

ORDINANCE 2017-10

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 44 OF THE TOWNSHIP CODE ENTITLED "DOGS".

BE IT ORDAINED by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, (hereinafter referred to as the "Township") that Chapter 44 of the Township Code entitled "Dogs" is hereby amended and supplemented to read as follows;

SECTION 1. 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, pursuant to the Township's current Animal Control Contract.

SECTION 2. Section 38A-3(A)(1) is hereby amended and supplemented as follows:

- A.** Any reference to a three (3) year dog license is hereby deleted.
- B.** The Township fee for spayed or neutered fee is \$12.00.
- C.** The Township fee for non-spayed or neutered fee is \$15.00.

SECTION 3. The remaining Sections are amended as follows:

B. Section 44-3 (Rabies vaccination) is hereby amended to read:

No license or official metal registration tag shall be issued for any dog unless the owner thereof provides evidence that the dog 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 Agriculture and the United States Department of Health, Education and Welfare, or has been certified exempt as provided by regulations of the State Department of Health. Such vaccination shall be repeated at 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.

C. Section 44-4 (Licenses and registration tags; fees) is hereby amended as follows:

A (1) One-year license. The persons applying for the license and registration tag shall pay a fee of ten dollars and eighty cents (\$10.80) for the license and the sum of one dollar (\$1.00) for the registration tag for each dog; and for each annual renewal, the fee for the license and for the registration tag shall be the same as for the original license and tag. Said licenses, registration tags and renewals thereof shall expire on January 31 in each year. Additionally there shall be a twenty cent (\$.20) assessment for a pilot clinic as required by the State of New Jersey and an additional charge of three dollars (\$3.00) for each dog that is neither spayed nor neutered. These additional fees are assessed by the State of New Jersey and in the event they are increased the license fee shall be increased accordingly. With the passage of this subsection the fees shall be twelve dollars (\$12.00) if the dog is spayed or neutered and fifteen dollars (\$15.00) if they are not.

(a) The sum to be paid annually for a potentially dangerous dog license and for each renewal thereof within the Township of Barnegat shall be the sum of seven hundred (\$700.00) per animal per year which fee shall be retained by Barnegat Township and deposited in a special account used to pay for the enforcement and administration of P.L. 1989, C.307 [Added 7-1-91 by Ord.No. 1991-32]

A(2) Deleted in its entirety

B. No fee for license or registration tag shall be required in any licensing year for any dog for which a license and registration tag for such year has been issued by any other municipality in New Jersey.

C. Dogs used as guides for blind persons and commonly known as "Seeing Eye" dogs shall be licensed and registered as other dogs, except that the owner or dog shall not be required to pay any fee therefore.

D. License forms and uniform metal registration tags designed by the State Department of Health shall be furnished by the Township and shall be numbered serially and shall bear the year of issuance and the name of the Township.

D. Section 44-8 (License fees for kennels, pet shops and shelters) is amended to read as follows:

The annual license fee for kennel providing accommodations for ten (10) or less dogs shall be twenty five dollars (\$25.00) and for more than ten (10) dogs, fifty dollars (\$50.00). The annual fee for a pet shop shall be one hundred dollars (\$100.00). No fee shall be charged for a shelter or pound.

SECTION 4. Section 44-10(B) shall be amended to read as follows:

The registration tag fee of One dollar and twenty cents (\$1.20) for each tag shall be forwarded, within thirty (30) days after collection by the Secretary of the Board of Health, to the State Department of Health.

SECTION 5. Section 44-13(D) shall be amended to read as follows:

Any person may redeem his dog and/or domestic or exotic animal from the Township Animal Control Officer upon payment to said Animal Control Officer the sum as agreed upon in current agreement.

Section 44-13(E) is hereby deleted in its entirety.

SECTION 6. Section 44-17(C) is amended to read as follows:

- (3) Pet walking on all Township recreational fields is prohibited
- (4) Any person violating paragraph C(1)(2) or (3) of this section shall be subject to a fine not to exceed one hundred dollars (\$100.00)

SECTION 7. Section 44-18 is amended to read as follows:

- C. Any recreational field
- D. Any public park unless accompanied by and under the control of a responsible person in accordance with regulations promulgated by the public authority having jurisdiction thereof.

SECTION 8. The Township authorizes and directs that all appropriate and necessary documents be executed by the Mayor, Township Clerk and Township Administrator, in order to implement the intent of this Ordinance.

SECTION 9. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 10. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 11. This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on **March 7, 2017 at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **April 4, 2017, at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.



MICHELE RIVERS, RMC, Township Clerk

CERTIFICATION

I, Michele A. Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing ordinance was introduced and passed on first reading at a meeting held on the 7th day of March 2017, and finally adopted by the Township Committee of said Township after public hearing at their regular meeting held on the 4TH day of April 2017 at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.



Michele A. Rivers, RMC
Municipal Clerk

Prepared by:
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Forked River, New Jersey 08731

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