

Chapter 134

DOGS AND OTHER ANIMALS

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- § 134-23. Violations and penalties.

[HISTORY: Adopted by the Mayor and Council of the Borough of Wood-Ridge: Art.I, 12-26-1975 by Ord. No. 700 as Chapter VI of the 1975 Revised General Ordinances of the Borough of Wood-Ridge, amended in its entirety 5-11-1992 by Ord. No. 92-11. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Board of Health — See Ch. 37.
 Noise - See Ch. 176.
 Sanitation — See Ch. 266.

**ARTICLE I
 Dogs and Cats**

[Adopted 12-26-1975 by Ord. No. 700 as Chapter VI of the 1975 Revised General Ordinances of the Borough of Wood-Ridge; amended in its entirety 5-11-1992 by Ord. No. 92-11]

§ 134-1. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

ANIMAL CONTROL OFFICER — A certified municipal animal control officer or, in the absence of such an officer, the chief law enforcement officer of the municipality or his designee. **[Added 9-21-1992 by Ord. No. 92-20]**

CAT — Any member of the domestic feline species.

CAT OF LICENSING AGE — Any cat which has attained the age of seven months or which possesses a set of permanent teeth.

CATTERY — Any room, group of rooms, cage or exhibition pen, not part of a kennel, wherein cats offered for sale are kept or displayed.

DOG — Any dog, bitch or spayed bitch.

DOG OF LICENSING AGE — Any dog which has attained the age of seven months or which possesses a set of permanent teeth.

KEEPER — Any person exercising control over a dog or cat or permitting a dog or cat to remain on premises under his control.

KENNEL — Any establishment wherein or whereon the business of boarding or selling dogs or cats or breeding dogs or cats for sale is carried on, except a pet shop.

NEUTER — To render a dog or cat permanently incapable of reproduction as certified by a licensed veterinarian.

OWNER — When applied to the proprietorship of a dog or cat, includes every person having a right of property in the dog or cat, every person who has a dog or cat in his keeping and every person who feeds or harbors a dog or cat. **[Amended 9-21-1992 by Ord. No. 92-20]**

PET SHOP — Any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein dogs or cats for sale are kept or displayed.

POUND — An establishment for the confinement of dogs or cats seized either under the provision of this Article or otherwise.

SHELTER — Any establishment where dogs or cats are received, housed and distributed.

VICIOUS DOG — Any dog which has been declared to be a vicious dog pursuant to N.J.S.A. 4:19-17 et seq. **[Amended 9-21-1992 by Ord. No. 92-20]**

§ 134-2. Licensing required for dogs or cats.

Licenses shall be required for the following dogs or cats of licensing age:

- A. Any dog or cat owned or kept within the Borough by a resident of the Borough on January 31 of any year.
- B. Any dog or cat acquired by any person during the course of any calendar year and kept within the Borough for more than 10 days after acquisition.
- C. Any dog or cat attaining licensing age during the course of the calendar year.
- D. Any unlicensed dog or cat brought into the Borough by any person and kept within the Borough for more than 10 days.
- E. Any dog or cat licensed by another state brought into the Borough by any person and kept within the Borough for more than 90 days.

§ 134-3. Applications for dog or cat licenses.

- A. Application for a license under this Article shall be made to the Borough Clerk and shall contain the following information:

- (1) A general description of the dog or cat sought to be licensed, including breed, sex, age, color and markings, and whether the dog or cat is of a long- or short-haired variety.
 - (2) The name, street and post office address of the owner of and the person who shall keep or harbor the dog or cat.
- B. Registration numbers shall be issued in the order in which applications are received.
- C. Applications for licenses for dogs or cats which are required to be licensed by the provisions of § 134-2A shall be made before February 1 of each year. Under § 134-2B, C and D, the application for a license shall be made within 10 days of the day the dog or cat in question first becomes subject to the provision of this Article and, under § 134-2E, within the ninety-day period.

§ 134-4. Evidence of inoculation against rabies required.

No license or registration tag shall be granted unless the owner of the cat or dog provides evidence that the dog or 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 Health, Education and Welfare or has been certified exempt as provided by regulations of the State Department of Health.

§ 134-5. Recordkeeping. [Amended 9-21-1992 by Ord. No. 92-20]

The information on all applications under this Article and the registration number issued to each licensed dog shall be preserved for a period of three years by the Borough Clerk. In addition, the Clerk shall forward similar information to the

State Department of Health each month on forms furnished by the Department.

§ 134-6. Dog or cat license fees. [Amended 9-21-1992 by Ord. No. 92-20; 7-21-1997 by Ord. No. 97-18; 7-8-2003 by Ord. No. 2003-7; 7-17-2007 by Ord. No. 2007-8; 2-17-2009 by Ord. No. 2009-2]

Any person who applies for a new or renewal license shall pay an annual fee of \$18 for spayed or neutered dogs or cats and a fee of \$21 for those not spayed or neutered. Any payments made after February 1 shall incur a late charge of \$7.50. The license shall be valid only for the dog or cat and owner for which it is issued; licenses are not transferable.

§ 134-7. Expiration of dog or cat licenses and registration tags. [Amended 9-21-1992 by Ord. No. 92-20]

Each dog or cat license and registration tag shall expire on December 31 of each year.

§ 134-8. Exceptions to dog or cat licensing requirements.

The provisions of §§ 134-2 through 134-7 shall not apply to any dog licensed under §§ 134-9 through 134-14 of this Article. Dogs used as guides for blind persons and commonly known as "Seeing Eye dogs," dogs used to assist handicapped persons and commonly known as "service dogs" and dogs used to assist deaf persons and commonly known as "hearing ear dogs" shall be licensed in the same manner as other dogs, except that the owner or keeper shall not be required to pay any fee.

§ 134-9. License required for kennel, pet shop, shelter or pound.

Any person who keeps or operates or proposes to establish a kennel, pet shop, shelter or pound shall apply to the Chief of Police for a license entitling him to keep or operate such

establishment. Any person holding a license shall not be required to secure individual licenses for dogs or cats owned by the licensee and kept at the licensed establishment. The license shall not be transferable to another owner at different premises.

§ 134-10. Application for kennel, pet shop, shelter or pound license.

The application shall contain the following information:

- A. The name and permanent and local address of the applicant.
- B. The street address where the establishment is located or proposed to be located, together with a general description of the premises.
- C. The purposes for which it is to be maintained.
- D. The maximum number of dogs or cats to be accommodated by the establishment at any one time.

§ 134-11. Approval of establishments by Health Officer.

No license shall be issued until the proposed licensee submits a written statement from the Health Officer of the Board of Health that the establishment complies with local and state rules governing the location of and sanitation at the establishment.

§ 134-12. Expiration of kennel, pet shop, shelter or pound licenses.

All licenses issued for a kennel, pet shop, shelter or pound shall state the purpose for which the establishment is maintained, and all licenses shall expire on January 31 of each year.

§ 134-13. License fees for kennels, pet shop, shelters or pounds.

The annual license fees under this Article shall be as follows:

- A. Kennels for 10 or fewer dogs or cats: \$10.
- B. Kennels for more than 10 dogs or cats: \$25.
- C. Pet shops: \$10.
- D. Shelter or pound: no fee.

§ 134-14. Establishments required to comply with laws; dogs or cats off premises.

- A. Compliance with state requirements. All licenses issued for a kennel, pet shop, shelter or pound shall be subject to revocation by the Council on recommendation of the State Department of Health or the Board of Health for failure to comply with the rules and regulations of the State Department of Health or the Board of Health, after the owner has been offered a hearing by either the State Department of Health or the Board of Health.
- B. Compliance with local requirements: sanitation. Any person holding a license to establish, keep or operate a kennel, pet shop, shelter or pound shall comply with all Borough ordinances and the rules and regulations promulgated by the State Department of Health governing the sanitary conduct and operation of such establishments.
- C. Control of dogs and cats off premises. No dog or cat kept in a kennel, pet shop, shelter or pound shall be permitted off the premises, except on a leash or in a crate or other safe control.

§ 134-15. Disposition of moneys collected. [Amended 9-21-1992 by Ord. No. 92-20]

- A. License fees and other moneys collected or received under the provisions of this Article, except registration tag fees, New Jersey Pilot Clinic Fund fees and the New Jersey Surcharge fees, shall be forwarded to the Borough Treasurer within 30 days after collection or receipt, shall be placed in a special account separate from any of the other accounts of the Borough and shall be used for the following purposes only: collecting, keeping and disposing of dogs or cats liable to seizure under this Article, local prevention and control of rabies, providing antirabies treatment under the direction of the local Board of Health for any person known or suspected to have been exposed to rabies, all other purposes prescribed by the statutes of New Jersey governing the subject and for administering the provisions of this Article. Any unexpended balance remaining in such special account shall be retained therein until the end of the third fiscal year following, and at the end of each fiscal year thereafter there shall be transferred from the special account to the general funds of the Borough any amount then in the account which is in excess of the total amount paid into the special account during the last two fiscal years next preceding.
- B. The registration tag fee, the New Jersey Pilot Clinic Fund fee and the New Jersey Surcharge fee for each dog shall be forwarded within 30 days after collection by the Clerk to the State Department of Health.

§ 134-16. Dog/Cat Warden.

The Mayor and Council may appoint on January 1 of each year and contract with a Dog/Cat Warden to hold office for one year from February 1 in accordance with his contractual agreement. The Dog/Cat Warden shall be the pound master and shall provide a suitable pound for the impounding of dogs or cats.

§ 134-17. Vicious dogs or cats. [Amended 9-21-1992 by Ord. No. 92-20]

- A. Complaint, investigation and report. It shall be the duty of the Animal Control Officer to receive and investigate complaints against dogs. If he deems any dog complained of to be vicious, he shall notify the Municipal Health Officer and the Municipal Court of the Borough of Wood-Ridge. **[Amended 7-17-1995 by Ord. No. 95-10]**
- B. Notice; hearing. The Municipal Health Officer shall thereafter be responsible for forwarding notices of seizure and/or impoundment as well as for coordinating hearings pursuant to N.J.S.A. 4:19-17 et seq. **[Amended 7-17-1995 by Ord. No. 95-10]**
- C. Control of vicious dogs. No person owning or keeping a dog which has been determined to be a vicious dog shall permit the dog to be off the property of the owner or keeper without being securely muzzled.

§ 134-18. Impoundment of dogs or cats. [Amended 9-21-1992 by Ord. No. 92-20]

The pound master shall take into custody and impound or cause to be taken into custody and impounded any of the following dogs or cats:

- A. Any unlicensed dog or cat running at large in violation of the provisions of this Article.
- B. Any dog or cat off the premises of the owner of or of the person keeping or harboring a dog or cat which the pound master or his agent has reason to believe is a stray dog or cat.
- C. Any dog or cat off the premises of the owner of or of the person keeping or harboring a dog or cat without a current registration tag on its collar.

- D. Any female dog or cat in season off the premises of the owner or of the person keeping or harboring such dog or cat.
- E. Any dog which has been determined to be a vicious dog, as provided in § 134-17, provided that these dogs may

§ 134-19. Access to premises when in immediate pursuit of dog or cat. [Amended 9-21-1992 by Ord. No. 92-20]

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

§ 134-20. Notice of seizure of dogs or cats; service. [Amended 9-21-1992 by Ord. No. 92-20]

- A. If any dog or cat impounded wears a registration tag, collar or harness showing the name and address of any person or if the person owning, keeping or harboring the dog or cat is known, the pound master shall immediately serve on the person whose address is given on the collar or on the person owning, keeping or harboring the dog or cat a written notice stating that the dog or cat has been seized and will be liable to be disposed of or destroyed if not claimed within seven days after service of the notice.
- B. A notice under this section may be served either by delivering it to the person on whom it is to be served, 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 mail in a prepaid letter addressed to that person at his usual or last known place of abode or to the address given on the collar.

**§ 134-21. Disposition of unclaimed dogs or cats.
[Amended 9-21-1992 by Ord. No. 92-20]**

The Animal Control Officer is authorized and empowered to cause the destruction of any unclaimed dog or cat, in as humane a manner as possible, under any of the following contingencies:

- A. When a dog or cat so seized has not been claimed by the person owning, keeping or harboring the dog within seven days after notice or within seven days of the dog's or cat's detention, including maintenance, and if the seized dog or cat is unlicensed at the time of its seizure and the person owning, keeping or harboring the dog or cat has not produced a license and registration tag for the dog or cat.
- B. If the person owning, keeping or harboring any dog or cat so seized has not claimed the dog or cat and has not paid all expenses incurred by reason of its detention, including maintenance, and if the seized dog or cat is unlicensed at the time of its seizure and the person owning, keeping or harboring the dog or cat has not produced a license and registration tag for the dog or cat.

§ 134-22. Additional regulations and restrictions on dogs and cats.

No person shall own, keep or harbor a dog or cat in the Borough except in compliance with the provisions of this Article and the following regulations:

- A. Wearing of registration. All dogs or cats for which licenses are required by the provisions of this Article shall wear a collar or harness with the registration tag for the dog or cat securely fastened thereto.
- B. The type of collar and registration tag for use on cats licensed pursuant to this Article shall be such as are adopted as rules and regulations by the Commissioner of Health of the State of New Jersey.

- C. Use of registration tags. No person, except an officer in the performance of his duties, shall remove a registration tag from the collar of any dog or cat without the consent of the owner, nor shall any person attach a registration tag to a dog or cat for which it was not issued.
- D. Interference with official duties. No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this Article.
- E. Running at large. No person owning, keeping or harboring any dog shall suffer or permit it to run at large.
- F. Leashing of dogs. No person owning, keeping or harboring any dog shall suffer or permit it to be upon the public street or in any of the public places of the municipality unless the dog is accompanied by a person over the age of 12 years and is securely confined and controlled by an adequate leash not more than six feet long.
- G. Property damage. No person owning, keeping or harboring a dog or cat shall permit or suffer it to do any injury or to do any damage to any lawn, shrubbery, flowers, grounds or property.
- H. Dog or cat bites. Any animal that has bitten a person shall be placed under quarantine and observation for a period of not less than 10 days. Upon completion of the ten-day quarantine, the animal shall be released by a licensed veterinarian.
- I. Disturbing the peace. No person shall keep or harbor any vicious dog or cat or any dog or cat that shall disturb the neighborhood by excessive barking, howling or whining.
- J. Restrictions on cat ownership.
 - (1) No more than four cats shall be sheltered or kept by any one family group. If any family group possesses more than four cats on the effective date of this Article, the person in control shall arrange for their removal within 60 days. This restriction shall not

apply to properly licensed pet shops, kennels, shelters and pounds.

- (2) The quarters where cats are kept shall be clean and sanitary under standards generally accepted for the housing, feeding and care of cats by the American Veterinary Medical Association.

K. Restrictions on dog ownership. No more than three dogs of licensing age shall be kept, maintained or harbored at one time in any residential housing unit or on its grounds or in any business establishment or on its grounds. This restriction shall not apply to properly licensed pet shops, kennels, shelters and pounds.

L. Defiling of property. No person owning, harboring, keeping or in charge of any dog shall cause, suffer or allow such dog to soil, defile, defecate on or commit any nuisance on:

- (1) Any common thoroughfare, sidewalk, passageway, bypath, play area or park.
- (2) Any place where people congregate or walk.
- (3) Any public property whatsoever.
- (4) Any private property without the permission of the owner of such property.

M. Exception. The restriction in Subsection L shall not apply to that portion of the street lying between the curblines, which shall be used to curb such dog under the following conditions:

- (1) The person who so curbs such dog shall immediately remove all feces deposited by such dog by any sanitary method approved by the local health authority.
- (2) The feces removed from the aforementioned designated area shall be disposed of by the person owning, harboring, keeping or in charge of any dog

curbed in accordance with the provisions of this article in a sanitary manner approved by the local health authority.

N. Pet waste. [Added 2-8-2005 by Ord. No. 2005-8]

- (1) Purpose. To establish requirements for the proper disposal of pet solid waste so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.
- (2) Definitions. For the purpose of this subsection, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this chapter 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.

IMMEDIATE — That the pet solid waste is removed at once, without delay.

OWNER/KEEPER — Any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

PET — A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

PET SOLID WASTE — Waste matter expelled from the bowels of the pet; excrement.

PROPER DISPOSAL — Placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

- (3) Requirement for disposal. All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.
- (4) Exemptions. Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.
- (5) Enforcement. The provisions of this article shall be enforced by the Police Department and the Health Department of the Borough of Wood-Ridge.

§ 134-23. Violations and penalties. [Amended 2-8-2005 by Ord. No. 2005-8]

Except as otherwise provided in N.J.S.A. 4:19-1 et seq., any person(s) who violates any of the provisions of this chapter shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article II.