, or name and address of person to whom sold or otherwise transferred.

c. These records shall be kept at the premises for twelve (12) months after the date the animal is killed or removed from the establishment and shall be available to any agent of the Township, the Department of Health and Human Services, or the State Department of Health.

d. Except as otherwise provided in this section, no kennel, pet shop, shelter or pound shall, within one (1) year from the making thereof, destroy or dispose of any books, records, documents or other papers required to be maintained under these rules and regulations.

e. The records required to be maintained under these rules and regulations shall be held for such period in excess of the one (1) year period specified in paragraph c. of this subsection as may be required to comply with any Federal, State or local law. When the Division of Health or local regional Health Department or the State Department of Health notifies a kennel, pet shop, shelter or pound in writing that specified records shall be retained pending completion of an investigation or proceeding such facility shall hold such records until their disposition is authorized by the local or regional agency or the State Department of Health.

f. A licensee shall promptly notify the licensing agency of any change in his name and address, or any change in his operation which may affect his status.

(1974 Code § 6-37; Ord. #07-82)

11-6.19 Revocation of License.

All licenses issued for a kennel, pet shop, shelter or pound shall be subject to revocation by the Municipal Council on recommendation of the State Department of Health or the Township Department of Health and Human Services for failure to comply with the applicable provisions of this section, or rules and regulations of the State Department of Health, or of the Township Department of Health and Human Services governing the same, after the licensee has been afforded a hearing by either the State Department of Health or the Department of Health and Human Services. (1974 Code § 6-38; Ord. #07-82)

11-6.20 Penalty.

Any person who shall violate a provision of this section shall, upon conviction thereof, be punished by a fine not exceeding five hundred (\$500.00) dollars or by imprisonment for a term not exceeding ninety (90) days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (1974 Code § 6-39; Ord. #07-82)

11-7 VICIOUS ANIMALS.

11-7.1 Investigation of Animal Bites.

The Department of Health of the Township of Woodbridge is herein empowered to investigate all animal bite incidents occurring in the Township for the purpose of determining whether the animal involved has had any previous incidents of biting or injuring persons. (1984 Code § 6-40; Ord. #3-4-75; Ord. #07-82)

11-7.2 Hearing.

The Department of Health shall conduct such an investigation in a manner so as to provide the owner or harbinger of the animal with an opportunity to be heard. (1974 Code § 6-41; Ord. #3-4-75; Ord. #07-82)

11-7.3 Order for Removal of Animal.

If, as the result of the investigation, the Department of Health determines that the animal has a propensity to injure or bite persons, the Department of Health then has the power to order that the owner or harbinger of the animal remove the animal from the jurisdictional limits of the Township within seven (7) days of the issuance of the order. (1984 Code § 6-42; Ord. #3-4-75; Ord. #07-82)

11-7.4 Noncompliance with Order; Disposition by Department.

If the owner or harbinger of the animal does not comply with the order of the Department of Health within seven (7) days of its issuance, then the Health Department has the power to impound and quarantine the animal and then to have the animal destroyed if it is determined that the animal cannot be permitted to come in contact with persons of the community because of its dangerous propensity. (1974 Code § 6-43; Ord. #3-4-75; Ord. #07-82)

11-7.5 Penalty.

If an owner or harbinger of the animal in question refuses to comply with the order of the Department of Health directing the owner or harbinger to remove the animal from

11-8 KEEPING AND CONTROL OF NONDOMESTIC ANIMALS.

11-8.1 Keeping and Control of Nondomestic Animals Prohibited.

No person shall maintain, keep or harbor on any interior or exterior premises in the Township any cattle, rabbits, sheep, goats, ducks, swine, horses, chickens or similar nondomesticated animals or fowl, excluding pigeons. The Department of Health and Human Services of the Township of Woodbridge may consider and review, in its sole discretion, certain requests for a special permit waiving the permit holder from compliance with this subsection. Moreover, no permit shall be issued until it has been determined by the Department of Health and Human Services, upon inspection and review of other information that the Department deems necessary and appropriate, that such place and premises are suitable for the housing of the animals. A permit shall be revoked if, by virtue of a subsequent inspection, it has been determined that the premises have not been kept in a sanitary condition and/or that the premises are not suitable for maintaining the good health of the animal in question. A permit issued under this subsection shall be renewed annually on or before January 1 in each year and revoked at the discretion of the Department. The fee for the permit shall be thirty-five (\$35.00) dollars annually. (1974 Code § 6-45; Ord. #80-16 § 1; Ord. #07-82; Ord. #13-61 § 9)

11-8.2 Nuisances Prohibited; Remedies.

Any animal kept within the Township in such a manner that noxious and offensive odors are created, thereby rendering the air offensive and injurious to the public health, or where the premises are maintained in such a condition that flies, mosquitoes and other insects are attracted thereto shall be deemed and is hereby declared to be a nuisance. Any person maintaining such a nuisance shall be subject to the penalty provisions of subsection 11-8.7 of this chapter and, in addition thereto, the Department of Health and Human Services shall have the authority to remove the animal or animals from the property with or without the owner's approval, subject to the owner's being provided a twenty (20) day period within which to remedy the nuisance. (1974 Code § 6-36; Ord. #80-16 § 2; Ord. #07-82; Ord. #13-61 § 9)

11-8.3 Poultry Farms.

No person shall keep, conduct or operate in the Township any poultry, farm or other establishment for the breeding, rearing or maintaining of fowl, birds or animals without a permit from the Department of Health and Human Services. The permit shall be renewed annually on or before the first day of January in each year, and the fee for the permit shall be five hundred (\$500.00) dollars, and the permit shall be revocable at the discretion of the Department of Health and Human Services if it is determined that the premises have not been kept in a good and sanitary condition or as per subsection 11-8.1 or a nuisance has been created as per subsection 11-8.2. (1974 Code § 6-47; Ord. #80-16 § 3; Ord. #07-82; Ord. #13-61 § 9)

11-8.4 Exotic Animals.

a. No person shall have or keep on any premises in the Township exotic animals without having obtained a permit from the State Department of Fish and Wildlife. In addition thereto, a permit must be obtained from the Department of Health and Human Services in accordance with subsection 11-8.1.

b. Any person who shall bring or cause to be brought into the Township any exotic animal licensed in another State or a New Jersey municipality for the current year and the barring any requisite registration tag and who shall keep or permit the same animal to be kept within the Township for a period of more than ninety (90) days shall immediately apply for a permit for such an exotic animal pursuant to subsection 11-8.1.

c. Any person who shall bring or cause to be brought into the Township any nonlicensed exotic animal or shall keep the same or permit the same animal to be kept within the Township for the period of more than ten (10) days shall immediately thereafter apply for a permit for such exotic animal pursuant to subsection 11-8.1.

d. No person owning, keeping or harboring any exotic animal shall suffer or permit the animal to be upon public streets or any public place within the Township unless the exotic animal is accompanied by its owner or other person capable of controlling the exotic animal.

e. No person shall keep, harbor or bring into any public place within the Township any exotic animal without controlling the animal so that the animal does not come into any unsolicited physical contact with any other person within the Township, or cause a threat of any unsolicited contact with any other person within the Township.

f. No person shall keep, harbor or bring any exotic animal into the Township which disturbs the peace, comfort or quiet of any neighborhood or any person, thereby causing or maintaining a nuisance, which nuisance is punishable according to subsection 11-8.1. Running at large is hereby deemed to be a nuisance according to this section.

g. No person owning, keeping or harboring an exotic animal within the Township shall permit it or suffer it to do any injury or any damage to any lawn, shrubbery, flowers, grounds or property of another person.

h. Exotic animals may be included in a public display or public show as long as the animal is treated in accordance with all applicable laws, regulations and ordinances, and is controlled so as to avoid the threat of unsolicited physical contact with people and does not cause a nuisance to any people as defined herein. (Ord. #94-45 § I; Ord. #07-82)

11-8.5 Poisonous Animals.

At no time and under no circumstances can any person bring or cause to be brought into any public place within the Township any poisonous animal of any kind.

In the event any sentence, section, clause or other portion of this section or the application thereof to a person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this section and/or the procedures implemented pursuant thereto. (Ord. #94-45 § II; Ord. #07-82)

11-8.6 Enforcing Official.

The enforcing official shall be the Director of the Department of Health and Welfare or anyone acting on his behalf. (1974 Code § 6-49; Ord. #80-16 § 5; Ord. #07-82)

11-8.7 Violations and Penalties.

Any person who violates any provision of this section shall, upon conviction thereof, be liable to the penalty established in Chapter I, Section 1-5. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (1974 Code § 6-50; Ord. #80-16 § 6; Ord. #84-49 § 1; Ord. #07-82)

11-9 ANIMAL CONTROL PROGRAM.

11-9.1 Establishment.

a. There shall be established within the Township of Woodbridge an Animal Control Program within the Department of Health and Human Services and implemented by an Animal Control Officer.

b. The Department of Health and Human Services shall provide an Animal Shelter for the benefit of the Township's animals and owners. (1974 Code § 6-56; Ord. #91-11 § I; Ord. #07-82)

11-9.2 Services and Fees.

Editor's Note: Payment for these services will be required upon rendering of this service.

The Animal Control Program will provide the following services when possible or practical:

- a. Animal Control Officer will, at the owner's request, deliver or provide ambulance service for the owner's animal to the pound or kennel or veterinarian.
- b. Trapping, transfer and disposal of animals from private property.

1. If the owner obtains a trap(s) from the Woodbridge Township Health Department, the Animal Control Officer will remove the trapped animal from the property and

deliver to pound or kennel for disposal. There will be no fee for this service.

2. On the owner's request, the Animal Control Officer will provide and set up a trap(s) for the owner on any of the exterior property and remove and transfer the same to a pound or kennel for disposal.

3. At the owner's request, if the owner uses his own trap or traps the animal in any confined area on his property, the Animal Control Officer will remove the animal and transfer same to a pound or kennel for disposal. If the Animal Control Officer is summoned to a private residence more than five (5) times in a calendar year, the fees set forth in paragraph c. shall be charged for each subsequent visit, unless the Director of Health or designee determines that the trapping provides a benefit to the public health of the community.

4. The Animal Control Officer, on the request of the owner, will apprehend or trap and remove any animal such as a bat, from the owner's interior livable area and remove and transfer animal/bat to pound or kennel for disposal.

Editor's Note: This service will not be provided for animals, such as bats, etc., trapped in attics, between walls, in eaves and crawl spaces, etc. This determination will be at the discretion of the Animal Control Officer.

c. The fees for all services set forth in paragraphs a. and b. above shall be as follows:

1. Thirty-five (\$35.00) dollars during normal weekday working hours.

2. Sixty (\$60.00) dollars for services rendered at night, weekends or holidays.

(1974 Code § 6-57; Ord. #93-50; Ord. #00-30 § 1; Ord. #07-82; Ord. #13-61 § 9)

11-9.3 Fees Charged by Animal Control Shelter.

When any animal is received into the Animal Control Shelter designated by Woodbridge Township Department of Health pursuant to this chapter, the following schedule of fees should apply to the use of that shelter by that animal:

a. Redemption Fees.

1. For the first redemption of any animal housed in the shelter: thirty (\$30.00) dollars.

2. For the redemption of any animal in the shelter on the second occasion: forty (\$40.00) dollars.

3. For the third redemption and any redemption thereafter: fifty (\$50.00) dollars.

4. For any redemption where the animal is from another jurisdiction: seventy-five (\$75.00) dollars.

b. Daily boarding charge, per animal, per day: five (\$5.00) dollars.

c. Animal Adoption Fees. The fees for the adoption of animals from the Animal Control Shelter shall be as stated herein.

1. Dogs twenty-five pounds and under: seventy-five (\$75.00) dollars.

2. Dogs over twenty-five pounds: fifty (\$50.00) dollars.

3. Puppies: seventy-five (\$75.00) dollars.

4. Cats: seventy-five (\$75.00) dollars.

5. Kittens: fifty (\$50.00) dollars.

6. Documented pure breeds: one hundred twenty-five (\$125.00) dollars.

7. Other animals: twenty-five (\$25.00) dollars.

d. Surrender Fees. All animals surrendered to the Animal Shelter must be by the rightful owner who shall show proof of ownership. Once surrendered, the animal becomes the property of the Animal Shelter. The fees charged for surrendering an animal to the Animal Shelter shall be as stated herein.

1. Dogs under fifty (50) pounds: fifty (\$50.00) dollars.

2. Dogs fifty (50) pounds and over: one hundred (\$100.00) dollars.

3. Cats: fifty (\$50.00) dollars.

4. Other animals: twenty-five (\$25.00) dollars.

5. Animals surrendered for euthanasia shall be charged an additional one hundred fifty (\$150.00) dollars.

(Ord. #93-50 § 1; Ord. #07-82; Ord. #08-90; Ord. #13-61 § 9)

11-10 FEEDING OF WILD AND FERAL ANIMALS.

11-10.1 Purpose.

The purpose of this section is to prohibit the feeding of unconfined wildlife and feral animals in any public park or on any other property owned or operated by the Township of Woodbridge, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply. (Ord. #06-06 § I; Ord. #07-82)

11-10.2 Definitions.

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Feed shall mean to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

Feral shall mean an animal that has returned to an untamed state.

Person shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Wildlife shall mean all animals that are neither human nor domesticated.

(Ord. #06-06 § II; Ord. #07-82)

11-10.3 Prohibited Conduct.

No person shall feed, in any public park or on any property owned or operated by the Township of Woodbridge, any wildlife or feral animal, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers.) (Ord. #06-06 § III; Ord. #07-82)

11-10.4 Enforcement.

a. This section shall be enforced by the Health Department of the Township of Woodbridge.

b. Any person found to be in violation of this section shall be ordered to cease the feeding immediately.

(Ord. #06-06 § IV; Ord. #07-82)

11-10.5 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this section shall be subject to a fine of not less than one hundred (\$100.00) dollars. (Ord. #06-06 § V; Ord. #07-82)

CHAPTER XI ANIMAL CONTROL

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