

CHAPTER 6. ANIMALS

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6-1. Definitions.

"Dog" shall mean any dog, bitch or spayed bitch.

"Dog Licensing Age" shall mean any dog which has attained the age of seven (7) months, or which possesses a set of permanent teeth.

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

"Owner" when applied to the proprietorship of a dog shall include every person having a right of property in such dog and every person who has such dog in his keeping or under his control for a period of ten (10) days or longer.

"Pet Shop" shall mean any room or rooms, store or stores, cage or exhibition pen, not part of a kennel, wherein dogs for sale are kept or displayed.

"Pound" shall mean an establishment for the confinement of dogs whether seized under the provisions of this Chapter or any other law or delivered thereto by the Owner.

"Shelter" shall mean any establishment created or maintained for the purpose of housing, feeding or caring for any animal pending the animal's sale, or adoption.

"Veterinarian" shall mean the Town Veterinarian or any other duly-qualified veterinarian.

6-2. License and Tag.

(a) Any person who shall own, keep or harbor a dog of licensing age shall, in the month of January of each year, apply for and procure from the Town Clerk 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) 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 age attainment. (6-26-61)

6-3. Fees. (1996)

(a) The person applying for the license and registration tag shall pay a fee of \$4.80 plus such other fee as shall be fixed by statute for the licensing and registration of each dog; and said licenses, registration tags and renewals thereof shall expire on the last day of February of each year. (5-24-18)

(b) A person applying for the license and registration tag for the current year after February 28th of the current year shall be required to pay an additional five (\$5.00) dollars per month or any portion of a month late charge provided such person has failed to obtain a license as required by law on this article. (5-24-18)

(c) Dogs used as guides for blind persons and commonly known as "seeing eye dogs shall be licensed and registered as other dogs hereinabove provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefor.

(d) License forms and uniform official metal registration tags designed by the State Department of Health shall be furnished by the Town Clerk. (6-26-61)

6-4. Dogs Licensed in Other States.

(a) Any person who shall bring or cause to be brought into the Town 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 Town for a period more than ninety (90) days shall immediately apply for a license and registration tag for each such dog. (6-26-61)

(b) Any person who shall bring or cause to be brought into the Town any unlicensed dog and shall keep the same or permit the same to be kept within the Town for a period of more than 10 days shall immediately apply for a license and registration tag for each such dog. (6-26-61)

6-5. Removing and Attaching Tags.

No person except an officer in performance of his duties shall remove a registration tag from the collar of any dog without the consent of the owners, nor shall any person attach a registration tag to a dog for which it was not issued. (6-26-61)

6-6. License for Pet Shops, Kennels, Shelters or Pounds.

(a) Any person who keeps or operates or proposes to establish a kennel, a pet shop, a shelter or a pound, shall apply to the Town Clerk for a license entitling such person, firm or corporation to keep or operate such establishments.

(b) The application shall describe the premises where the establishment is located or is proposed to be located, the purpose or purposes for which it is to be maintained, and shall be accompanied by the written approval of the Chief of Police, the Chief of the Fire Department, Building

Inspector, and Health Officer showing compliance with the State and Town rules and regulations governing location of and sanitation of each such establishment.

(c) All licenses issued under this section shall expire on the last day of January of each year, and shall be subject to revocation by the Town Council on recommendation of the State of Health or the Town Board of Health for any failure to comply with the rules and regulations of the State Department of Health or the Town governing the same after the owners has been afforded a hearing.

(d) Any person holding a license under this section shall not be required to secure individual licenses for dogs owned by such licensee and kept at such establishments.

(e) Any license issued under this section shall not be transferable to another owner or different premises. (6-26-61)

6-7. Fees.

The annual license fee for a kennel providing:

Accommodations for 10 or less dogs shall be \$20.00

Accommodations for more than 10 dogs shall be \$50.00

The annual license fee for a pet show shall be \$20.00

No fee shall be charged for shelter or pound.

6-8. Impounding Dogs.

The Mayor may appoint at such times for such terms as may, from time to time, deem expedient, a dog warden and such assistants as may be required, whose duty it shall be to take dogs into custody and impound or cause to be taken into custody and impounded and thereafter destroyed or disposed of as provided in this section:

(a) Any dog off the premises of the owner or of the person keeping or harboring said dog, which said dog warden or his assistants or assistant have reason to believe is a stray dog;

(b) Any dog off the premises of the owner or of the person keeping or harboring said dog without a current registration tag on his collar;

(c) Any female dog in season off the premises of the owner or of the person keeping or harboring such dog;

(d) Any dog which the owner, person harboring or keeping wishes to dispose of and to which renounces ownership, custody and control in writing.

If any dog seized, as provided by sub-paragraphs (a), (b) and (c) hereof wears a collar or harness to which is attached a registration tag or the owner is otherwise known, the dog warden shall forthwith serve on said owner a notice, in writing, stating that the dog has been seized and will be liable to be disposed of or destroyed if not claimed within seven (7) days after the service of notice. Such notice 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 know place of abode as determined by the registration tag or other readily available information.

When any dog seized in accordance with sub-section (a), (b) or (c) hereof has been detained for seven (7) days after notice, when such notice can be given as above set forth, or has been detained for seven (7) days after seizure, when no notice has been given as above set forth, and if the owner has not claimed said dog and paid all expenses incurred by reason of its detention, including maintenance not exceeding fifty (\$.50) cents per day, and if the dog be unlicensed at the time of the seizure and the owner has not produced a license and registration tag for said dog, the dog warden may cause the dog to be destroyed in a manner causing as little pain as possible.

When any dog be delivered to the dog warden under sub-section (d) hereof, no notice to the owner shall be required, unless the person delivering the said dog is someone other than the owner, in which event the foregoing procedure shall be followed: If the person delivering the said dog is the owner, the dog warden may forthwith destroy the dog in a manner causing as little pain as possible. All costs for destroying the dog shall be at the expense of the owner or harbinger of said dog. (6-26-61)

6-9. Canvass of Dogs.

The Chief of Police of the Town shall cause a canvass to be made of all dogs owned or harbored within the Town at such times and intervals as required by State law. The Chief of Police shall report the results including the names of all persons owning or harboring such animals in the manner provided by law.

6-10. Control of Dogs.

(a) No person shall suffer any dog, licensed or unlicensed, to run at large upon any of the streets or public places of the Town or upon the property of any other person.

(b) 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 common thoroughfare, street, sidewalk, passageway, road, bypath, play area, park or any place where people congregate or walk in this Town, or upon any public property whatsoever, or upon any private property without the permission of the owner of the private property in the last instance. 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 all feces and droppings deposited by such dog, which removal shall be in a sanitary manner by shovel, container, disposal bag, etc. and said feces and droppings shall be removed by said person from the aforesaid designated areas and disposed of by said person in a sanitary manner.

(c) No person shall permit any dog, whether leashed or unleashed, licensed or unlicensed, to be in, upon, along any of the following walkways leading through residential areas to school grounds;

1. Walkway between Arthur Terrace and Mitchell Road.
2. Walkway between Jay Court and Victor Court.
3. Walkway between Arthur Terrace and the High School property located on Warren Street.
4. Walkway between Seymour Terrace and Shelley Drive.
5. Walkway between the High School property and Hatchery Road.

6-11. Interference with Officers.

No person shall hinder, interfere with or molest any person appointed as dog warden and any assistant employed by him or any officer of the Town or other duly authorized agent in the performance of any duty enjoined by this Chapter. (6-26-61)

6-12. Vicious Dogs.

No vicious dog, whether registered or not, shall be permitted by the owner or person harboring the same to be in or upon any public street or public place in the Town of Hackettstown at any time, or to trespass upon the property of any person in the Town. Upon violation hereof, said dog may be taken into custody and impounded and thereafter destroyed and disposed of in the manner provided by law. (6-26-61)

6-13. Bites of Dogs, Cats and Other Animals.

(a) Every person who owns, keeps or harbors a dog, cat or other animal which has bitten or is alleged to have bitten any person shall, upon notice of such bite or alleged bite given by any enforcement officer of the Town, confine the animal to a room or premises away from the public and shall cause to be brought and delivered as hereinafter provided the said dog, cat or other animal, to a veterinarian within twenty-four (24) hours after service upon such owner, keeper or harborer, of a written notice from the Health Officer of the Town, or his duly authorized representative, requiring such owner, keeper or harborer to bring and deliver such dog, cat or other animal to a veterinarian for a rabies quarantine examination.

(b) Such dog, cat or other animal shall be quarantined for a period of ten (10) days and shall not be disposed of or permitted to leave the premises of the owner, keeper or harborer during the said ten-day period, without the written approval of the Town Veterinarian.

(c) The dog warden of the Town, upon the request of the owner, keeper or harborer of any dog, cat or other animal which has bitten or is alleged to have bitten anyone, shall transport and deliver such dog, cat or other animal to a veterinarian; provided, however, that if the dog warden is requested to transport and deliver the same to a veterinarian other than the Town Veterinarian, then the owner, keeper or harborer shall cause said other veterinarian to issue a report within four (4) days to the Town Veterinarian, which report shall contain a full statement respecting the health of said dog, cat or other animal.

All costs for examination of said dog, cat or other animal shall be at the expense of the owner or harborer of said animal.

6-14. Penalties.

(a) Any person who violates or fails or refuses to comply with Section 2, 3, 4, 5, 6, 7, 10(b), 10(c) or 11 of this Chapter, shall be liable to a penalty of not more than One Hundred Dollars (\$100.00) for each offense. Each day of violation shall be considered a separate offense. (10-24-19)

(b) Any person who violates or fails or refuses to comply with Section 10(a) of this Chapter, shall be liable for a penalty of One Hundred Dollars (\$100.00) for the first offense; Two Hundred Fifty Dollars (\$250.00) for the second offense; and Five Hundred Dollars (\$500.00) for the third or subsequent offenses; or by imprisonment in the County Jail for a term not exceeding ninety (90) days, or both. Each day of the violation shall be considered a separate offense. (10-24-19)

(c) Any person who shall violate the provisions of Section 12 or 13 of this Chapter shall, upon conviction thereof, be punished by a fine not exceeding Five Hundred Dollars (\$500.00), or by imprisonment in the County Jail for a term not exceeding ninety (90) days, or both. (10-24-19)

6-15. Exceptions.

No licensing provision of this Chapter shall be construed to apply to any establishment wherein or whereon dogs are received or kept for diagnostic, medical, surgical or other treatment, owned by and operated under the immediate supervision of a graduate veterinarian licensed in the State of New Jersey. (6-26-61)

CHAPTER 6A. CATS

6A-1. Definitions.

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

Abandoned Cat - A cat of any age which shall be left unattended and at large for a period of seventy-two (72) hours or more.

Cat - Any animal of the feline species, male or female or altered.

Keeper - Any person having custody or control over a cat or permitting a cat to remain on the premises under his control.

Kennel - Any establishment wherein or whereon the business of boarding, breeding or selling of cats is carried on, except a pet shop.

Neutered - Rendered permanently incapable of reproduction as certified by a licensed veterinarian.

Owner - Every person having a right of property in such cat, and every person keeping or harboring such cat or feeding such cat for more than forty-eight (48) hours.

Person - An individual, firm, partnership, corporation or association of persons.

Pet shop - Any room or rooms, store or stores, cage or exhibition pen, not part of a kennel, wherein cats for sale are kept or displayed.

Pound - An establishment for the confinement of cats taken into custody by the Animal Warden.

Public Nuisance - A cat that damages either public or private property or harms the lawful users or occupants thereof.

Shelter - Any establishment created or maintained for the purpose of housing, feeding or caring for any animal pending the animal's sale or adoption.

Stray Cat - A cat having no known owner or custodian or known place of care or shelter.

6A-2. Enforcement.

The Town Clerk is hereby designated as the official charged with the enforcement of the provisions of this ordinance.

6A-3. License and Vaccination Required.

No person shall own, keep or harbor any cat over four (4) months of age within the Town of Hackettstown unless such cat has been licensed and 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. The provisions of this section do not apply to a veterinary establishment where cats are received or kept for diagnostic, medical, surgical and other treatments.

Any cat may be exempted from the requirements of such vaccination for a specified period of time by the local board of health, upon presentation of a veterinarian's certificate stating that because of an infirmity or other physical condition, or regimen of therapy, the inoculation of such cat shall be deemed inadvisable.

6A-4. License and Application.

(a) Written application for a cat license shall be made to the Town and shall include the name and address of the owner and the name, breed, color, age and sex of the cat. The applicant shall pay the prescribed licensing fee and provide proof of current rabies vaccination.

(b) The licensing period shall be for one (1) year. Licenses shall be renewed by January 31st of each year. Application for a license must be made within thirty (30) days after obtaining a cat over four (4) months of age. New residents must apply for a license within ninety (90) days of establishing residence. All other cats must be licensed upon or prior to the cat reaching four (4) months of age.

(c) The applicant must supply proof at the time of application that the cat's inoculation period under the requirements of section 6A-3 does not expire prior to November 1st of the license year.

6A-5. License Fee. (5-24-18)

A license shall be issued after payment of a fee of nine (\$9.00) dollars for each unneutered cat and six (\$6.00) dollars for each neutered cat. A late charge of five (\$5.00) dollars per month or any portion of a month shall be charged for any license issued after the last day of February.

6A-6. License Tags; Replacement Fee.

(a) Upon acceptance of the license application and fee, the Town shall issue a durable license tag, including an identifying number, the year of issuance, the municipality and the state. The license tag shall be attached to the collar of the cat so as to assist in the identification of a lost cat.

(b) In case a license tag is lost or destroyed, a duplicate will be issued by the Clerk upon presentation of a receipt showing the payment of the license fee for the current year and the payment of a fee of one dollar (\$1.00) for such duplicate.

(c) License tags shall not be transferable from one cat to another and no refunds shall be made should any owner leave the Town before expiration of the license period.

(d) The provisions of this section shall not be intended to apply to cats whose owners are nonresidents temporarily within the Town.

6A-7. Care and Control.

Any person who owns, keeps or harbors any cat located within the Town of Hackettstown or permits a cat to enter the corporate limits of the Town of Hackettstown shall exercise sufficient and proper care and control over such animal at all times so as to prevent the animal from becoming a public nuisance or otherwise violating this ordinance.

6A-8. Responsibility of Owner.

No person owning, keeping or harboring any cat shall permit it to soil, defile or commit any nuisance on any place where people congregate or walk or upon any public property whatsoever. This provision shall apply to all privately owned property in the Town except the property of the owner or keeper of the cat and the property owned or controlled by persons who have invited or permitted the owner or keeper of a cat to bring such cat upon the premises.

6A-9. Nuisances.

No person owning or keeping a cat shall permit such cat to become a public nuisance as defined herein.

6A-10. Abandonment.

No person shall abandon any cat of any age or permit a cat to become a stray.

6A-11. Female Cats.

Every female cat in heat shall be confined in a building or secure enclosure in such a manner that such female cat cannot come into contact with another cat except for planned breeding.

6A-12. Impounding Cats.

The Mayor may appoint at such times and for such terms as may, from time to time, seem expedient, an animal warden and such assistants as may be required, whose duty it shall be to take cats into custody and impound or cause to be taken into custody and impounded and thereafter destroyed or disposed of as provided in this section:

- (a) Any cats off the premises of the owner or of the person keeping or harboring said cat, which said animal warden or his assistants or assistant have reason to believe is a stray cat;
- (b) Any cat off the premises of the owner or of the person keeping or harboring said cat without a current registration tag on his collar;
- (c) Any female cat in season off the premises of the owner or of the person keeping or harboring such cat;
- (d) Any cat which the owner, person harboring or keeping wishes to dispose of and to which he renounces ownership, custody and control in writing.

If any cat seized, as provided by sub-paragraphs (a), (b) and (c) hereof wears a collar or harness to which is attached a registration tag or the owner is otherwise known, the animal warden shall forthwith serve on said owner a notice, in writing, stating that the cat has been seized and will be liable to be disposed of or destroyed if not claimed within seven (7) days after the service of notice. Such notice may be served either by delivering it to the person on whom it is to be served or by leaving it at that person's usual or last known place of abode as determined by the registration tag or other readily available information.

When any cat seized in accordance with sub-section (a), (b) or (c) hereof has been detained for seven (7) days after notice, when such notice can be given as above set forth, or has been detained for seven (7) days after seizure, when no notice has been given as above set forth, and if the owner has not claimed said cat and paid all expenses incurred by reason of its detention, including maintenance not exceeding fifty cents (\$.50) per day, and if the cat be unlicensed at the time of the seizure and the

owner has not provided a license and registration tag for said cat, the animal warden may cause the cat to be destroyed in a manner causing as little pain as possible.

When any cat be delivered to the animal warden under sub-section (d) hereof, no notice to the owner shall be required, unless the person delivering the said cat is someone other than the owner, in which event the foregoing procedure shall be followed: If the person delivering the said cat is the owner, the animal warden may forthwith destroy the cat in a manner causing as little pain as possible. All costs for destroying the cat shall be at the expense of the owner or harborer of said cat.

6A-13. Limit on Number of Cats Kept.

No more than five (5) cats shall be kept, maintained or harbored for more than ninety (90) days in any residential housing unit or on its grounds. This provision shall not apply to cats which have been owned prior to the effective date of this chapter.

6A-14. License for Pet Shops, Kennels, Shelters or Pounds.

(a) Any person who keeps or operates or proposes to establish a kennel, a pet shop, a shelter or a pound, shall apply to the Town Clerk for a license entitling such person, firm or corporation to keep or operate such establishments.

(b) The application shall describe the premises where the establishment is located or is proposed to be located, the purpose or purposes for which it is to be maintained, and shall be accompanied by the written approval of the Chief of Police, the Chief of the Fire Department, Building Inspector, and Health Officer showing compliance with the State and Town rules and regulations governing location of and sanitation of each such establishment.

(c) All licenses issued under this section shall expire on the last day of January of each year, and shall be subject to revocation by the Town Council on recommendation of the State Department of Health or the Town Board of Health for any failure to comply with the rules and regulations of the State Department of Health or the Town governing the same after the owner has been afforded a hearing.

(d) Any person holding a license under this section shall not be required to secure individual licenses for cats owned by such licensee and kept at such establishments.

(e) Any license issued under this section shall not be transferable to another owner or different premises.

6A-15. Fees.

The annual license fee for a kennel providing:

Accommodations for 10 or less cats shall be \$20.00

Accommodations for more than 10 cats shall be \$50.00

The annual license fee for a pet shop shall be \$20.00

No fee shall be charged for shelter or pound.

6A-16. Penalties.

(a) Any person who violates or who fails to or refuses to comply with the provisions with this chapter shall be liable to a penalty for not more than \$100.00 for each offense.

(b) Each and every day in which a violation of any provision of this chapter exists shall constitute a separate violation.

CHAPTER 6B. PET WASTE

6B-20. Definitions.

For the purpose of this ordinance, 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.

a. Immediate - shall mean that the pet solid waste is removed at once, without delay.

b. 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.

c. Person - any individual, corporation, company, partnership, firm, association or political subdivision of the State subject to municipal jurisdiction.

d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

e. Pet Solid Waste - waste matter expelled from the bowels of the pet; excrement

f. 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.

6B - 21. 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.

6B -22. Exemptions.

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of the section while such animal is being used for that purpose.

6B -23. Enforcement.

The provisions of this chapter shall be enforced by the Town of Hackettstown.

6B -24. Violations and Penalty.

Any person(s) who is found to be in violation of the provisions of this chapter shall be subject to a fine not to exceed \$1,000.00.

CHAPTER 6C ANIMAL WELFARE (3-19-17)

Chapter 6C-1. Definitions

Animal - shall mean any dog or cat.

Cat - Any animal of the feline species, male or female or altered.

Dog - shall mean any dog, bitch or spayed bitch.

6C-2. Chaining or Tethering of Animals.

Animals shall not be chained, tied, fastened or otherwise tethered to dog houses, trees, stakes, poles, fences, walls, or any other stationary object outdoors as a means of confinement for more than six (6) hours during a twenty-four (24) hour period. The tether or chain must be at least fifteen (15) feet in length and positioned to prevent tangling and hanging; animals must be able to move freely when chained or tethered. Animals must be equipped with properly fitted harness or buckle type collar. Shelter, water, and food shall be accessible to the animal while chained, tied, fastened, or tethered.

6C-3. Extreme Weather.

In extreme weather, below 32 degrees and above 90 degrees, animals shall not be left outside for more than fifteen (15) minutes during a three (3) hour period.

6C-4. Violations.

- a. Any person who violates or fails or refuses to comply with this Chapter, shall be liable to a penalty of not more than One Hundred Dollars (\$100.00) for the first offense, Two Hundred Fifty Dollars (\$250.00) for a second offense, Five Hundred Dollars (\$500.00) for a third offense, and for any subsequent offense One Thousand Dollars (\$1000.00), not more than ninety (90) days in jail, and not more than ninety (90) days of community service. Each day of violation shall be considered a separate offense.
- b. The provisions of this Chapter may be enforced by the Animal Control Officer and the Hackettstown Police Department.