



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 03/25/19 07:00 PM

19-16

2019 ORDINANCE AMENDMENT

AN ORDINANCE TO AMEND CHAPTER 134, ANIMALS WITHIN THE TOWNSHIP CODE OF THE TOWNSHIP OF BLOOMFIELD

BE IT ORDAINED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, as follows:

SECTION 1. Chapter 134, ANIMALS, of the Code of the Township of Bloomfield is hereby amended to read as follows:

Chapter 134 ANIMALS GENERAL REFERENCES

**Animals and fowl (Board of Health), Feral Cats - See Ch. 586.
Animals in parks - See Ch. A680.**

PURPOSE

This ordinance deals with all municipal actions relating to the control and welfare of domestic animals and designates the Bloomfield Animal Shelter as a "No-Kill" shelter as based on the principles stated in the model legislation known as the Companion Animal Protection Act, or CAPA. These principles have been incorporated into this ordinance.

As a "No Kill" shelter, the Bloomfield Animal Shelter will adhere to the following policies in order to find proactive solutions that keep animals moving through the shelter system and on to a better future while euthanizing no adoptable/treatable animal that comes through its doors.

Policies to accomplish this may include:

- A. Partnering with rescues, sanctuaries, and other animal welfare organizations to assist with the rehabilitation and rehoming of pets
- B. Having a comprehensive adoption program, which includes actively promoting pets through various methods such as holding adoption events, posting available animals on Petfinder/Adopt-a-Pet, social media, newspapers and websites
- C. Establishing a Foster Care Program for animals that would benefit from a home environment, such as a young animal needing bottle feeding, or due to behavioral or medical issues
- D. Spay/neuter programs
- E. Medical and Behavior programs (including vaccination upon entry, necessary veterinary care for treatable conditions, and training/enrichment)
- F. Public relations/Community involvement and education
- G. An active volunteer program at the shelter
- H. Strong efforts to reunite owners with lost pets
- I. An ongoing Trap-Neuter-Vaccinate-Return program for community cats to reduce stray population
- J. Promoting pet retention by assisting/advising pet owners who are having difficulties keeping their pets.

A “No Kill” shelter does NOT mean:

- A. Hoarding animals/keeping them in a cage for the rest of their lives.
- B. Keeping inappropriate animals that are not adoptable due to intractable behavioral issues or severe, untreatable health problems. No Kill allows for ‘euthanasia’ in the true meaning of the word. It allows for the compassionate ending of an animal’s life, for humane reasons - when animals are too sick, or too damaged to continue to live safely in the community.

ARTICLE I
General Animal Regulations

[Adopted 11-19-1962 as Ch. 5, Art. I, of the 1962 Code (Ch. 78, Art. I, of the 1987 Code)]

§ 134-1. Definitions.

As used in this article, the following terms shall have the meanings indicated: ANIMAL - All animals.**[Amended 11-2-1987]**

ANIMAL SHELTER -The term ‘animal shelter’ means a public or private facility that-

- A. has a physical structure that provides temporary shelter to stray, abandoned, abused, or owner-surrendered animals; and
- B. is operated, owned, or maintained by a society for the prevention of cruelty to animals, humane society, pound, dog/animal control officer, government entity, or contractor for a government entity.

KENNEL - 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 an animal) - Includes every person having a right of property in such animal and every person who has such animal in his keeping.

LICENSED VETERINARIAN.-The term ‘licensed veterinarian’ means a veterinarian licensed to practice veterinary medicine in this State.

PET SHOP - Any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein pets for sale are kept or displayed.**[Amended 12-19-1994]**

RESCUE ORGANIZATION-The term ‘rescue organization’ means an organization that is-

- A. an organization described in section 501(c)(3) of the Internal Revenue Code and exempt from taxation under 501(a) of that Code; and
- B. an animal rescue organization, animal adoption organization, or organization formed for the prevention of cruelty to animals.

IRREMEDIAL PHYSICAL SUFFERING-The term ‘irremediable physical suffering’ means an animal which has a poor or grave prognosis for being able to live without severe, unremitting pain, as certified by a licensed veterinarian.

§ 134-2. Running at large. [Amended BOH 6-9-2004]

All persons are prohibited from permitting any animals belonging to them or in their possession to run at large in any of the public streets, parks or other open places in the Township. Service animals, as defined by the Americans with Disabilities Act, and animals engaged in police, fire, or other government-

§ 134-3. Impoundment. [Amended 11-2-1987; 2-19-2013 by Ord. No. 13-9]

It shall be the duty of the Animal Control Officer to impound any animal or fowl which may be found running at large as provided in the preceding section.

§ 134-4. Failure to redeem impounded animals; notices. [Amended 11-2-1987; 2-19-2013 by Ord. No. 13-9]

- A. If the owner or person harboring any impounded animal does not pay the fine so imposed upon him and the charges of keeping such animal within 7 days after the same is impounded, the impounded animal becomes the property of the town.
- B. The notice referred to in this section 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 or by forwarding it by post in a prepaid letter addressed to that person at his usual or last known place of abode.
- C. The required holding period for stray animals impounded by the animal shelter shall be seven business days, not including the day of impoundment. Animals shall be held for owner redemption during the first two days of the holding period and shall be available for owner redemption, transfer, and adoption for the remainder of the holding period, except as follows:
 - (1) If an animal is impounded with identification or the shelter knows who the owner is, the animal will be held for seven days for owner redemption and shall be available for owner redemption, transfer, and adoption for the remainder of the holding period.
 - (2) The requirements of this provision do not apply to cats impounded for purposes of sterilization and then returned.
 - (3) At any time after impounding, shelters may transfer animals, except animals arriving with identification or a known owner, to a non-profit rescue group, a private shelter, or an organization formed for the prevention of cruelty to animals as long as potential owners are afforded the same rights of reclamation as if the animal was still in the shelter.

§ 134-5. Animal shelter established; appointment of Animal Control Officer. [Amended 11-2-1987]

The Township Council may establish by resolution a municipal animal shelter.

§ 134-6. Supervision and control of animal shelter. [Amended 11-2-1987; 2-19-2013 by Ord. No. 13-9]

The animal shelter shall be subject to the supervision and control of the Bloomfield Police Department.

§ 134-6. Animal Control Officer. [Amended 11-2-1987; 2-19-2013 by Ord. No. 13-9]

- A. The position of Animal Control Officer is hereby created.
- B. The tasks of the Animal Control Officer shall be those defined by the statement of typical tasks relating to the position as they appear now or may hereafter be defined by the State Civil Service Commission or the Township.
- C. The Animal Control Officer shall be under the jurisdiction of the Police Department

- D. S/he shall perform the foregoing and such other duties in connection with the care, seizure and custody of animals as may be assigned to him.
- E. While the Animal Control Officer is performing his/her duties, s/he shall wear the uniform prescribed to be worn and shall conspicuously display identification on the outermost garment.

§ 134-7. Duty of Animal Control Officer. [Amended 11-2-1987]

It shall be the duty of the Animal Control Officer to receive, properly house, and care for all animals brought to the animal shelter by any authorized person. After receiving such animal, the Animal Control Officer shall cause a short description of the animal to be created, including source, the time of bringing the same to the animal shelter and recorded in accordance with N.J.A.C. 8:23A-1.13 . All information recorded will be in accordance with state requirements. The Animal Control Officer will also be responsible for receiving or picking up injured wildlife and bringing it to a licensed rehabilitation center or a veterinarian.

§ 134-8. Nuisances. [Amended 8-7-1972; 5-7-1991]

- A. No person owning, harboring, keeping or in charge of any dog or cat shall cause, suffer or allow such dog or cat to soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place where people congregate or walk or upon any public property (except under provisions of 134-27(B) or upon any private property without the permission of the owner of such property.
- B. Any person owning, harboring, keeping or in charge of any dog or cat which soils, defiles, defecates on or commits any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place where people congregate or walk or upon any public property whatsoever or upon any private property without the permission of the owner of such property shall immediately remove all feces deposited by such dog or cat by any sanitary method approved by the local health authority.
- C. The feces removed from the aforementioned designated areas shall be disposed of by the person owning, harboring, keeping or in charge of any such dog or cat, in accordance with the provisions of this section, in a sanitary manner approved by the local health authority.
- D. No person owning, harboring, keeping or in charge of any dog or cat shall be permitted to keep any such dog or cat on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place within the Township of Bloomfield where people congregate upon public property of any common thoroughfare for the purpose of any public event or festivity within the Township of Bloomfield. This subsection shall not apply to service animals, animals displayed at any public event by the municipal animal shelter or animal rescue groups displayed for the purpose of finding such animals a suitable home or to entertainment groups who are invited that utilize animals for entertainment purposes.[Added 1-3-2001 by Ord. No. 00-43]
- E. The provisions of this section shall not apply to blind persons who may use dogs as guides.

§ 134-9. Damage to lawns, flowers and other plant life. [Amended 5-7-1991]

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.

§ 134-10. Running at large. [Amended 8-7-1972; 5-7-1991]

It shall be unlawful for any dog or cat, whether licensed or not, to run at large within the Township. A dog or cat shall be deemed to be running at large when off the premises of its owner or of the person keeping or harboring such dog or cat, which dog or cat is not on a leash, tether, chain, rope or the like, the overall

length of which, including the hand grip, shall not exceed six feet, held by its owner or other person able to control such dog or cat.

§ 134-11. Vicious dogs or cats. [Amended 11-2-1987; 5-7-1991]

- A. Any dog or cat which has attacked or bitten any human being or which habitually attacks other dogs or cats or domestic animals is hereby defined to be a "vicious dog or cat" for the purposes of this section. It shall be the duty of the Animal Control Officer to receive and investigate complaints against dogs or cats and, when any dog or cat complained against shall be deemed by such Animal Control Officer to be a vicious dog or cat, as herein defined, the officer shall report the facts to the recorder of the Township, who shall thereupon cause the owner or person harboring such dog or cat to be notified, in writing, of the complaint against such dog or cat and to appear before the Judge at a stated time and place.
- B. The Judge, at the time set for such hearing, shall inquire into the facts and give all interested persons an opportunity to be heard, under oath, and to be represented by counsel, and the Judge shall decide that such dog or cat complained of is a vicious dog or cat as defined by this section; notice of such decision shall be given to the owner or person harboring such dog or cat.
- C. No dog or cat which has been so determined to be a vicious dog or cat shall be permitted to run at large or be upon any street or public place in the Township, except while securely muzzled and under leash, as provided in this article, and the owner or person harboring any such vicious dog or cat who shall suffer or permit such dog or cat to run at large or be upon any street or public place in the Township while not securely muzzled and under leash shall be guilty of a violation of this article.

§ 134-12. Impoundment of biting dogs or cats. [Amended 11-2-1987; 5-7-1991]

Any dog or cat which bites a person shall immediately be impounded and kept under observation at a place designated by the Animal Control Officer for a period of 10 days from the date of such biting in order to ascertain whether such dog or cat is suffering from rabies. All reasonable expense in connection with such impoundment shall be paid by the owner or person in charge of such dog or cat before such dog or cat is released. If any such dog or cat is not claimed and the expenses paid at the expiration of 10 days, the dog or cat may be professionally evaluated and thereafter may be put up for adoption (if not declared by court order to be dangerous), sent to sanctuary, or humanely euthanized.

§ 134-13. Impoundment of certain dogs or cats. [Amended 11-2-1987; 5-7-1991]

The Animal Control Officer of the Township shall take into custody and impound or cause to be taken into custody and impounded and thereafter adopted or euthanized (depending on health or temperament), as provided in this article:

- A. Any dog or cat off the premises of the owner or of the person keeping or harboring the dog or cat which the Officer or his agent has reason to believe is a stray dog or cat. 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.
- B. Any female dog or cat in season off the premises of the owner or of the person keeping or harboring the dog or cat.

§ 134-14. Notice of impoundment. [Amended 11-2-1987; 5-7-1991]

- A. If any dog or cat 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 animal is wanded and a chip is found registered to the owner, or the owner or the person keeping or harboring the dog or cat is otherwise 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 the dog or cat, if known, a notice, in writing, stating that the dog or cat has been seized and will be liable to be adopted or euthanized depending on health or temperament, if not claimed within seven days after the 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 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 usual or last known place of abode or to the address on the collar.
- C. Abandonment: A summons will be served by the Animal Control Officer if the ownership is clear and the owners refuse to acknowledge it is their pet.
- D. Every animal shelter shall maintain continuously updated lists of animals reported lost and found, and shall regularly check these lists and animals in the shelter for matches, and shall also post a photograph of and information on each stray animal impounded by the shelter on the Internet with sufficient detail to allow the animal to be recognized and claimed by its owner.

§ 134-15. Care of impounded animals

- A. An animal shelter shall provide all animals during the entirety of their shelter stay with fresh food; fresh water; environmental enrichment to promote their psychological well-being such as socialization, toys and treats; and exercise as needed; however, never less than once daily, except that dogs exhibiting vicious behavior towards people or adjudged to be dangerous by a court of competent jurisdiction may but are not required to be exercised during the holding period.
- B. Notwithstanding subsection A, the shelter shall work with a licensed veterinarian to develop and follow a care protocol for animals with special needs such as, but not limited to, nursing mothers, unweaned animals, sick or injured animals, extremely frightened animals, geriatric animals, or animals needing therapeutic exercise. This care protocol shall specify any deviation from the standard requirements of subsection A and the reasons for the deviation(s).
- C. During the entirety of their shelter stay, animals shall be provided prompt and necessary cleaning of their cages, kennels, or other living environments no less than two times per day, to ensure environments that are welcoming to the public, hygienic for both the public and animals, and to prevent disease. This cleaning shall be conducted in accordance with a protocol developed in coordination with a licensed veterinarian, and shall require that animals be temporarily removed from their cages, kennels, or other living environments during the process of cleaning, to prevent them from being exposed to water from hoses or sprays, cleaning solutions, detergents, solvents, and/or chemicals.
- D. During the entirety of their shelter stay, all animals shall be provided with prompt and necessary veterinary care, including but not limited to preventative vaccinations, cage rest, fluid therapy, pain management, and/or antibiotics, sufficient to alleviate any pain caused by disease or injury, to prevent a condition from worsening, and to allow them to leave the shelter in reasonable condition.

§ 134-16. Euthanization

Animals may be euthanized by a veterinarian in a manner causing as little pain as possible and consistent with the provisions of N.J.S.A. 4:22-19 or offered for adoption seven days after seizure, provided that:

- A. Notice is given as set forth above and the animal remains unclaimed;

- B. The owner or person keeping or harboring the animal has not claimed the animal and paid all expenses incurred by reason of its detention, including maintenance costs; or
- C. The owner or person keeping or harboring an animal which was unlicensed at the time of seizure does not produce a license and registration tag for the animal;
- D. Before the euthanasia of any animal, a reasonable attempt should be made to contact accredited sanctuaries or rescues to determine whether a better option is available based on the animal's evaluation and medical history. However, it may be determined by a licensed veterinarian that euthanasia is the most humane option due to quality of life.
- E. Exclusions: Paragraph D shall not apply to:
- (1) an animal suspected to carry and exhibiting signs of rabies, as determined by a licensed veterinarian;
 - (2) a dog that, after physically attacking a person, has been determined by a court having competent jurisdiction to be dangerous pursuant to State law;
 - (3) an animal experiencing irremediable physical suffering; or
 - (4) an animal that is not adoptable to the general public due to advanced age and serious chronic or untreatable health problems.
 - (5) any animal that has been determined to be unadoptable by virtue of its temperament, as determined by a licensed veterinarian/animal evaluator.
- F. The animal shelter shall not euthanize or cause to be euthanized any animal simply because the animal's holding period has expired.
- G. A report will be filed with the animal's records detailing reasons for euthanization and will be kept on file for one year or as otherwise stipulated by N.J.A.C. 8:23A-1.13.
- H. Animals impounded by the animal shelter shall be euthanized, only when necessary and consistent with the requirements of this ordinance, by lethal intravenous injection of sodium pentobarbital, except as follows:
- (1) intraperitoneal injections may be used only under the direction of a licensed veterinarian, and only when intravenous injection is not possible for infant animals, companion animals other than cats and dogs, or in comatose animals with depressed vascular function.
 - (2) intracardiac injections may be used only when intravenous injection is not possible for animals who are completely unconscious or comatose, and then only by a licensed veterinarian and in accordance with N.J.S.A. 8:23A-1.1 (c).
 - (a) No animal shall be allowed to witness any other animal being killed or being tranquilized or sedated for the purpose of being killed or to see the bodies of animals which have already been killed.
 - (b) Animals shall be sedated or tranquilized before being killed as necessary to minimize their stress or discomfort, or in the case of vicious animals, to ensure staff safety, except that neuromuscular blocking agents shall not be used.
 - (c) Following their lethal injection, animals shall be lowered to the surface on which they

are being held and shall not be permitted to drop or otherwise collapse without support.

- (d) An animal may not be left unattended between the time procedures to kill the animal are commenced and the time death occurs, nor may the animal's body be disposed of until death is verified.
 - (e) Verification of death shall be confirmed for each animal in all of the following ways:
 - (1) by lack of heartbeat, verified by a stethoscope;
 - (2) by lack of respiration, verified by observation;
 - (3) by pale, bluish gums and tongue, verified by observation; and
 - (4) by lack of eye response, verified if lid does not blink when eye is touched and pupil remains dilated when a light is shined on it.
 - (g) The room in which animals are euthanized shall be cleaned and regularly disinfected as necessary, but not less than once per day on days the room is used, except the specific area in the room where the procedure is performed shall be cleaned and disinfected between each procedure.
 - (h) The room in which animals are euthanized shall have adequate ventilation that prevents the accumulation of odors.
 - (i) No one other than a licensed veterinarian or a euthanasia technician certified by the state euthanasia certification program shall perform the procedures referenced in this section except as otherwise noted.
- I. When necessary, wildlife shall be euthanized in accordance with New Jersey Division of Fish and Wildlife regulations.
 - J. Under circumstances determined by a licensed veterinarian, euthanasia may be performed in the interest of the animal's well-being.

§ 134-17. Adoption; sale for experimentation prohibited.

At the time of adoption, the right of ownership of the animal shall transfer to the new owner. No cat or other animal caught and detained or procured, obtained, sent or brought to a pound or shelter shall be sold or otherwise made available for the purpose of experimentation. Any person who sells or otherwise makes available any such cat or other animal for the purpose of experimentation shall be guilty of a disorderly person's offense.

§ 134-18. Record-Keeping.

- A. The animal shelter shall report to the Department of Health & Human Services an annual summary which includes the following information by species-type:
 - (1) the number of animals impounded during the previous calendar year;
 - (2) the number of animals who were killed by the animal shelter, at the animal shelter's direction, with the animal shelter's permission, and/or by a representative of the animal shelter during the previous calendar year;
 - (3) the number of animals who died, were lost, and/or were stolen while in the direct or

constructive care of such agency during the previous calendar year;

- (4) the number of animals who were returned to their owners during the previous calendar year;
- (5) the number of animals who were adopted during the previous calendar year;
- (6) the number of animals who were transferred to other organizations during the previous calendar year;
- (7) the number of animals transferred to other organizations that are located more than 20 miles from the originating shelter;
- (8) the number of animals who were on hand at the start of the year;
- (9) the number of animals who were on hand at the end of the year.

§ 134-19. Service fees. [Last amended 4-28-2011 by Ord. No. 001-2011]

Service fees shall be as follows: (For extenuating circumstances, the Police Liaison has the authority to adjust individual fees and will provide a report to the Finance Department.)

A. Surrender Fees

- (1) Dog or cat (including puppies and kittens): \$100.

B. Adoption fees:

- (1) Dogs and Puppies: \$250
- (2) Kittens: \$100
- (3) Adult cats 1 year and older: \$50
- (4) Senior or Special Needs Animals: 50% fee reduction
- (5) Special Adoption Fees Programs: Variable with permission of Police Liaison

C. Redemption fees for animals at large captured:

- (1) During normal shelter business hours: \$60.
- (2) After normal business hours \$160.
- (3) Second offense in same 12-month-period, \$100. 3rd offense, \$200.

D. Animal holding fee:

- (1) Days one through seven, each day: \$10.
- (2) Days eight and up, each day: \$20.

§ 134-20. Right of entry; exception. [Amended 5-7-1991]

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 s/he may lawfully seize and impound when such officer is in immediate pursuit of such dog or cat, except upon the premises of the owner of the dog or cat if the owner is present and forbids the same.

§ 134-21. Interference with authorized officials.

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

§ 134-22. Seizure of rabid animal.

After observation, any animal seized under this article suspected of being rabid shall be immediately reported to the Health Officer.

§ 134-23. No restrictions based on characteristics of animal.

The shelter shall not ban, bar, limit or otherwise obstruct the adoption or transfer of any animal based on breed, breed mix, species, age, color, appearance or size.

§ 134-24. Kennels, pet shops, shelters and pounds.

- A. Any person who keeps or operates or proposes to establish a kennel, a pet shop, a shelter or a pound, or to breed animals, shall apply to the Health Officer for a license entitling him to keep or operate such establishment. [Amended 12-7-1981]
- B. The application for a license required by Subsection A above 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 and shall be accompanied by the written approval of the Health Officer of the Township, showing compliance with the local and state rules and regulations governing location of and sanitation at such establishments.
- C. All licenses issued for a 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 January of the following year.
- D. The Township Council may, in its discretion, refuse to issue a license to any person to conduct any of the businesses described in Subsection A above in any place in the Township where, in the judgment of the Township Council, the existence or conduct of such business will be detrimental or injurious to the peace and quiet of the neighborhood.
- E. Any person holding such license shall not be required to secure individual licenses for dogs owned by such licensee and kept at such establishment.
- F. Such license shall not be transferable to another owner or different premises.

The annual license fee for a kennel providing accommodations for 10 or fewer dogs shall be \$75, and for more than 10 dogs, the fee shall be \$125. The annual license fee for a pet shop shall be \$50. No fee shall be charged for a shelter or pound. [Amended 11-15-1976; 12-19-1994; 4-28-2011 by Ord. No. 001-2011]

§ 134-25. Sale of certain animals for pets or novelties.

- A. It shall be unlawful for any person to sell or offer for sale, barter or give away rabbits, baby chicks, ducklings or other fowl as pets or novelties.
- B. It shall be unlawful for any person to sell or offer for sale or for any person to permit to be sold or offered for sale, within his place of business within the limits of the Township, live rabbits, baby chickens or other domestic fowl less than three weeks of age in lots of less than six to a single sale.

- C. This section shall not be construed to prohibit the sale of rabbits, chicks or other domestic fowl in proper brooder facilities by hatcheries or stores engaged in the business of selling the same to be raised for commercial purposes. **[Amended 11-2-1987]**

§ 134-26. Violations and penalties. [Added 11-2-1987; amended 5-5-2008 by Ord. No. 08-18]

Any person who violates any provision of this article shall, upon conviction thereof, be subject to the penalty as provided in § 1-15, General penalty, of this Code.

ARTICLE II
Dogs

[Adopted 11-19-1962 as Ch. 5, Art. II, of the 1962 Code (Ch. 78, Art. II, of the 1987 Code)]

§ 134-27. Definitions.

The words defined in this section shall have the meanings indicated in this section for the purposes of interpretation and enforcement of this article:

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.

HYBRID - A "hybrid animal" is the result of the breeding of a domestic animal and a wolf, coyote, wildcat or other wildlife, and all subsequent generations of such hybrid, and any animal that is advertised, registered or represented by its owner to be a canine or feline hybrid. [Added 6-7-1993]

OWNER (when applied to the proprietorship of a dog) - Includes every person having a right of property in such dog and every person who has such dog in his keeping.

POTENTIALLY DANGEROUS DOG - Any dog that has been declared potentially dangerous according to state law.

TETHERING - The restraining of an animal by the tying to any object or structure, including, without limitation, a house, tree, fence, post, garage, weight or shed, by any means, including, without limitation, rope, cord, leash or running line. For purposes of this definition, tethering shall not include the use of a leash used to walk the animal, or forms of restraint used in the transportation of an animal

VICIOUS DOG - Any dog which has been declared vicious in accordance with state law.

§ 134-28. License required; compliance required.

- A. No person shall keep or harbor any dog within the Township without registering and obtaining a license therefor, to be issued by the Municipal Clerk upon application by the owner and payment of the prescribed fee. [Amended 12-7-1981]
- B. No person shall keep or harbor any dog in the Township except in compliance with the provisions of this article.
- C. No person shall keep or harbor any hybrid animal in the Township. [Added 6-7-1993]

§ 134-29. Contents of application; disposition of information; registration numbers.

- A. The application shall state the breed, sex, age, color and markings of the dog for which the 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.
- B. The information on the application and the registration number issued for the dog shall be preserved for a period of three years by the Health Officer. In addition, the Health Officer shall forward similar information to the State Department of Health each month, on forms furnished by the Department. [Amended 12-7-1981] Registration numbers shall be issued in the order of the application.

§ 134-30. Issuance and renewal of license and registration tag. [Amended 12-7-1981; 12-20-1999]

Any person who shall own, keep or harbor a dog of licensing age shall annually, in the month of June, apply for and procure from the Municipal Clerk a license and official metal registration tag for each such dog so owned, kept or harbored and shall place upon each dog a collar or harness with the registration tag securely fastened thereto.

§ 134-31. License fees; expiration date of license; late charge. [Amended 8-22-1966; 12-1-1969; 9-4-1979; 12-7-1981; 4-1-1985; 12-19-1994; 11-3-1997; 12-20-1999]

- A. A license shall be issued after payment of a fee of \$22 for each spayed/neutered dog and \$25 for each non-spayed/non-neutered dog. The annual fee for a dog found to be dangerous or potentially dangerous as determined in Chapter 134-30 and each renewal thereof shall be \$700 in addition to the regular dog license fee. [Amended 5-10-2007; 3-2-2009 by Ord. No. 09-16]
- B. The licenses, registration tags and renewals thereof shall expire on June 30 of the year following the year in which they were issued. [Amended 4-28-2011 by Ord. No. 001-2011]
- C. There shall be a late charge of \$45 for renewal applications filed after August 1 in addition to the aforesaid application fee. [Amended 5-10-2007; 4-28-2011 by Ord. No. 001-2011]

§ 134-32. Service Dogs

Dogs used as service dogs shall be licensed and registered as other dogs herein provided for, except that the owner or keeper of such dog will not be required to pay any fee therefor. Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support may qualify with documentation provided by training organization or physician.

§ 134-33. Time limit for application.

- B. The owner of any newly acquired dog of licensing age or of any dog which attains licensing age shall make application for a license and registration tag for each dog within 10 days after such acquisition or age attainment.
- C. Any person who shall bring or cause to be brought into the Township any dog licensed in another state for the current year and bearing a registration tag and who shall keep the same or permit the same to be kept within the Township for a period of more than 90 days shall immediately apply for a license and registration tag for each such dog unless such dog is licensed under § 134-18A.
- D. Any person who shall bring or cause to be brought into the Township any unlicensed dog and who shall keep the same or permit the same to be kept within the Township for a period of more than 10 days shall immediately apply for a license and registration tag for each such dog unless such dog is licensed under § 134-18A.

§ 134-34. Removal of tags restricted.

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

§ 134-35. Control of dogs.

No dog kept in a kennel, pet shop, shelter or pound, or breeder's premises shall be permitted off such premises except on a leash or in a crate or other safe control.

§ 134-36. Biannual canvass. [Amended 11-2-1987; 4-28-2011 by Ord. No. 001-2011]

The Health Officer of the Township shall biannually cause a canvass to be made of all dogs owned, kept or harbored within the Township and shall report to the Town Clerk and to the State Department of Health the results 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 the persons, together with the registration numbers of each of the dogs, and the number of unlicensed dogs owned, kept or harbored by each of the persons, together with a complete description of each of the unlicensed dogs.

§ 134-37. Tethering of animals.**[Added 5-16-2016 by Ord. No. 16-14]**

A. Tethering of dogs.

- (1) It shall be unlawful for any person to tether, fasten, tie, restrain or cause an unattended dog to be fastened, tied or restrained to houses, trees, fences, garages, stakes or other stationary or highly immobile objects by means of a rope, strap or other physical restraint for the purpose of confinement, except in circumstances where all of the following requirements are satisfied:
 - (a) The tethering is for a total of no more than seven hours within a twenty-four-hour period, with a maximum of four hours at any one interval and a minimum one-hour period between confinements.
 - (b) The tether is attached to the dog by a non-choke-type collar, swivels at both ends, and attached to the stationary object by anchors, latches, or similar devices in a manner which the dog is able to move freely and prevents the tether from becoming entangled around the dog or any object so as to limit the dog's freedom within the tethered area or to prevent the dog, or any of its appendages, from becoming entangled by the tether.
 - (c) The tether shall be of a type commonly used for the size of the dog involved.
 - (d) The construction of the tether shall be of a lightweight yet durable material, shall not exceed 20% of the animal's weight, and may not be thicker than 1/8 inch.
 - (e) The tether must be a minimum of 15 linear feet in length, less than six feet above the ground, and shall remain tangle-free.
 - (f) The tethered dog has easy access to potable drinking water, edible food, dry ground, and adequate shade and/or shelter within the tethering area.
 - (g) The tethering area shall be clean, clear of obstructions and/or debris, and no less than 150 square feet per dog in total area.

- (h) The dog, whether used for hunting, farming, breeding, or is an otherwise working dog, is regularly monitored while tethered for the aforementioned period of time.
- (2) No dog shall be tethered by means of a choke-type, pinch-type, prong-type, or improperly fitting collar.
- (3) Chains shall be prohibited for use as a tethering device.
- (4) If there are multiple dogs, each dog shall be tethered separately and in such a manner that the tethers shall not become entangled with each other.
- (5) No dog shall be tethered within five feet of another person's property, public thoroughfare, and/or right-of-way.
- (6) No dog shall be tethered at a vacant structure or premises for any purpose when it is not monitored by a competent adult who is present at the property for the duration of such tethering.
- (7) Dogs that are not spayed or neutered shall not be tethered for any period of time.
- (8) No dog under the age of one or under 20 pounds shall be tethered.
- (9) No dog that is sick or injured shall be tethered.
- (10) No dogs shall be tethered between the hours of 10:00 p.m. and 6:00 a.m.

C. Collars.

- (1) It shall be unlawful for any person to permanently collar an animal with a choke-type collar, prong-type collar, pinch-type collar, or rope.
- (2) The collar must be at least as large as the circumference of the animal's neck plus one inch and cannot be constructed primarily of metal.

§ 134-38. Prohibited treatment of animals. [Added 5-16-2016 by Ord. No. 16-14]

A. General prohibitions.

- (1) No owner, caretaker, guardian or handler shall withhold proper shelter, light, space, protection from weather, veterinary care, and/or immune care from any animal.
- (2) No owner, caretaker, guardian or handler shall fail to provide his or her animal with sufficient edible food and potable drinking water on a daily basis. Food and water must be in an animal food consumption or water consumption type container, feeder or waterer.
- (3) No animal shall be subjected to unnecessary suffering or cruelty such as subjecting the animal to prolonged confinement, fear, injury, pain or physical abuse. Interaction with humans and other animals shall not be unreasonably withheld.
- (4) No animal shall be confined in a parked or standing vehicle or enclosed trailer for a period of 15 or more minutes when the temperature during such period is either below 32° F. or above 85° F.

B. Restrictions on leaving animals outdoors.

- (1) It shall be unlawful for any person to leave any animal outdoors and unattended for a continuous period of time greater than 1/2 hour if the National Weather Service has issued weather alerts or storm warning, or if the temperature during such period is either below 32° F. or above 85° F. The animal shall be considered outside regardless of access to an outdoor doghouse or similar structure, unless such structure is a properly functioning climate-controlled and weather-resistant structure.
- (2) No animal shall be left outside during snowstorms, ice storms or thunderstorms.

C. Outdoor animal enclosures.

- (1) Animals shall be provided access to an enclosure/structure which protects them against inclement weather, is water-resistant and keeps them dry, provides shade from direct sunlight, and allows them to preserve a normal body temperature.
- (2) Animals shall not be housed on a temporary or permanent basis in any enclosure/structure constructed of metal, unless adequately insulated from inclement weather.
- (3) If there are multiple animals, each animal shall be provided with a separate enclosure/structure.
- (4) Outdoor animal enclosures, including pens, doghouses, or other similar structures shall be soundly constructed, safely and properly positioned on a raised platform, and properly maintained. The top of the enclosure shall be covered to provide the animal with shade and protection from the elements. The floor of the enclosure shall be constructed in such a manner that it protects the animals' feet and legs from injury.
- (5) Pet taxis, plastic carriers, boxes, vari-kennels or metal houses shall not be acceptable as adequate outdoor enclosures.
- (6) Outside animal enclosure shall be no less than four feet in height, no less than 64 feet in square footage, and must allow for the animal to freely turn around, stand, sit, or lie in a normal position. The animal must be able to lie down while fully extended without the animals' head, tail, legs, face, or feet touching any side of the enclosure. The interior height of the enclosure shall be at least six inches higher than the head of the

ARTICLE III
Cats

[Adopted 10-2-1990 (Ch. 78, Art. III, of the 1987 Code)]

§ 134-40. Definitions.

For the purposes of this article, the following terms shall have the meanings indicated:

ANIMAL - Dog or cat.

ANIMAL CONTROL AUTHORITY - Any person or agency designated or certified by the State of New Jersey to enforce the provisions of this article.

CAT - Any member of the domestic feline species, male, female or altered.

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

LICENSING AUTHORITY - The Township Municipal Clerk under the auspices of the Township Administrator.

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

OWNER - When applied to the proprietorship of a cat, includes every person having a right of property (or custody) in such cat and every person who has such cat in his/her keeping or who harbors or maintains a cat or knowingly permits a cat to remain on or about any premises occupied by that person.

PERSON - Any individual, corporation, partnership, organization or institution commonly recognized by law as a unit.

§ 134-40. Rabies vaccination required; exemptions.

- A. Vaccination and license requirements. No person shall own, keep, harbor or maintain any cat over seven months of age within the Township of Bloomfield unless such cat is vaccinated and licensed. The provisions of this section do not apply to cats held in a cattery or those held by a state or federal licensed research facility or a veterinary establishment where cats are received or kept for diagnostic, medical, surgical or other treatment or licensed animal shelters, pounds, kennels or pet shops.
- B. Vaccination. All cats shall be vaccinated against rabies by a licensed veterinarian in accordance with the latest Compendium of Animal Rabies Vaccines and Recommendations for Immunization, published by the National Association of State Public Health Veterinarians, except as provided for in Subsection D.
- C. Vaccination certificate. A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form recommended by the state.
- D. Exemptions. Any cat may be exempted from the requirements of such vaccination for a specified period of time by the 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.

§ 134-41. License required.

- A. Cats must have license number displayed. Any person who shall own, keep or harbor a cat of licensing age shall annually apply for and procure from the Department a license and official registration tag with a license number or a registration sleeve for each cat so owned, kept or harbored and shall place upon such cat a collar or other device with the license number securely fastened or displayed thereto. Acceptable methods of displaying the license number shall include, but are not limited to, breakaway or elastic collars. License tags or sleeves are not transferable.
- B. Time for applying for license. The owner of any newly acquired cat of licensing age or of any cat which attains licensing age shall make application for a license tag or sleeve for such cat within 10 days after such acquisition or age attainment. This requirement will not apply to a nonresident keeping a cat within the Township of Bloomfield for no longer than 90 days.
- C. Cats brought into the Township of Bloomfield.
 - (1) Any person who shall bring or cause to be brought into the Township of Bloomfield any cat licensed in another state for the current year and bearing a registration tag or sleeve and shall keep the same or permit the same to be kept within the Township of Bloomfield for a period of more than 90 days shall immediately apply for a license and registration tag or sleeve for each such cat.
 - (2) Any person who shall bring or cause to be brought into the Township of Bloomfield any unlicensed cat and shall keep the same or permit the same to be kept within the Township of Bloomfield for a period of more than 10 days shall immediately apply for a license and registration tag or sleeve for each such cat. Any valid New Jersey license tag or sleeve issued by a New Jersey municipality shall be accepted by this municipality as evidence of compliance for the remainder of the first calendar year of residence.
- D. Application; contents; preservation of information. The application shall state the breed, sex, age, color and markings of the cat for which license and registration are sought and whether it is of long- or short-haired variety, also the name, street and post office address of the owner and the person who shall keep or harbor such cat. The information on said application and the registration number issued for the cat shall be preserved for a period of three years by the Department.
- E. License forms and tags. License forms and official tags or sleeves shall be furnished by the Township and shall be numbered serially and shall bear the year of issuance and the name of the Township.
- F. Evidence of inoculation with rabies vaccine or certification of exemption; requirement for license. No official designated by the governing body of the Township to license cats therein shall grant any such license and official registration tag or sleeve for any cat unless the owner thereof provides evidence that the cat to be licensed and registered has been inoculated with a rabies vaccine of a type approved by and administered in accordance with the recommendations of the United States Department of Human Services or has been certified exempt as provided by § 134-34 of this article. The rabies inoculation shall be administered by a duly licensed veterinarian or by such other veterinarian permitted by law to do the same.
- G. License fee schedule. A license shall be issued after payment of a fee of \$22, for each spayed/neutered cat and \$25 for each non-spayed/non-neutered cat. Persons who fail to apply for a license as required after August 1 will be subject to a late charge of \$20 per renewal application.

[Amended 12-20-1999; 5-10-2007; 3-2-2009 by Ord. No. 09-15]

H. Fees; renewals; expiration date of license: [Amended 12-20-1999]

- (1) The person applying for the license and registration tag and/or sleeve shall pay the fee fixed or authorized. The fee for the renewal of a license and registration tag or sleeve shall be the same as for the original, and said license, registration tag or sleeve and renewal thereof shall expire on May 31 of the following year of issuance.
- (2) Only one license and registration tag or sleeve shall be required in the licensing year for any cat in the Township of Bloomfield.

- I. Loss of license. If a license tag or sleeve has been misplaced or lost, the Department may issue a duplicate license and/or registration sleeve for that particular cat at a fee of \$1.
- J. Proof of licensing. Proof of licensing shall be produced by any person owning, keeping, maintaining or harboring a cat, upon the request of any health official, police officer, animal control officer or other authorized person.
- K. Interfering with persons performing duties under this article. No person shall hinder, molest or interfere with anyone authorized or empowered by the Department to perform any duty under this article.

Disposition of fees collected. License fees and other moneys collected or received under the provisions of this article shall be forwarded to the Treasurer of the Township and shall be placed in the Dog Trust Account and shall be used for the following purposes only: collecting, keeping and disposing of cats liable to seizure; for local prevention and control of rabies; domestic and wild animal control; providing anti-rabies treatment under the direction of the local Board of Health for any indigent person known or suspected to have been exposed to rabies; and for administering the provisions of this article. Any unexpected balance remaining in such special account shall be retained until the end of the third fiscal year following and may be used for any of the purposes set forth in this section.

§ 134-42. Impoundment.

Any ACO appointed by the Police Department shall take into custody and impound or cause to be taken into custody and impounded and thereafter offered for adoption, or euthanized depending on health or temperament if not reclaimed by the owner, as provided in this section:

- A. Any cat off the premises of the owner of the person keeping or harboring said cat which said official or his agent or agents 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 said cat.
- D. Any cat or other animal which is suspected to be rabid.
- E. Any cat 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.

§ 134-43. Notice of impoundment.

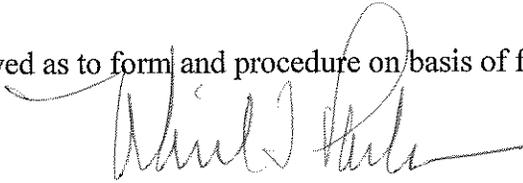
- A. If any animal so seized wears a collar or harness having inscribed thereon or attached thereto the name and address of any person or a registration tag, is wanted and a chip is found registered to the owner, or the owner or the person keeping or harboring said animal is otherwise known, any person authorized by the governing body shall forthwith serve on the person whose address is given on the collar or on the owner or the person keeping or harboring said animal, if known, a notice, in writing, stating that the animal has been seized and will be liable to be offered for adoption adopted or euthanized depending on health or temperament if not claimed within seven days after the 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 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 usual or last known place of abode or to the address given on the collar.

§ 134-44. Violations and penalties.³

Except as otherwise provided in this article, any person who violates or who fails or refuses to comply with this article shall be liable, upon conviction, to a penalty as provided in § 1-15, General penalty, of this Code, to be recovered by and in the name of the Township.

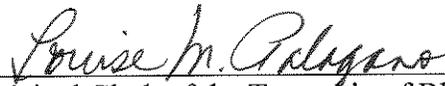
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Approved as to form and procedure on basis of facts set forth.



Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on APRIL 29, 2019



Municipal Clerk of the Township of Bloomfield



Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopt		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Deny		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table with no Vote	Ted Gamble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approve	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Veto by Mayor	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Discussion						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						

✓ Vote Record - Ordinance						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopt						
<input type="checkbox"/> Deny						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Table						
<input type="checkbox"/> Not Discussed						
<input type="checkbox"/> First Reading						
<input type="checkbox"/> Table with no Vote						
<input type="checkbox"/> Approve						
<input type="checkbox"/> Veto by Mayor						
<input type="checkbox"/> Discussion						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						
	Jenny Mundell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
	Wartyna Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
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	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>