Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

http://www.bloomfieldtwpnj.com

Meeting: 03/30/20 07:00 PM

2020 ORDINANCE AGREEMENTS

AMENDING THE TOWNSHIP CODE AT CHAPTER 586 "Animals", Article II, ALLOWING FOR A TRAP, NEUTER, RETURN PROGRAM FOR FERAL CATS

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 586, entitled: "Animals" of the Code of the Township of Bloomfield is hereby amended read as follows:

Article II. Feral Cats

§ 586-9. Definitions.

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

ABANDON - Forsake a cat entirely or neglect to provide appropriate care and support for a cat.

ANIMAL CONTROL OFFICER - Any person employed or appointed by the Township who is authorized to investigate violations of laws and regulations concerning animals, and to issue citations in accordance with New Jersey law and this Code.

COMMUNITY CAT -- "Community Cat" means any free-roaming, feral, or barn cat that may be cared for by one or more residents of the immediate area and which has no discernible form of ownership identification.

COMMUNITY CAT CAREGIVER - Any person who provides food, water or shelter to, or otherwise cares for a community cat. A community cat caregiver shall not be considered to be the owner, custodian, harborer, controller or keeper or a community cat.

EAR-TIPPING - Ear-Tipping means the removal of the ¼ inch tip of a community cat's left ear. This means straight-line cutting of the tip of the left ear of a cat by a licensed veterinarian while the cat is anesthetized. This indicates that the community cat has been sterilized and vaccinated for rabies.

FERAL CAT -Feral cats are (i) born in the wild, (ii) offspring of tame or feral cats and not socialized, or (iii) formerly tame cats who have been abandoned and have reverted to an untamed state.

COMMUNITY CAT COLONY - An individual feral cat or a group of cats who congregate together outside as a unit. Any non-feral cats who congregate with a multiple-cat colony shall be deemed part of it.

NUISANCE - Disturbing the peace by (a) habitually or continually howling, crying or

screaming, or (b) the habitual and significant destruction, desecration or soiling of property against the wishes of the owner of the property.

OWNER - Any person, firm, corporation, partnership, association, trust, estate, or any other legal entity.

SUITABLE SHELTER - Shelter that provides protection from rain, sun, and other elements that is adequate to protect the health of the cat.

TAME CAT - A cat who is socialized to humans and is appropriate as a companion for humans.

THE SHELTER - The Bloomfield Animal Shelter

TNR - Trap, neuter and return.

TNR PROGRAM - The Township's program set forth in this article pursuant to which feral and community cats are trapped, neutered or spayed, vaccinated against rabies, ear-tipped and returned to the location where they congregate.

TOWNSHIP - Township of Bloomfield in the County of Essex, New Jersey.

§ 586-10. Abandonment prohibited.

A. The owner of a cat shall not under any circumstances abandon the cat. Affirmatively placing a cat at the location of a feral cat colony on property belonging to another individual or entity shall be considered abandonment.

B. Engaging in trap-neuter-return of community cats in a manner consistent with the terms of this section shall not be considered abandonment.

C. Community cats meeting the requirements of this section are exempt from any licensing, stray and at-large provisions of the Township ordinances.

§ 586-11. Community cat colonies.

PURPOSE: To permit implementation of a community cat Trap-Neuter-Release (TNR) program in Bloomfield Township, for the purpose of reducing the population of feral and free-roaming cats, benefiting public health, improving the quality of life for residents, and ensuring the humane treatment of community cats.

IMPLEMENTATION: Community cat colonies shall be permitted, and caregivers shall be entitled to maintain them in accordance with the terms and conditions of this section. A person assigned within the Bloomfield Shelter shall administer and implement the program set forth in this Chapter in accordance with applicable guidelines and standards as set forth in state and local statute.

A. It shall be the duty of the Bloomfield Animal Shelter to:

   (1) Take all reasonable steps to get community cat populations in the Township spayed/neutered, ear-tipped and vaccinated against rabies;

§ 586-11   § 586-12

   (2) Coordinate ACOs and volunteer organizations to assist caregivers with getting cats trapped, spayed/ neutered, ear-tipped and vaccinated if they are unable to do so on their own;

   (3) Help to resolve any complaints over the conduct of a colony caregiver or of cats within a colony;

   (4) Maintain a database of colony caregivers, including name and contact information, and number of cats spayed/neutered, vaccinated, returned or adopted.

   (5) Report annually to the Township on the following:

      (a) Number of colonies in the Township;

      (b) Number of cats and kittens spayed/neutered, ear-tipped, vaccinated against rabies, and returned pursuant to the TNR program; and number of cats and kittens removed from colonies to be offered for adoption.

   (6) In the absence of other funding, the Township will provide the funding for the costs of the TNR program.

§ 586-12. Community cat caregiver requirements.

Caregivers are responsible for the following:

A. Providing food, clean water, and suitable shelter for colony cats.

B. Community cat caregivers are required to make reasonable efforts to provide medical care if needed. If medical care is unavailable or too expensive, the community cat caregiver must not allow the cat to suffer. If unable to provide needed medical attention, caregivers shall contact the Bloomfield Animal Shelter to pick up the cat(s) and procure appropriate medical care for them. Caregivers shall not euthanize any colony cats.

C. Obtaining the prior approval of the owner of any property, including the property upon which the caregiver resides, to which the caregiver requires access to provide colony care;

D. In the event that kittens are born to a colony cat, caregiver should make reasonable attempts to remove kittens from the field for domestication, or notify the Bloomfield Animal Shelter so an animal control officer can pick them up and take them to the shelter for adoption once they have been weaned;

E. Reporting consistent with provisions set forth in §586-11(5).

Caregivers are required to feed the cats in their colonies as part of properly managing the colonies. As part of this requirement, caregivers must:

A.   Feed only during daylight hours.

B.   Feed only the amount of food required by the cats in the colony. Any food remaining after cats have eaten must be removed before dark.

C.   Food must be offered to cats in a container and shall not be dumped on the ground.

D.   A bowl or similar small container with fresh water may be left out at all times.

E.   Feeding must take place in the location least likely to cause a nuisance to tenants, neighbors, customers, and the general public.

F.   It shall be unlawful to feed feral cats who are not spayed/neutered, ear tipped and vaccinated in accordance with this article, unless the caregiver is in the process of trying to trap the cats for spay/neuter, ear tipping and vaccination. Animal Control Officers shall be empowered to give a warning notice to any individual feeding one or more feral cats not spayed/neutered, ear tipped and vaccinated in accordance with this article. The warning notice shall require the individual to contact the Shelter within 15 days to obtain assistance in getting the cat(s) spayed/neutered, ear tipped and vaccinated and otherwise brought into compliance with this article. Failure to make such contact within 15 days and cooperate with the Township meeting the requirements of this article will subject the violator   to those fines and penalties prescribed in § 1-15 of the Township Code.

§ 586-14. Nuisance abatement.

A.   If an Animal Control Officer determines that an ear tipped community colony cat is causing a nuisance as defined by this § 586-9 or state law, the Township shall contact the caregiver and allow the caregiver 60 days to resolve the complaint or remove the cat before the Officer takes further action. The caregiver must begin nuisance abatement procedures within 48 hours after being notified of a nuisance by the Township and must take all reasonable steps to resolve the nuisance in as short a time period as possible, not to exceed 60 days.

B.   Disposition of colony cats. An Animal Control Officer who has trapped a cat whose left ear has been tipped shall release the cat unless the cat is injured or sick and requires medical attention. If the cat requires medical attention, the Animal Control Officer shall bring the cat to the Shelter. If the Animal Control Officer releases the cat, the Animal Control Officer shall record a description.

§ 586-15. Enforcement

A.   The Township shall have the following rights:

(1)   The right to seize or remove any cat from a colony who is demonstrating signs of

rabies and is not up to date with rabies vaccinations.

    (2)   The right to seize or remove a cat from a colony which is creating a nuisance as defined in this article or state law, after the caregiver has been given 60 days to abate the nuisance or remove the cat and has failed to do so.

    (3)   The right to seize or remove a colony of cats when the caregiver regularly fails to comply with the requirements of this article and the Shelter representative has not been able to obtain a replacement or substitute caregiver within 60 days.

    (4)   The requirements of this article notwithstanding, Animal Control Officers may investigate any nuisance complaint. If an Animal Control Officer determines that an ear-tipped community colony cat is causing a nuisance as defined by this article and the caregiver fails to resolve the nuisance or remove the cat within 60 days, the Animal Control Officer may remove the cat. If an Animal Control Officer reasonably determines that a cat is injured or poses a significant threat to public health, the Officer may reduce the time that the caregiver has to resolve the complaint, as necessary to protect the cat and public health, before taking further action.

B.   Trapping cats prohibited except as part of TNR program.

    (1)   It shall be unlawful for any individual to trap a cat other than for the purpose of complying with the requirements of § 586-11. Individuals may not trap cats for the purpose of euthanizing the cats or surrendering the cats for impoundment.

    (2)   This section shall not apply to:

        (a)   Township officials and their agents trapping cats in the course of their employment or contract; or

        (b)   Any individual trying to recover his or her own lost cat through trapping on his or her own property or with permission of the property owner.

C.   Use of cat licensing fees for TNR; addition of voluntary donation language on cat and dog license application and renewal forms.
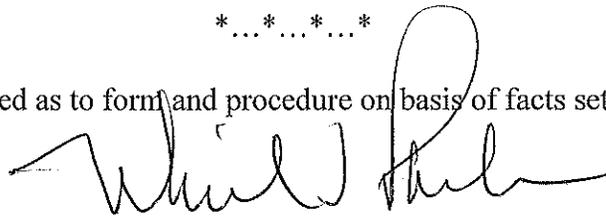
    (1)   The Township may utilize funds derived from cat licensing fees to pay for spay/neuter and vaccination of cats in the TNR program.

    (2)   The Township may add language to all dog and cat license application and renewal forms encouraging applicants to donate to the Shelter's TNR efforts in the township. The form shall include the name and the address where checks can be mailed, the website for online donations, and language encouraging donors to mark the donations "for TNR in the Township of Bloomfield."

    Section 2. All ordinances inconsistent herewith are hereby repealed.

    Section 3. This ordinance shall take effect upon final passage and publication in accordance with the law.

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

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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 .

_____
Deputy   Municipal Clerk of the Township of Bloomfield

_____
Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance

☐ Adopt ☐ Deny ☐ Withdrawn ☐ Table ☐ Not Discussed ☐ First Reading ☐ Table with no Vote ☐ Approve ☐ Veto by Mayor ☐ Discussion ☐ Defeated ☐ Discussion No Vote			Yes/Aye	No/Nay	Abstain	Absent
	Jenny Mundell		☑	☐	☐	☐
	Nicholas Joanow		☑	☐	☐	☐
	Sarah Cruz		☑	☐	☐	☐
	Wartyna Davis		☑	☐	☐	☐
	Ted Gamble		☑	☐	☐	☐
	Richard Rockwell		☑	☐	☐	☐
	Michael J. Venezia		☑	☐	☐	☐

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