

**Chapter 38A**

**CATS**

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**[HISTORY: Adopted by the Township Committee of the Township of Barnegat 4-7-80 as Ord. No. 1980-7. Amended in its entirety 12-15-97 as Ord. No. 1997-40. Subsequent amendments noted where applicable.]**

Be it ordained by the Mayor and Township Committee of the Township of Barnegat, in the County of Ocean and State of New Jersey as follows:

**§ 38A-1. Definitions.**

As used in this chapter of the Code of the Township of Barnegat, in the County of Ocean, and State of New Jersey,

unless a different meaning clearly appears from the context, the following words shall have the following meanings:

**ANIMAL** — For the purpose of this chapter, animal shall mean cat.

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

**CAT OF LICENSING AGE** — Any cat which has attained the age of six (6) months.

**LICENSING AUTHORITY** — The agency or department of the Township of Barnegat Board of Health or any designated representative thereof charged by the Board with administering the issuance and/or revocation of permits and licenses under the provisions of this chapter.

**NEUTERED/ALTERED** — 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 or 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.

#### **§ 38A-2. License required.**

Each and every cat in the Township of Barnegat shall be duly licensed and shall bear evidence of such license at all times by wearing a collar or other device such that a metal disc may be attached thereto, which disc shall bear the name of Barnegat Township, the year and license number and which disc shall be affixed to the animal at all times.

**§ 38A-3. License fees; delinquent fee; date for securing license.**

**A. Fees. [Amended 8-18-08 by Ord. No. 2008-27]**

(1) One-year license. The persons applying for the license and registration tag shall pay a fee of nine dollars (\$9.) for the registration tag for each cat has been spayed or neutered; and an additional charge of three dollars (\$3.) for each cat that is neither spayed nor neutered. Said fee shall be retained by the Township of Barnegat, in a dedicated fund known as the "Cat Trust Fund," except for any part thereof which represents a registration or other fee that must be forwarded to the State of New Jersey, pursuant to law. With the passage of this subsection, the fees will be nine dollars (\$9.) if the cat is spayed or neutered and twelve dollars (\$12.) if they are not.

B. Persons who fail to obtain a license as required within forty-five (45) days of the enactment of this chapter will be subject to a delinquent fee of five dollars (\$5.) per month and shall be a violator of this chapter.

C. Thereafter, licenses shall be secured within thirty (30) days of January 1 each year.

**§ 38A-4. Rabies vaccination required; exceptions.**

A. Every owner of a cat over six (6) months of age shall have his cat inoculated with rabies vaccine of a type approved by and administered in accordance with the recommendations of the United States Department of Agriculture, the United States Department of Health, Education and Welfare or the New Jersey Department of Health. Such vaccination shall be repeated annually or at such intervals as provided by regulations of the State Department of Health and shall be administered by a duly licensed veterinarian or by such other veterinarian permitted by law to do the same.

- B. Any cat may be exempted from the requirement of such vaccination for a specified period of time by the Board of Health or its agent upon the presentation of a certificate from a duly licensed veterinarian stating that, by reason of age, infirmity or other physical condition, the vaccination of such cat for such specified period of time is contraindicated.
- C. It is further provided that nothing herein contained shall be deemed to require the vaccination of any cats located in and confined to duly recognized and licensed boarding facilities, pet shops, shelters, or veterinary hospitals.

**§ 38A-5. Certificate of rabies vaccination.**

The owner of any cat vaccinated against rabies shall obtain from the veterinarian who vaccinates said cat a certificate in form identical to those used for dogs or a standard immunization certificate in use by the licensed veterinarian of this or any other state or country and shall, within ten (10) days after bringing the cat into the Township of Barnegat, deliver said certificate to the Board of Health or its agent and obtain a license as set forth herein.

**§ 38A-6. Confinement of cats during rabies alert.**

Whenever the Township of Barnegat has reason to believe or has been notified by the State Department of Health that there is a danger that rabies may spread within the township, the Board of Health or any officer, inspector or agent thereof may serve a notice, in writing, upon all persons within the township owning or having charge of any cat or other animal, so far as the same may be known, requiring such person to confine such cat or other animal. In lieu of serving such written notice, the Board of Health may cause a notice to be published in the official newspaper of the township. Any person owning or in charge of a cat or other animal which is

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subject to such notice and who does not comply with the orders and instructions of such notice shall be considered a violator.

**§ 38A-7. Violations and penalties.**

Any person, whether an owner or custodian of a cat, who is convicted of a violation of any of the provisions of this chapter shall be, upon conviction of any of the provisions hereof, subject to a fine or penalty of at least a minimum fine of thirty-five dollars (\$35.), but not to exceed five hundred dollars (\$500.) or imprisonment in the common jail of the County of Ocean for a term not exceeding thirty (30) days, or both, at the discretion of the Magistrate before whom such conviction is had.

**§ 38A-8. Canvass for cats. [Amended 10-5-98 by Ord. No. 1998-23]**

The Township Clerk or his/her assignee is hereby appointed to annually cause a canvass to be made of all cats owned, kept and harbored within the limits of the township.

**§ 38A-9. Enforcement.**

The Animal Control Officer, and/or his agents, shall be responsible for enforcing this chapter and shall issue a summons or complaint to all persons in violation of any of the provisions of this chapter.

**§ 38A-10. Cages for restraining animals.**

Any resident of the Township of Barnegat may obtain from the township Animal Control Officer, animal cages for the catching and restraining of animals when said cages are available. Said resident shall deposit with the Animal Control Officer, a check in the amount of fifty dollars (\$50.) per cage payable to Animal Control Officer to ensure the return of said cage, said deposit shall be returned to the resident upon the return of said cage; residents shall be assessed a fee of one dollar (\$1.) per day payable to Barnegat Township.

**§ 38A-11. Nuisances prohibited.**

No person keeping, harboring or in charge of any dog, cat or other animal shall cause, suffer or allow such dog, cat or other animal to soil, defile, deface or defecate on, or commit any nuisance on any public or private property, including but not limited to any common thoroughfare, sidewalk, passageway, by-path, play area, park or any place where people congregate or walk. The aforesaid restrictions shall apply to those persons who shall comply with the following:

- A. The person in charge of such dog, cat or other animal who is in violation of this act shall immediately remove all feces deposited by such animal in a sanitary method approved by the Board of Health.
- B. The feces removed from the aforementioned designated area shall be disposed of by the person owning, harboring, keeping or in charge of any dog, cat or other animal.
- C. Any person violating subsections A or B of this section shall be subject to a fine not to exceed one hundred dollars (\$100.).