

**ORDINANCE 2005:04**

**AN ORDINANCE AMENDING CHAPTER 6.04 "DOGS AND CATS"**

WHEREAS, the Governing Body desires for the betterment of the community and the general health and welfare of its citizens to amend to the Borough Code Chapter 6.04 entitled "Dogs and Cats"; and

BE IT ORDAINED by Mayor and Council of the Borough of Stratford, County of Camden, State of New Jersey, as follows:

SECTION 01. Add to Chapter 6.04 "Dogs and Cats", Section 020 Definitions, to add the following:

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

"Owner/Keeper" any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

"Pet" is a domesticated animal kept for amusement or companionship.

"Pet solid waste" is waste matter expelled from the bowels of the pet; excrement.

"Proper disposal" is 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.

SECTION 02. Replace the following definition in place of the current one:

"Person" is any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

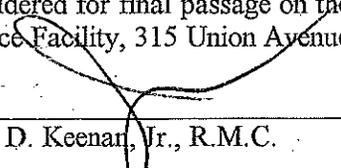
SECTION 03. All ordinances and provisions thereof inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 04. If any article, section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision or invalidity shall not affect the remaining portions or provisions of this ordinance.

SECTION 05. This ordinance shall take effect immediately after final passage and publication in accordance with the laws of the State of New Jersey.

**PUBLIC NOTICE**

Notice is hereby given that the foregoing ordinance was introduced and passed on the first reading at a meeting of the Governing Body held on the 8<sup>th</sup> day of March, 2005 and will be considered for final passage on the 12<sup>th</sup> day of April, 2005 at a meeting to be held at the Stratford Justice Facility, 315 Union Avenue, Stratford, NJ.

  
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John D. Keenan, Jr., R.M.C.

## 6.04.010 - Registration and license required.

It is unlawful for any person to own, keep or harbor any dog within the corporate limits of the borough unless such dog shall be registered and licensed in the manner hereinafter provided.

(Prior code § 54-1)

## 6.04.020 - Definitions.

For the purpose of this chapter the terms used herein are defined as follows:

"Dog" includes all canines, irrespective of sex, of more than six (6) months of age.

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

"Owner/keeper" any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

"Person" is any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

"Pet" is a domesticated animal kept for amusement or companionship.

"Pet solid waste" is waste matter expelled from the bowels of the pet; excrement.

"Proper disposal" is 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.

(Prior code § 54-2; Ord. No. 2005:04, §§ 1, 2, 4-12-2005)

## 6.04.110 - General regulations.

- A. *Disturbing peace and quiet.* No person shall keep, harbor or maintain any dog which habitually barks or cries between the hours of 10:00 p.m. and 6:00 a.m., or which at any time by frequent barking, howling, whining or crying disturbs the peace, comfort or quiet of the neighborhood, thereby creating or maintaining a nuisance.
- B. *Running at large prohibited.* No person owning, keeping or harboring any dog, cat or other domestic animal shall suffer or permit it to run at large upon the public streets, public sidewalks, public parks or in any public building or in any other public place or on any private property without the consent of the owner.
- C.

*Leash requirement.* No person owning, keeping or harboring any dog shall suffer or permit it to be upon the public streets or in any public places of the borough unless such dog is accompanied by a person over the age of twelve (12) years and is securely controlled and confined by an adequate leash not more than six (6) feet long.

- D. *Injury to property prohibited.* No person owning, keeping or harboring a dog, cat or other domestic animal shall permit or suffer it to do any injury or do any damage to any lawn, shrubbery, flowers or real or personal property, either public or private, within the borough.
- E. *Defecation—Removal of feces.* No person owning, keeping or harboring a dog, cat or other domestic animal shall cause or allow such dog, cat or other domestic animal to soil, defile, defecate on or commit any nuisance on any public street, public walkway, public park, public building or any other public property, or upon any private property without the consent of the owner.

Any persons, excluding a blind person with a guide dog, owning, keeping or harboring any dog, cat or other domestic animal which soils, defiles, defecates on or commits any nuisance on any public street, public walkway, public park, public building or any other public property, or upon any private property without the consent of the owner, shall immediately remove all feces deposited by any such dog, cat or other domestic animal in a sanitary manner.

Sanitary methods for removing all feces are mechanical devices such as pooch scoops, small shovels and like devices. All feces removed by the person owning, keeping, harboring or in charge of any such dog, cat or other domesticated animal shall be disposed of in a sealed nonabsorbent leak-proof container.

- F. *Vicious and potentially dangerous animals.* The borough adopts and incorporates herein all of the provisions of N.J.S.A. 4:19-1 et seq. as amended and supplemented, including but not limited to, the definition of "vicious dog" in N.J.S.A. 4:19-22 and "potentially dangerous dog" as defined in N.J.S.A. 4:19-23. For the purposes of this section, the terms "vicious" and "potentially dangerous" may be applied to any animal, and are not limited to a dog.
- G. The total household pets kept or harbored by any resident inside or outside the residence shall not be more than four (4) total. This will include cats, dogs, rabbits, mammals, birds, reptiles, and/or any pets or animals allowed by law in a residence.

(Prior code § 54-11; Ord. No. 97:16, § 2, 1997; Ord. No. 2002:22, § 01, 11-12-2002)

#### 6.04.120 - Sanitary requirements.

- A. No person who owns, keeps, harbors, walks or has custody of a dog shall permit, cause, suffer or allow such dog to defecate upon, soil, defile or commit any nuisance of any kind on a public or private property without the express permission of the owner of such property.
- B.

In the event a dog shall soil, defile or defecate upon any public or private property, the owner, keeper, harbinger and/or person having custody of said dog shall immediately remove and sanitarly dispose of said dog's feces and droppings deposited by such dog, which removal shall be by a shovel, container, disposal bag or any other sanitary manner.

- C. A person who owns, keeps, harbors or has custody of a dog shall maintain such person's property in a sanitary manner so as to prevent any noxious odors, attraction of insects, attraction of vermin breeders and any other public health nuisance.
- D. Any person or entity found guilty of violating this section shall be subject to a fine of not more than two hundred dollars (\$200.00). It shall be a defense to a conviction for violation of this section if the person or entity in question has complied with subsection B of this section.
- E. 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.

(Ord. No. 94:5, §§ 1—4, 1994; Ord. No. 2007:09, § 1, 5-8-2007)

#### 6.04.130 - Violations and penalties.

Any person who shall violate any of the provisions of this chapter shall, upon conviction thereof, be liable to the payment of a penalty not to exceed five hundred dollars (\$500.00) or imprisonment for a term not to exceed ninety (90) days, or both.

(Prior code § 54-12)