

AN ORDINANCE AMENDING CHAPTER V,
ANIMAL CONTROL, OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF RINGWOOD
IN ITS ENTIRETY

BE IT ORDAINED by the Municipal Council of the Borough of Ringwood in the County of Passaic, State of New Jersey that Chapter 5-Animal Control – of the Revised General Ordinances of the Borough of Ringwood if hereby amended in its entirety to provide as follows:

5-1 DEFINITIONS.

As used in this chapter:

Animal shall mean any dog or cat, for the purpose of this section.

Animal Control Officer shall mean any person appointed by the Borough who possesses a certification of Animal Control Officer issued by the State of NJ, Department of Health and who shall be responsible for animal control within the Borough pursuant to N.J.S.A. 4:19-15.16a through N.J.S.A. 4:19-37.

Animal of licensing age shall mean any dog or cat which has attained the age of seven (7) months or which possesses a set of permanent teeth.

Bite shall mean to seize with the teeth or jaws so as to enter, nip or grip the person or thing seized; also to cut, wound, pierce or impress deeply the person or thing seized.

Cat shall mean any member of the domestic feline species.

Dog shall mean any dog.

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

Neutered shall mean to render permanently incapable of reproduction as certified by a licensed veterinarian.

Owner shall mean and include, when applied to the proprietorship of an animal, every person having a right of property (or custody) in such animal and every person who has such animal in his/her keeping or who harbors or maintains an animal or knowingly permits an animal to remain on or about any premises occupied by that person. A person shall be deemed to have an animal in his keeping or under his control whenever the ownership or custody of such animal is an unemancipated infant or other member of his household.

Owner's premises shall mean and include the building or plot of land on which the building stands in which the owner of an animal has a place of abode or place of business in the Borough.

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

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

Shelter shall mean an establishment wherein animals are received, housed and distributed.

Vicious animal shall mean any animal which at any time, without provocation, has attacked or shall attack a human being or another domestic pet, either while upon or off the premises occupied by the person owning, keeping, harboring or having the custody or possession of the attacking animal. "Vicious animal" shall also mean and include any animal, which has caused any human being engaged in a lawful activity or occupancy to be fearful for his own safety by chasing or snapping at such person without provocation.

5-2 ANIMAL CONTROL OFFICER AND ANIMAL CRUELTY INVESTIGATOR.

- a. The position of Animal Control Officer is hereby established under the jurisdiction of the Department of Administration.
- b. The Animal Control Officer shall be an employee of the Borough and subject to the control and direction of the Borough Manager or his authorized representative.
- c. The duties of the Animal Control Officer shall be the enforcement of the measures and provisions for the control of the animal contained in Title 4, Chapter 19, Sections 15.1 through 15.29 of the Revised Statutes of New Jersey, and any amendments thereof, and the provisions of this Chapter. The Animal Control Officer shall be available to render assistance in any situation deemed necessary by the Governing Body of the Borough concerning any animal-related matter.
- d. The position of Animal Cruelty Investigator is hereby established. To be appointed to the position of Animal Cruelty Investigator, a person must hold a certified animal control officer certification from the State of NJ and shall have and maintain the New Jersey Animal Cruelty Investigators Certification pursuant to N.J.S.A. 4:19-15.16A.
- e. The Animal Cruelty Investigator shall be appointed by the Mayor, subject to confirmation by the Council, and shall serve a term of office of three (3) years, commencing January 1 of the year appointed and ending on December 31 of the third year or until such time as a successor shall be qualified and appointed.
- f. The duties of the Animal Cruelty Investigator shall include the following:
 1. Assist the Animal Control Officer in the enforcement of all laws and ordinances enacted for the protection of animals, including but not limited to, animal control, animal welfare and animal cruelty laws of the State of NJ and local ordinances.
 2. Conduct investigations and initiate and prosecute complaints and/or violations of animal control, animal welfare and animal cruelty laws of the State of NJ and local ordinances.
 3. Engage in the detection, apprehension and arrest of offenders who have violated animal control, animal welfare and animal cruelty laws of the State of NJ and local ordinances.
 4. Working on consultation and cooperation with the Police Department, the Animal Control Officer as well as the Borough Manager when applicable, and when necessary cooperatively determining whether probable cause exists for the application and issuance of a search or arrest warrant and implementing same.

5.3 DOG AND CAT LICENSES.

5-3.1 Licenses required

- a. No person shall keep or harbor or suffer the keeping or harboring within the limits of the Borough any dog or cat of licensing age without first obtaining a license to be issued by the Health Department of the Borough upon application by the owner or some person on behalf of the owner and payment of the prescribed fee. No person shall keep or harbor any dog or cat in the Borough except in compliance with the provisions for the control of animals contained in Title 4, Chapter 19, Sections 15.1 through 15.29 of the Revised Statutes of New Jersey, and any amendments thereof and this chapter.
- b. The Health Department shall keep a record of each dog or cat so licensed showing the names of the owners, custodians or harborers of dogs or cats; a description of each dog or cat so owned or harbored; date of issuance of license; record of rabies expiration date; and amount of licensing fee collected and remitted. The Health Department shall provide a copy of the dog or cat license record to the Animal Control Officers who shall retain the same for his/her record book.

5-3.2 License and registration tag. Any person who shall own, keep or harbor or suffer the keeping or harboring of any dog or cat of licensing age within the Borough shall in the month of January and annually thereafter, apply for and procure from the Health Department a license and official registration tag for each dog or cat so owned, kept or harbored and shall place upon each dog or cat a collar or other device with the license number securely fastened or displayed thereto.

5-3.3 Fees required; Renewal expiration date of license; Exceptions

- a. The person applying for a license and registration tag shall pay a fee for each dog or cat as provided for in Section 5-14.
- b. The person applying for a license and registration tag shall pay the fee fixed as authorized. The fee for renewal of license and registration tag shall be same as for the original, and the license, registration tag and renewal thereof shall expire on January 31 in the following year. Only one (1) license and registration tag shall be required in any licensing year for any dog or cat owned in the Borough, and such license and registration tag issued by any municipality in the State of NJ shall be accepted as evidence of compliance of this section.
- c. Any dog or cat owner or person harboring a dog or cat found to have an unlicensed dog or cat by the Animal Control Officer or any other municipal official on or after February 1 shall be required to pay an additional delinquent fee as established in Section 5-14, plus the required license fee as provided in this section for his license, together with any other fines due to summons issued that may be imposed on him or provided in this section for failure to obtain a license by March 31. The aforementioned fee shall not apply to dogs or cats which have been acquired by the owner after March 1, provided that the license is obtained within ten (10) days after acquisition and sufficient proof is presented to establish the date the dog or cat is acquired.
- d. Dogs used as a guide for blind persons and commonly known as “seeing eye dogs”, dogs used to assist disabled persons and 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 animals herein above provided for, except that the owner or keeper of such dog shall not be required to pay any fee.

- e. The owner or keeper of any newly acquired dog or cat of licensing age shall make application for such license and registration tag for such dog or cat within ten (10) days after such acquisition or age attainment.
- f. Any owner or keeper of a licensed dog or cat whose current license tag has been lost may obtain a replacement tag by applying to the Health Department immediately. A charge as established in Section 5-14 is made for replacement of this tag.
- g. No person shall make use of or have in his possession or under his control a stolen, counterfeit or forged dog or cat license receipt, license registration tag or rabies vaccination certification or other forms issued in accordance with the provisions of this Chapter.
- h. Any person applying for a license for a neutered dog or cat must present to the licensing agent a veterinarian's certification that the dog or cat or reproductive age has had its reproductive capacity permanently altered through sterilization.

5-4 RABIES VACCINATION REQUIRED.

- a. All dogs and 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.
- b. Any person applying for a dog or cat license and registration tag must provide evidence to the Health Department that the dog or cat has been inoculated with a rabies vaccine of 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 for by paragraph d, below. The rabies inoculation shall be administered by a duly licensed veterinarian or by such other veterinarian permitted by law to do the same. Such vaccine shall be repeated at intervals as provided by regulations of the New Jersey State Department of Health.
- c. A certificate of vaccination shall be issued to the owner of each dog or cat vaccinated on a form recommended by the State of NJ.
- d. Any dog or cat may be exempt from the requirement of such vaccination for a specified period of time by the Health Department upon presentation of a veterinarian's certificate stating that because of an infirmity or other physical condition or regime of therapy, the inoculation of such an animal shall be deemed inadvisable.

5-5 IMPOUNDING.

- a. Any person appointed for the purpose by the Borough shall take into custody and impound or cause to be taken into custody and impounded and thereafter shall adopt or otherwise dispose of any animal acquired as provided in this section.

1. Any dog or cat off the premises of the owner or of the person keeping or harboring the dog or cat which the official or his agent or agents has reason to believe is a stray dog or cat.
 2. Any dog or cat off the premises of the owner or of the person keeping or harboring the dog or cat without a current registration tag on his collar.
 3. Any female dog in season off the premises of the owner or of the person keeping or harboring the dog.
 4. Any dog or other animal which is suspected of being rabid.
 5. Any dog or other animal off the premises of the owner reported to or observed by a certified Animal Control Officer to be ill, injured or creating a threat to public health, safety or welfare or otherwise interfering with the enjoyment of property.
- b. If any animal so seized wears a collar or harness having inscribed thereon or attached thereto the name and address of any person or a registration tag or the owner or the person keeping or harboring the animal is known, any person authorized by the Borough shall forthwith serve on the person whose address is given on the collar or on the owner or person keeping or harboring the animal, if known, a notice, in writing, stating that the animal has been seized and will be liable to be euthanized or placed for adoption if not claimed within seven (7) days after the service of the notice.
- c. A notice under this section 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 adobe or at the address given on the collar or by forwarding it by postage in a prepaid letter addressed to that person at his usual or last known place of adobe or to the address given on the collar.
- d. When an animal so seized 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 no notice has been given as above set forth, or if the person keeping or harboring the animal has not claimed the animal and paid all expenses incurred by reason of its detention, including maintenance, and if the animal is unlicensed at the time of the seizure and the owner or person keeping or harboring the animal has not produced a license and registration tag for the animal, any person authorized by the Borough may cause the animal to be euthanized in a manner causing as little pain as possible and consistent with the provisions of Title 4, Chapter 22, Section 19 of the Revised Statutes of the State of New Jersey, and any amendments thereof; or, if deemed adoptable, such animal shall be placed for adoption. At no time shall an adoptable animal be euthanized, provided that sufficient space exists at the animal shelter.

5-6 FARM ANIMALS, FOWL, PIGEONS, POISONOUS SNAKES AND REPTILES.

5-6.1 Farm animals

- a. As used in this subsection, the following terms shall have the meanings indicated:
1. *Hoofed animal* shall mean and include goats, horses, sheep, swine or cattle, or other hoofed animals.
- b. Hoofed animals shall be permitted in all Residential and Conservation Zones and every person who owns, keeps, harbors, or maintains a hoofed animal shall keep and maintain the property on which the animals are kept and all buildings and facilities thereon in accordance with the following regulations:

1. Animal shelter. Where all hooved animals are kept, harbored or maintained there shall be provided a separate stable or building for the shelter of the animal. The property shall also include a fully enclosed corral or sty for the containment of the hooved animal.
2. Minimum distances from property lines. For the maintenance of all hooved animals there shall be provided a corral (exercise area), which shall not be less than fifty (50) feet from all property lines. No stable shall be located closer than fifty (50) feet to any property line.
3. Number of hooved animal limited. The number of hooved animals permitted shall be limited to one (1) for all residential parcels of forty thousand (40,000) square feet of lot area, and one (1) for each thirty thousand (30,000) square feet of lot area in excess of one (1) acre.
4. Riding stables, Academies, Riding Clubs. Riding stables, academies, riding clubs and other similar activities shall be permitted in the Conversation Zone where a minimum area of ten (10) acres is maintained for these purposes and all buildings for the housing, feeding, exercise or rental of such animals are maintained at least three hundred (300) feet from all residential buildings, structures and property lines and are appropriately screened and fenced.
5. Other requirements. All regulations of the Board of Health shall be adhered to.

5-6.2 RESERVED

5-6.3 Poisonous snakes and reptiles. The raising, breeding or housing of poisonous snakes or reptiles or such snakes or reptiles prohibited by Federal or State law, or designated as endangered or restricted, shall be prohibited in the Borough.

5-7 SEIZURE OF ANIMALS.

Any officer or agent authorized or empowered to perform any duty under this chapter is hereby authorized to go upon any premises to seize and impound when such officer is in the immediate pursuit of such animal or animals except upon the premises of the owner of the animal if the owner is present and forbids the same.

5-8 RABIES CONTROL.

- a. Whenever a dog, cat or other animal is affected by rabies or suspected of being affected by rabies or has been bitten by an animal known or suspected to be affective by rabies, the owner or person in charge of the animal or any person having knowledge thereof shall forthwith notify the Health Department of the place where the animal is located.
- b. Whenever a dog, cat or other animal bites a person, the owner or person in charge of the animal, the person bitten or parent or guardian or the physician having professional attendance upon every person bitten shall notify the Health Department of the name, age, sex, color and precise location of the person so bitten pursuant to the Revised Statutes of the State of New Jersey, Title 26, Chapter 4, Sections 78 through 95.

5-9 DEFILING OR DAMAGING PROPERTY; NUISANCES; RUNNING AT LARGE.

- a. No person shall suffer, permit or allow any animal to injure, damage, soil or defile any lawn, shrubbery, flowers or grounds on any property, either public or private, or any person other than that of its owner to the extent that such action causes a nuisance.
- b. No person owning or in charge of any dog shall suffer, permit or allow such dog to be upon any private or public property other than the premises of the owner without the consent of the owner or tenant of the private or public property or permit the dog to run unleashed off the premises of the owner.
- c. No person owning or in charge of any dog shall cause or allow such dog to soil, defile or defecate upon any private property without the permission of the owner. Any person owning or in charge of such dog which soils, defiles or defecates shall immediately remove all feces deposited by such dog in a sanitary manner.
- d. No person owning or in charge of any dog shall cause or allow such dog to soil, defile or defecate on any place where people walk or congregate, or upon public property. Any person owning or in charge of such a dog which soils, defiles or defecates shall immediately remove all feces deposit by such dog in a sanitary manner.

5-10 VICIOUS OR POTENTIALLY DANGEROUS DOG.

N.J.S.A. 4:19-17 through 4:19-37 et seq., and the amendments and supplements thereto are hereby adopted, enacted and incorporated herein.

5-11 HOWLING OR BARKING DOGS.

No person shall keep within the Borough any dog causing a nuisance and/or disturbing the peace and quiet of any neighbors or the neighborhood in which it shall be kept by constant howling, barking or making and causing other sounds or noises.

5-12 KENNEL; PET SHOP; SHELTER; POUND.

- a. Any person who keeps or operates or proposes to establish a kennel, a pet shop, a shelter or pound shall apply to the Health Department for a license entitling him to keep or operate such establishment and shall pay an annual fee as established in Section 5-14. The application shall describe the premises where the establishment is located or is proposed to be located and the purpose for which it is to be maintained.
- b. All licenses issued for a kennel, pet shop, shelter or pound shall expire on the last day of June of each year and be subject to revocation by the Borough for failure to comply with rules and regulations governing kennels, pet shops, shelters, and pounds pursuant the New Jersey Administrative Code, Title 8, Chapter 23, Subchapter 3 and this chapter. Any person holding such license shall not be required to secure individual licenses for animals owned by such licensee and kept at such establishment; such licenses shall not be transferable to another owner or different premises.
- c. No animal kept in a kennel, pet shop, shelter or pound shall be permitted off the premises, except on leash or in a crate or other method of safe control.

5-13 CANVASS OF DOGS & CATS.

The Health Officer or any person appointed for the purpose, which person may include the Chief of Police, shall annually cause a canvass to be made of all dogs and cats owned, kept or harbored within the limits of the Borough and shall report on or before September 1 of each year to the licensing official and to the Department of Health and to the New Jersey State Department of Health the results thereof, setting forth in separate columns the name and addresses of persons owning, keeping or harboring unlicensed dogs or cats and the number of unlicensed dogs or cats owned, kept or harbored by each person, together with a complete description of each unlicensed dog or cat.

5-14 FEES.

The following fees shall be paid to the Borough for compliance with this chapter:

- a. *License and Registration Tag, annual*
 1. Dogs
 - (a) Neutered: twelve (\$12.00) dollars.
 - (b) All others: fifteen (\$15.00) dollars.
 2. Cats
 - (a) *Neutered: five (\$5.00) dollars.*
 - (b) All others: eight (\$8.00) dollars.
- b. *Late charge for dog or cat license and registration tag, effective February 1: five (\$5.00) dollars.*
- c. Replacement dog or cat license and registration tag: five (\$5.00) dollars.
- d. Surrender fees:
- e. *Kennel License, Animal*
 1. Ten (10) or fewer dogs: ten (\$10.00) dollars.
 2. Greater than ten (10) dogs: twenty five (\$25.00) dollars.
- f. Pet shop; annual: ten (\$10.00) dollars.
- g. Potentially dangerous dog license and registration tag, annually: two hundred fifty (\$250.00) dollars.
- h. *Disposal of dead domestic animals*
 1. Less than 30 lbs: fifty (\$50.00) dollars.
 2. Between 30 lbs and 50 lbs: seventy-five (\$75.00) dollars.
 3. Over 50 lbs: one hundred (\$100.00) dollars.
- i. Removal of dead animals (other than domestic) on private property; ten (\$10.00) dollars.
- j. Euthanasia of quarantined pets and, in special circumstances owner released pets.
 1. Pets weighing forty-nine (49) pounds and under; disposal fees plus thirty-five (\$35.00) dollars.
 2. Pets weighing over forty-nine (49) pounds; disposal fees plus fifty (\$50.00) dollars.

5-15 INTERFERING WITH ENFORCEMENT.

No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this chapter.

5-16 RESERVED.

5-17 ANIMAL FEEDING.

5-17.1 Feeding of certain animals prohibited. It shall be unlawful to feed or to bait bears and/or undomesticated animals in any manner. For purposes of this ordinance “undomesticated animals” shall be defined as any four (4) legged mammal, which lives in the wild and has not been trained to live in a human environment and which has the potential for attacking humans.

5-17.2 Poisonous substances prohibited. It is unlawful for any person by any means to knowingly and recklessly make accessible to any animal, with intent to cause harm or death, any substance, which has in any manner been treated or prepared with any harmful or poisonous substance. This provision shall not be interpreted so as to prohibit the use of poisonous substances for the control of vermin in furtherance of the public health, when applied in such a manner as to reasonably prohibit access to other animals.

5-17A FEEDING OF UNCONFINED WILDLIFE.

5-17A.1 Purpose. The purpose of this section is to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Borough of Ringwood, so as to protect the public health, safety and welfare, and to prescribe for failure to comply.

5-17A.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.

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.

5-17A.3 Prohibited Conduct. No person shall feed, in any public park or on any other property owned or operated by the Borough of Ringwood, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

5-18 ANIMAL CARE.

5-18.1 Shelter and Care of Animals.

a. Conditions of Pens and Premises.

1. It shall be unlawful for any person keeping or harboring animals to fail to keep the premises where such animals are located free from excessive animal waste and offensive odors to the extent that such waste and odors disturb person(s) residing or located within twenty (20) feet from the premises. It shall be

unlawful to allow the premises where animals are kept to become unclean and a threat to the public health by failing to diligently and systematically remove all animal waste from the premises.

2. If animals are kept outdoors, access to shelter that supplies protection from weather shall be provided. Shelters shall be well constructed and appropriate for the species. All animals shall have access to adequate shade and water. The animal's age, physical condition and hair coat shall be considered when determining whether available shelter is proper. The Animal Control Officer shall be empowered to make such determination.
 3. Should the property restriction, environment or mitigating circumstances prevail and the animal must be tethered or tied outdoors, the confinement on the tether shall be no more than eight (8) hours during any twenty-four (24) hour period. The tether must be at least fifteen (15) feet in length and positioned to prevent tangling and hanging. If an animal must be tethered or tied outdoors, the animal must wear a properly fitted harness or buckle collar to prevent tangling or hanging. No chains shall be permitted for tethering or tying an animal outdoors. No dog shall remain outdoors in temperatures below freezing, thirty-two (32) degrees Fahrenheit during the night or for extended periods in inclement weather unless the owner of the dog has demonstrated to the Animal Control Officer that by breed or acclimation the animal can withstand such circumstances with no harm to the animal.
 4. In no instance shall a dog less than five (5) months of age be left or permitted to remain outside for extended periods of time.
- b. Confining in Motor Vehicle Prohibited.
1. No animal shall be confined within or on a motor vehicle at any location under such conditions as may endanger the health or well being of the animal, including but not limited to dangerous temperatures, lack of food, water or attention or confinement with a dangerous animal.
 2. No person shall carry an animal upon the hood, fender, running board or other external part of any moving vehicle, or within the open bed of any moving pickup, flatbed or similar vehicle unless the animal is cross-tethered or protected by framework, carrier or other device sufficient to keep it from falling from the motor vehicle.
 3. The Animal Control Officer or any on duty Ringwood Police Officer is authorized to remove any animal from a motor vehicle at any location when the Animal Control Officer or Police Officer reasonably believes it is confined in violation of this section. Any animal so removed shall be delivered to the veterinarian or animal shelter after the removing officer leaves written notice of the removal and delivery, including the Officer's name, in a conspicuous, secure location on or within the motor vehicle. No Officer shall be held criminally or civilly liable for action under this Section, provided the Officer acts lawfully, in good faith, on probable cause and without malice.
- c. Animal Care.
1. No animal sacrifice shall be permitted to be performed in the Borough.
 2. No owner shall fail to provide his animals with sufficient, good and wholesome food and water, in suitable containers.

3. Proper shelter, protection from weather, veterinary care and humane care and treatment shall also be provided. No one shall abandon an animal within the Borough.
4. No person shall give away any live animal, fish, reptile or bird as a price for or as an inducement to enter any contest, game or other competition or to induce a sale or as an inducement to enter into any business agreement whereby the offer was for the purpose of attracting trade.
5. No animal shall be subjected to unnecessary suffering and cruelty such as situations exposing animals to prolonged fear, injury, pain or physical abuse. Animals shall have interaction with humans and other animals whenever possible. Appropriate adherence to these standards shall be as determined by the Animal Control Officer.

5-18.2 Duties of Citizens.

- a. It shall be the duty of every person within the Borough to forthwith report any instances of animal cruelty to the Animal Control Officer.
- b. Any person who, as the operator of a motor vehicle, accidentally strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner. In the event that the owner cannot be ascertained and located, such operator shall at once report the accident to the appropriate law enforcement agency, the Animal Control Officer or a local humane society.

5-19 PET WASTE.

5-19.1 Purpose

To establish requirements for the proper disposal of pet solid waste in the Borough of Ringwood, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

5-19.2 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 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 this 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.

5-19.3 Prohibited Conduct and Proper Disposal

All pet owners and keepers shall not cause or allow their pets to soil, defile, or defecate upon any place where people walk or congregate or upon public property without immediately removing and properly disposing of their pet's solid waste deposited on such property, nor shall any pet owner allow their pet to soil, defile or defecate upon any private property without the permission of the property owner.

5-19.4 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.

5-19.5 Enforcement

The provisions of this ordinance shall be enforced by the Animal Control Officer, Animal Cruelty Investigator, the members of the Police Department, the Property Code Enforcement Officer, the Health Officer and members of the Health Department. Nothing in this paragraph shall preclude a resident from filing a complaint in the municipal court for a violation of this ordinance unless the terms of the said ordinance expressly require filing by a specific officer, official or employee of the Borough.

5-19.6 Violations and Penalty

Any person violating any provision of this ordinance shall upon conviction be liable to the penalties stated in Chapter 1, Section 5.

5-19.7 Severability:

This Ordinance is deemed severable. In the event any provision is deemed invalid by a Court of competent jurisdiction, the remainder shall remain in full force and effect..

5-19.8 Inconsistency:

Any ordinance or any part thereof inconsistent with the terms of this ordinance is repealed.

5.19-9 Effective Date:

This ordinance shall take effect 20 days after passage.

WALTER J. DAVISON, MAYOR

KELLEY A. ROHDE, RMC
BOROUGH CLERK

Introduced: April 16, 2009
Public Hearing: May 21, 2009
Effective: June 10, 2009

LEGAL NOTICE
BOROUGH OF RINGWOOD
COUNTY OF PASSAIC
NEW JERSEY

Ordinance No. 2009-#05

AN ORDINANCE AMENDING CHAPTER V,
ANIMAL CONTROL, OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF RINGWOOD
IN ITS ENTIRETY

NOTICE is hereby given that the ordinance published herewith was introduced and passed first reading at a Meeting of the Municipal Council of the Borough of Ringwood, in the County of Passaic, New Jersey held at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, New Jersey on Thursday, April 16, 2009, and will be considered for final passage at a Business Meeting of said Municipal Council of the Borough of Ringwood to be held on Thursday, May 21, 2009 at 8:00 p.m., or as soon thereafter as same can be considered, at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, New Jersey, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning same. During the week prior and up to the time of public hearing, copies of said Ordinance will be available to the members of the general public who request same.

KELLEY A. ROHDE, RMC
BOROUGH CLERK

1t: Sunday, May 3, 2009
Fees: \$
The Suburban Trends

LEGAL NOTICE
BOROUGH OF RINGWOOD
COUNTY OF PASSAIC
NEW JERSEY

Ordinance No. 2009-#05

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ORDINANCES OF THE BOROUGH OF RINGWOOD
IN ITS ENTIRETY

NOTICE is hereby given that the above ordinance was adopted at the Business Meeting of the Municipal Council of the Borough of Ringwood, in the County of Passaic, New Jersey held at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, New Jersey, on Thursday, May 21, 2009 shall become effective twenty (20) days from the date of passage.

BY THE ORDER OF THE MUNICIPAL COUNCIL

KELLEY A. ROHDE, RMC
BOROUGH CLERK

It: Wednesday, May 27, 2009
Fees: \$
The Trends