

Chapter 6.04**ANIMALS GENERALLY****Sections:**

- 6.04.010 Cruelty to Animals.**
- 6.04.020 Limit on number of animals.**
- 6.04.030 Penalties.**

6.04.010 Cruelty to Animals.

No person shall cruelly treat any animal. Any person who shall inhumanely beat, underfeed, overload, abandon, or in any other way cruelly treat an animal shall be guilty of a violation of this section. Any animal control officer, dog catcher, or other officer authorized to enforce this title or any agent, servant or employee thereof shall upon conviction of a violation of this section be subject to immediate dismissal from such position in addition to any other penalty herein authorized. (Prior code § 7-3)

6.04.020 Limit on number of animals.

It shall be a violation of this title for any owner or tenant of a residential lot having an area of one acre or less to own, keep or harbor a combination of more than four animals subject to control under this title. (Prior code § 7-4)

6.04.030 Penalties.

Any person violating any of the provisions of this title shall be subject to the penalty set forth in Chapter 1.08 and in addition, may be ordered to remove from the township any animal subject to control under this title. (Prior code § 7-5)

Chapter 6.08

DOGS

Sections:

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- 6.08.200** Control of dog defecation.

6.08.010 Definitions.

For the purposes of this title the following words shall have the meanings indicated:

“Dog” means any dog or dog hybrid, of either sex, whether or not neutered or spayed.

“Dog of licensing age” means any dog which has attained the age of seven months or which possesses a set of permanent teeth.

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

“Owner,” when applied to the proprietorship of a dog, means and includes every person having a right of property in such dog and every person who has such dog in his or her keeping.

“Pet shop” means any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein dogs for sale are kept or displayed.

“Pound” means an establishment for the confinement of dogs seized under the provisions of this chapter or otherwise.

“Shelter” means any establishment where dogs are received, housed and given away.

“Vicious dog” means any dog or dog hybrid declared vicious by the panel pursuant to L. 1989, c. 307, N.J.S.A. 4:19-17 et seq., and Section 6.08.180.

“Potentially dangerous dog” means any dog or dog hybrid declared potentially dangerous by the panel pursuant to L. 1989, c. 307, N.J.S.A. 4:19-17 et seq., and Section 6.08.180. (Ord. 1990-18 § 1—3; prior code § 7-1.1)

6.08.020 License and tag required.

No person shall keep or harbor any dog within the township without obtaining a license therefor, to be issued by the township clerk or by any other person as may be authorized from time to time by resolution of the committee, upon application of the owner and payment of the prescribed fee. No person shall keep or harbor any dog in this township except in compliance with the provisions of this

chapter. Any person who shall own, keep or harbor a dog of licensing age shall apply for and procure from the township clerk or other authorized person a license and official metal registration tag for each such dog, and shall place upon each such dog a collar or harness with the registration tag fastened thereto. (Prior code § 7-1.2)

6.08.030 License fee.

Applicants for dog licenses and registration tags shall pay the fee set forth in Chapter 3.20. (Prior code § 7-1.3)

6.08.040 Application for license and tag.

The owner of any newly acquired dog of licensing age or of any dog which attains licensing age shall make application for license and registration tag for such dog within ten (10) days after such acquisition or attainment of age. The application shall state the breed, sex, age, color and markings of the dog 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 dog. The information on the application and the registration number issued for the dog shall be recorded by the township clerk, who shall transmit the information to the State Department of Health each month on forms furnished by that department. Registration numbers shall be issued in the order of the applications. The clerk shall preserve dog license records for three years. (Prior code § 7-1.4)

6.08.050 Dogs licensed in another state.

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 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, unless such dog be licensed under Section 6.08.070. (Prior code § 7-1.5)

6.08.060 Tag removal.

No person except an enforcement officer in the performance of his or her 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. (Prior code § 7-1.6)

6.08.070 Kennels, pet shops, shelters and pounds—License and inspection required.

A. Any person who keeps, operates or proposes to establish a kennel, pet shop, shelter or pound shall apply to the township clerk for a license entitling him or her to keep or operate such an establishment. The application shall describe the premises where the establishment is located or proposed to be located, and the purposes for which it is to be maintained.

B. Prior to issuance or renewal of such license the health officer shall inspect the premises to be licensed for compliance with all applicable state and local laws and regulations governing sanitation, care and treatment of animals, and other matters relevant to proper operation of the premises. No license shall be issued or renewed unless the facility is in full compliance with such laws and regulations. The application for issuance or renewal of such license shall be accompanied by

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the written approval of the health officer showing such compliance.

C. Inspections of licensed premises may be made by the health officer at any time, upon complaint or at the request of any person, to assure continued compliance with all applicable laws and regulations.

D. All licenses issued for 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 June of each year, and be subject to revocation by the township committee on the recommendation of the State Department of Health or the health officer for failure to comply with the regulations of the State Department or the local board governing the same, after the owner has been afforded a hearing by either the State Department or the local board.

E. Any person holding such license shall not be required to secure individual licenses for dogs owned by such licensee and kept at such establishments; such licenses shall not be transferable to another owner or to different premises. (Prior code § 7-1.7)

6.08.080 Kennels, pet shops, shelters and pounds—License fees.

The annual license fee for kennels and pet shops shall be as set forth in Chapter 3.20. No fee shall be charged for licensing a shelter or pound. (Ord. 1992-30 § 2; prior code § 7-1.8)

6.08.090 Notice to state.

The township clerk shall forward to the State Department of Health a list of all kennels, pet shops, shelters and 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. (Prior code § 7-1.9)

6.08.100 Control.

No dog in a kennel, pet shop, shelter or pound shall be permitted off the premises, except on a leash, in a crate, or otherwise under safe control. (Prior code § 7-1.10)

6.08.110 Disposition of fees.

License fees and other moneys collected or received under the provisions of this section, except registration tag fees and costs, fines and fees collected pursuant to L. 1989, c. 307, N.J.S.A. 4:19-17 et seq., and Section 6.08.180 shall be forwarded to the township treasurer within thirty (30) days after collection or receipt and shall be placed in a special account separate from any of the other accounts of the township, and shall be used for the following purposes only: for collecting, keeping and disposing of dogs and cats liable to seizure under this section; for local prevention and control of rabies; for providing anti-rabies treatment under the direction of the local board of health for any person known or suspected to have been infected with rabies; for all other purposes prescribed by the statutes of New Jersey governing the subject, and for administering the provisions of this chapter. Any unexpended balance remaining in such special account shall be retained therein until the end of the third fiscal year following and may be used for any of the purposes set forth in this subsection. At the end of the third fiscal year following and at the end of each fiscal year thereafter, there shall be transferred from such special account to the general funds of the township any amount then in such account which is in excess of the total amount paid into said special account during the last two fiscal years next preceding. The registration tag fees shall be forwarded within thirty (30) days after collection by the clerk to the State Department of Health. The costs, fines and

fees collected pursuant to L. 1989, c. 307, N.J.S.A. 4:19-17 et seq., and Section 6.08.180 shall be deposited in a special account separate from any of the other accounts of the township and shall be used by the township to administer and enforce the provisions of L. 1989, c. 307, N.J.S.A. 4:19-17 et seq., and Section 6.08.180. (Ord. 1990-18 § 4; prior code § 7-1.11)

6.08.120 Annual canvass of dogs.

The animal control officer shall promptly after February 1, annually cause a canvass to be made of all dogs owned, kept or harbored within the limits of the township and shall report to the township clerk, and to the State Department of Health the result thereof, setting forth in separate columns the names and addresses of persons owning, keeping or harboring such dogs, the number of licensed dogs owned, kept or harbored by each of these persons, together with the registration numbers of each of the dogs, and the number of unlicensed dogs owned, kept or harbored by each of these persons, together with a complete description of each of the unlicensed dogs. (Prior code § 7-1.12)

6.08.130 Seizure of dogs—Notice to owner.

A. Any officer or agent authorized to perform any duty under this chapter is authorized to go upon any premises to seize for impounding any dog or dogs which he or she 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 the owner is present and forbids the same.

B. Any stray dog, that is, dog not known to have an owner; any dog found off the premises of the owner or person keeping or harbor-

ing the dog and without a current registration tag; and any bitch in season found off the premises of the owner or person keeping or harboring the bitch whether or not the bitch has a current registration tag; shall be subject to seizure and impoundment.

C. If any dog thus 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 the dog is known, the animal control officer shall forthwith serve on the person whose address is given on the collar, or on the owner or the person keeping or harboring said dog, if known, a notice in writing stating that the dog has been seized and will be subject to disposal as provided herein if not claimed within seven days after the service of the notice. A notice under this chapter 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 given on the collar, or by forwarding it by post in a prepaid letter addressed to that person at his or her usual or last known place of abode, or to the address given on the collar.

D. To claim a dog that has been seized and impounded, the owner or person keeping or harboring the dog must produce a license and registration tag for the dog and must pay all expenses incurred by reason of its impoundment, including reasonable actual maintenance costs of the dog.

E. The seizure and impoundment of dogs pursuant to L. 1989, c. 307, N.J.S.A. 4:19-17 et seq., and Section 6.08.180 shall be governed by those statutory and ordinance provisions. (Ord. 1990-18 § 5; prior code § 7-1.13)

6.08.140 Disposal of impounded dogs.

Any dog that has been impounded and unclaimed for seven days after notice, or for seven days after seizure when it is not possible to serve notice, shall be subject to disposal, except as may be otherwise required by L. 1989, c. 307, N.J.S.A. 4:19-17 et seq., and Chapter 6.08.180. The animal control officer may cause any dog subject to disposal to be humanely put to death in a manner causing the least possible pain to the dog. (Ord. 1990-18 § 6; prior code § 7-1.14)

6.08.150 Disturbing noises.

No person shall keep, harbor or maintain any dog which habitually barks or cries between the hours of ten p.m. and six a.m. so as to cause a disturbing noise. (Prior code § 7-1.15)

6.08.160 Running at large.

No person owning, keeping or harboring any dog shall suffer or permit it to run at large upon the public streets or in any public park, or in any public building, or in any other public place within the township, nor to be upon the public streets or in any of the public places of the township 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 long. (Prior code § 7-1.16)

6.08.170 Destruction of property.

No person owning, keeping or harboring a dog shall permit or suffer it to do any injury, or to do any damage to any lawn, shrubbery, flowers, grounds or property. (Prior code § 7-1.17)

6.08.180 Vicious and potentially dangerous dogs.

A. It shall be the duty of the chief of police to receive and investigate complaints involving attacks or bites by dogs, dog fighting activities, and the training or encouragement of dogs to make unprovoked attacks upon persons or domestic animals.

B. It shall be the duty of all appropriate township officials to enforce the provisions of L. 1989, c. 307, N.J.S.A. 4:19-17 et seq., as applicable within the township. In the event that a hearing is to be convened pursuant to the aforesaid statute, it shall be the duty of the health officer to convene the hearing, select the panel, conduct the hearing, and carry out the decisions of the panel.

C. The owner of any dog which has been declared vicious or potentially dangerous shall be responsible for all actual costs and expenses of impounding and destroying the dog, convening the hearing, notices, and all related expenses incurred by the township. In the event that any dog is impounded pursuant to L. 1989, c. 307, N.J.S.A. 4:19-17, in a facility other than the township pound, the owner shall be responsible for all actual costs and expenses of impounding the dog regardless of whether the dog is declared vicious or potentially dangerous.

D. No person shall keep or harbor any dog which has been declared potentially dangerous within the township without obtaining from the township clerk a special municipal license therefor and complying with all requirements of L. 1989, c. 307, N.J.S.A. 4:19-17, this section, and the order of the panel. The fee for such special municipal potentially dangerous dog license shall be as set forth in Chapter 3.20. The township clerk, when issuing such license, shall assign a municipal registration number in accordance with the uniform state-

wide municipal registration system established by regulations of the New Jersey Department of Health, together with a red identification tag. Prior to issuance of such license, the animal control officer shall verify to the township clerk that the owner of the dog has complied with the panel's orders. (Ord. 1990-18 § 7; prior code § 7-1.18)

6.08.190 Inoculation against rabies.

A. No person in the township shall own, possess, harbor or have in custody any dog of licensing age unless such dog has been vaccinated or inoculated against rabies by a licensed veterinarian, such vaccination or inoculation to consist of anti-rabies vaccine of standard and accepted quality and formula. Such vaccination or inoculation shall be repeated annually thereafter. Where a dog has been vaccinated or inoculated with an avianized vaccine, then such dog shall be vaccinated or inoculated once every two years from the date of the avianized vaccine or inoculation.

B. Each owner shall obtain from the veterinarian who vaccinates or inoculates the dog against rabies, a certificate in duplicate showing the date of such vaccination or inoculation, the kind of vaccination or inoculation, a description of the dog, the name and address of the owner thereof, and a rabies tag indicating that the dog has been vaccinated or inoculated against rabies and indicating the year of such vaccination or inoculation. The certificate shall be filed within ten (10) days with the person designated to issue dog licenses, who shall return one copy of the certificate to such owner. The tag shall be securely attached to the collar or harness on the dog, where it shall remain at all times, except when the dog is in a wholly enclosed area on the premises of the owner. (Prior code § 7-1.19)

6.08.200 Control of dog defecation.

No person owning, harboring keeping, walking or in charge of any dog shall cause, suffer, permit or allow such dog to soil, defile, defecate on or commit any nuisance on any public park or playground. If any such person shall permit such dog to soil, defile, defecate on or commit any nuisance on the areas aforesaid, he or she shall immediately remove and dispose of all feces and droppings deposited by such dog, which removal shall be in a sanitary manner by a shovel, container, disposal bag, etc. On the dog owner's own property, he or she shall maintain the property in a sanitary manner in order to prevent any noxious odors, attraction of vermin breeding or any other public health nuisance to neighbors. (Ord. 1991-27 § 1; prior code § 7-1.20)

Chapter 6.12**CATS****Sections:**

- 6.12.010 Establishment of Code.**
- 6.12.020 License required.**
- 6.12.030 Fees.**
- 6.12.040 Public nuisance defined.**
- 6.12.050 Duties of owners or custodians.**
- 6.12.060 Reporting of cat bites—
Control of biting cats.**
- 6.12.070 Seizure, impoundment,
claiming and disposition
of cats.**
- 6.12.080 Violations-Penalties.**

6.12.010 Establishment of Code.

A code regulating the licensing of cats and requiring cats to be vaccinated against rabies, fixing fees, and prescribing penalties for violations, is hereby established for the township. As required by the New Jersey Laws of 1950, Chapter 188, as amended: N.J.S.A. 26:3-69.2, three copies of the code shall be on file in the office of the township clerk and the code is adopted and incorporated as if fully set forth herein. The code herein adopted is commonly known as described as Sections I, II and III of the "Cat Licensing Code of New Jersey, 1987." The term "jurisdiction" as used in the aforesaid code shall mean Bordentown Township. Sections IV, V, VI and VII of the aforesaid code are not adopted. (Ord. 1991-28 § 3 (part); Ord. 1990-23 § 3 (part); prior code § 7-2.1)

6.12.020 License required.

No persons shall own, keep, harbor or maintain any cat over seven months of age within Bordentown Township unless such cat

has a current vaccination against rabies and has a current cat license. The township clerk, or other person designated by resolution of the township committee, shall be responsible for issuing cat licenses upon application therefor, in accordance with the aforesaid code. Cat licenses shall be renewed annually and shall expire on April 1 of the year following issuance. The township clerk shall perform the duties of the licensing authority under the aforesaid code. (Ord. 1991-28 § 3 (part); Ord. 1990-23 § 3 (part); prior code § 7-2.2)

6.12.030 Fees.

The fees for issuance of an original or renewal cat license and issuance of a renewal license after April 30, shall be as set forth in Chapter 3.20. (Ord. 1991-28 § 3 (part); Ord. 1990-23 § 3 (part); prior code § 7-2.3)

6.12.040 Public nuisance defined.

Within the purview of this chapter, a cat shall be considered a public nuisance if it has no known owner or custodian, 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, bites, scratches or harms lawful users or occupants thereof. (Ord. 1991-28 § 1 (part); Ord. 1990-23 § 1 (part); prior code § 7-2.4)

6.12.050 Duties of owners or custodians.

Any person who owns, keeps or harbors any cat at any place within the township or who permits any cat to enter the limits of the township shall exercise sufficient and proper care of and control over such animal at all times so as to prevent the same from becoming a public nuisance, as defined herein. (Ord. 1991-28 § 1 (part); Ord. 1990-23 § 1 (part); prior code § 7-2.5)

**6.12.060 Reporting of cat bites—
Control of biting cats.**

A. Any person having knowledge that any cat in Bordentown Township has bitten a person shall immediately report to the police department, to the extent known, the name and address of the person bitten, the name and address of the owner or custodian of the cat, the identity and location of the cat, and all relevant facts and circumstances.

B. Whenever any cat has bitten a person, the cat shall be confined in such place as the animal control officer or other township official may direct, for such period of observation as may be necessary to ascertain whether or not the cat is rabid. The owner or custodian of the cat shall be responsible for complying with this subsection.

C. In the event that any cat is found to be rabid, or in the event that any cat having bitten a person cannot be confined or impounded safely, the cat may be killed. The head of such cat shall be shipped to an appropriate laboratory for a rabies examination. (Ord. 1991-28 § 3 (part); Ord. 1990-23 § 3 (part); prior code § 7-2.6)

**6.12.070 Seizure, impoundment,
claiming and disposition of
cats.**

A. The animal control officer or other person authorized by the township committee to enforce the provisions of this chapter may seize and impound any cat which does not display a license tag, and shall, upon receipt of a complaint that a cat is a public nuisance, as defined herein, seize and impound such cat regardless of whether it displays a license tag. If any cat seized and impounded bears identification of ownership or place of abode, the animal control officer or other authorized en-

forcement official shall, on the day of seizure, notify the owner or the occupant of such place of abode that the cat is impounded and may be claimed subject to the provisions of this chapter.

B. The owner or custodian of an impounded cat may claim it at the place of impoundment upon payment to the animal control officer of all expenses incurred by reason of seizure and impoundment, including reasonable actual maintenance costs of the cat, provided, that no cat shall be released to the owner or custodian without proof that it has a current rabies vaccination and a current cat license. Upon request of the owner or custodian, an unvaccinated cat may be released temporarily to a licensed veterinarian for the purpose of vaccination against rabies.

C. Any cat that has been impounded and unclaimed for five days after seizure may be claimed by any person willing to pay all expenses, including vaccination against rabies.

D. Any cat that has been impounded and unclaimed for seven days after seizure may be destroyed by the animal control officer or other designated official in as humane manner as possible. (Ord. 1991-28 § 3 (part); Ord. 1990-23 § 3 (part); prior code § 7-2.7)

6.12.080 Violations—Penalties.

Any person violating any provision of this chapter or of the aforesaid code shall, upon conviction therefor, be subject to the penalties set forth in Chapter 1.08, as amended. (Ord. 1991-28 § 3 (part); Ord. 1990-23 § 3 (part); prior code § 7-2.8)