

Chapter 6.04**ANIMALS GENERALLY****Sections:**

- 6.04.010 Sanitary maintenance of premises.**
- 6.04.020 Livestock and fowl prohibited in buildings for human habitation.**
- 6.04.030 Distance of pens and runways from dwellings.**
- 6.04.040 Violation—Penalty.**
- 6.04.050 Refusal to pay fine.**

6.04.010 Sanitary maintenance of premises.

The owner, lessee or person in charge of any barn, stable or shed in which any horse, cow, goat or any other domestic animals are kept shall keep such barn, stable or shed and the premises thereof in a clean and sanitary condition at all times, and no person shall maintain or permit to be maintained any accumulation of manure nearer than fifty (50) feet from any dwelling house. (Prior code § 19-9.1)

6.04.020 Livestock and fowl prohibited in buildings for human habitation.

No person shall keep or permit to be kept in any dwelling house, store or building occupied by human beings, any horse, cattle, sheep, goat, fowl or swine. (Prior code § 19-9.2)

6.04.030 Distance of pens and runways from dwellings.

No person shall maintain any shed, coop, pen or runway for fowls or rabbits nearer than twenty-five (25) feet nor any shed, coop, or pen or runway for other domestic animals except dogs nearer than fifty (50) feet from the doors or windows of any dwelling, or maintain any such shed, coop, pen or runway in any unclean or unsanitary condition. (Prior code § 19-9.3)

6.04.040 Violation—Penalty.

Any person who shall violate any of the provisions of this chapter shall be liable to the General Penalty

as established in Chapter 1.08 of this code. Each day or part thereof, during which such violations shall continue, shall constitute a separate offense. (Prior code § 19-9.4)

6.04.050 Refusal to pay fine.

Any person who shall neglect or refuse to pay any fine imposed in accordance with Section 6.04.040 shall be subject to imprisonment in the county jail for a period not exceeding thirty (30) days. (Prior code § 19-9.5)

Chapter 6.08

DOGS

Sections:

Article 1. Licensing of Dogs

- 6.08.010** **Definitions.**
- 6.08.020** **Fees and licensing procedure.**
- 6.08.030** **Violation—Penalty.**

Article 2. Control of Animals

- 6.08.040** **Dogs running at large.**
- 6.08.050** **Impounding of dogs.**
- 6.08.060** **Interference with dog warden.**
- 6.08.070** **Destruction of dogs.**
- 6.08.080** **Violation—Penalty.**
- 6.08.090** **Additional restrictions.**
- 6.08.100** **Potentially dangerous and vicious dogs.**
- 6.08.110** **Limits.**

Article 1. Licensing of Dogs

6.08.010 **Definitions.**

As used in this article:

“Dog” means any dog, bitch or spayed bitch.

“Kennel” means 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 a dog, includes every person having a right of property in such dog and every person who has such dog in his keeping.

“Pet shop” means any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein dogs for sale are kept or displayed.

“Pound” means an establishment for the confinement of dogs seized either under the provisions of this title or otherwise.

“Shelter” means any establishment where dogs are received, housed and distributed without charge. (Prior code § 5-1.1)

6.08.020 **Fees and licensing procedure.**

The following regulations are established pursuant to Chapter 151 of the Laws of 1941 and amendments thereto.

A. Any person who shall own, keep or harbor a dog which has attained the age of seven months or which possesses a set of permanent teeth, shall annually apply for and procure from the dog warden at the municipal building during such hours as designated by the township council, a license and official metal registration tag for each dog so owned, kept or harbored and shall place on each such dog a collar or harness with the registration tag securely fastened thereto.

B. The person applying or renewing the license and registration tag shall pay a license fee of seven dollars (\$7.00) for each dog license and the sum of one dollar (\$1.00) for the registration tag of each, as well as a pilot fee of twenty cents (\$.20) and a three-dollar (\$3.00) fee for unsprayed and unneutered dogs. Any person applying late for license and/or registration tag shall pay, in addition, a late charge of three dollars (\$3.00).

C. The owner of any newly acquired dog of licensing age or of any dog which attains the licensing age, as provided in subsection A of this section, shall make application for a license and registration tag within ten (10) days after such acquisition or age attainment.

D. No person, except an officer in the performance of his or her duties shall remove a registration tag from the collar or harness 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.

E. Any person who keeps or operates or proposes to establish a kennel, pet shop, shelter or a pound shall apply to the township clerk for a license entitling him to keep or operate such establishment. Such application shall describe the premises where the establishment is located, or is proposed to be established, the purpose or purposes for which it is to be maintained and shall be accompanied by the written approval of the board of health of the township showing compliance with the local and

state rules and regulations governing the location of and sanitation at such establishment.

F. 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 each year and be subject to revocation by the township on recommendation of the State Department of Health or the board of health of the township, for failure to comply with the rules and regulations of the State Department of Health or the local board of health governing the same, after the owner has been afforded a hearing by either the State Department of Health or the board of health of the township.

Any person holding such license shall not be required to secure licenses for dogs owned by such licensee and kept at such establishments; such licenses shall not be transferable to another person or different premises.

G. The annual license fee for a kennel providing accommodations for ten (10) or less dogs shall be ten dollars (\$10.00) and for more than ten (10) dogs twenty-five dollars (\$25.00). The annual license fee for a pet shop shall be ten dollars (\$10.00). No fee shall be charged for a shelter or pound.

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

I. License fees collected or received under the provisions of this section, except registration tag fees, shall be received and forwarded to the treasurer of the township and shall be used for the following purposes only:

For collecting, keeping and disposing of dogs liable to seizure under this title or under local dog control ordinances; for local prevention and control of rabies; for providing anti-rabic treatment under the direction of the local board of health for any person known or suspected to have been exposed to rabies, for payment of damage to or losses of poultry and domestic animals, except dogs and cats, caused by a dog or dogs and for administering the provisions of this title. Any unexpended balance remaining in such special account shall be retained therein until the end of the third fiscal year following and may be used for

any of the purposes set forth in this article. At the end of the third fiscal year following, and at the end of each fiscal year thereafter, there shall be transferred from such special account to the general funds of the township any amount then in such account which is in excess of the total amount paid into the special account during the last two fiscal years next preceding.

The registration tag fee of one dollar (\$1.00) for each dog shall be forwarded within thirty (30) days after collection by the clerk or other official designated to license dogs to the State Department of Health.

J. The township clerk or any person appointed by the township council to license dogs in the township shall forward to the State Department of Health a list of all kennels, pet shops, shelters and pounds licensed within thirty (30) days after the licenses therefor are issued, which list shall include the name and address of the licensee and the kind of license issued.

K. The dog warden or any person appointed for the purpose by the township council shall annually cause a canvass to be made of all dogs owned, kept or harbored within the limits of the township and shall report, on or before May 1st annually to the township clerk or other person designated to license dogs in the township and to the board of health of the township the result thereof, setting forth in separate columns the names and addresses of persons owning, keeping or harboring unlicensed dogs, the number of unlicensed dogs owned, kept or harbored by each of these persons, together with a complete description of each of the unlicensed dogs.

L. Potentially Dangerous Dog License. In the event a dog is declared to be potentially dangerous in accordance with the provisions of N.J.S.A. 4:19-24, the owner shall obtain a potentially dangerous dog license from the township clerk or any person appointed by the township council to license dogs in the township. The fee for a potentially dangerous dog license shall be seven hundred dollars (\$700.00); and for each annual renewal the owner shall pay the same fee for the license as the original license. (Ord. 3-01 § 4; Ord. 533-94 §§ 1, 2; prior code § 5-1.2)

6.08.030 Violation—Penalty.

Any person who violates or who fails or refuses to comply with Section 6.08.020(A) and (C) shall be liable to a fine up to and not more than fifty dollars (\$50.00).

Any person who violates Section 6.08.020(D), (E) and (H) shall be liable to a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense. (Prior code § 5-1.3)

Article 2. Control of Animals

6.08.040 Dogs running at large.

No person owning, having care, custody or control of, keeping or harboring any dog or dogs shall suffer or permit the same to run at large upon the public streets or upon property not his or her own within the limits of the township.

Any dog found running at large within the township shall be taken into custody by the township dog warden or any police officer of the township. Any dog so taken into custody may be impounded as provided in Section 6.08.050, or may be returned directly to the owner or the person keeping or harboring the dog, if such owner or person is known. In any event, whether the dog is impounded or returned directly to its owner or other person keeping or harboring the dog, a three dollar (\$3.00) redemption fee to cover expenses incurred in seizing the dog shall be collected by the warden or the police officer, as the case may be, from the owner or other person in possession of the dog at the time of the return. If the dog warden or the police officer seizing the dog elects to return the dog directly to its owner or keeper and such owner or person keeping the dog refuses to pay such redemption fee, the dog shall be impounded in accordance with the procedure established in Section 6.08.050. (Prior code § 5-2.1)

6.08.050 Impounding of dogs.

The dog warden or any police officer of the township shall take into custody and impound or cause to be taken into custody or impounded, and thereafter destroyed or disposed of as provided in this article:

A. Any dog off the premises of the owner or of the person keeping or harboring the dog which the dog warden or police officer of the township has reason to believe is a stray dog;

B. Any dog off the premises of the owner or of the person keeping or harboring the dog without a current registration tag on his or her collar;

C. Any female dog in season off the premises of the owner or of the person keeping or harboring the dog.

If any dog 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 owner or the person keeping or harboring the dog is known, the dog warden or any police officer of the township, 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, if known, a notice in writing stating that the dog has been seized and be liable to be disposed of or destroyed if not claimed within seven days after the service of the notice.

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 or her usual or last known place of abode, or to the address given on the collar.

When any dog so seized has been impounded and detained for seven days after notice, when notice can be given as above set forth, or has been detained for seven days after seizure, when notice has not been and cannot be given as above set forth, and if the owner or person keeping or harboring the dog has not claimed the dog and paid the redemption fee of three dollars (\$3.00) as provided in Section 6.08.040, plus paid a maintenance fee of four dollars (\$4.00) per day for each day the dog has been impounded, and if the dog was unlicensed at the time of the seizure and the owner or person keeping or harboring the dog has not produced a license and registration tag for the dog, the dog warden or any police officer of the township may cause the dog to be destroyed in a

manner causing as little pain as possible. No dog or other animal so 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 dog or other animal for the purpose of experimentation shall be guilty of a disorderly persons offense. (Prior code § 5-2.2)

6.08.060 Interference with dog warden.

No person shall hinder, molest or interfere with anyone authorized or empowered to seize and impound dogs. (Prior code § 5-2.3)

6.08.070 Destruction of dogs.

The dog warden or any police officer of the township may humanely destroy a dog in self defense, or found attacking a person, or which is found chasing, worrying, wounding or destroying any poultry or livestock. (Prior code § 5-2.4)

6.08.080 Violation—Penalty.

Any person who shall violate, fail or refuse to comply with this article shall be liable for a fine of not more than five hundred dollars (\$500.00) for each offense or to imprisonment for a period of not more than fifteen (15) days or both in the discretion of the court. (Ord. 533-94 § 3: prior code § 5-2.5)

6.08.090 Additional restrictions.

A. Abandoning Dogs. No person shall abandon any dog, no matter what its age may be, within the township.

B. Defiling of Property. The owner of any dog or any person having the care, custody or control of any dog which is not on the property either owned or leased by the person owning or having the care or custody or control of such dog shall accompany the dog with a suitable air-tight container and shall immediately upon the discharge of any fecal matter, from such dog shall place such fecal matter in a suitable air-tight container to be disposed of only upon property owned or leased by the person owning or having the care, custody or control of such dog.

C. Barking Dogs. No person shall cause, allow, permit or harbor any dog that habitually barks or cries, creating a noise disturbance, across a residential real property line. For the purpose of this section, “noise disturbance from a barking dog” may be defined as that created by a dog barking continuously for thirty (30) minutes or intermittently for sixty (60) minutes.

D. The Duty of Care. No person having the care, custody or control of any dog or dogs shall leave the dog or dogs in any vacant building, or tied upon any property without proper food, water and shelter.

E. Access to Premises—Seizure of Dogs. Any officer or agent authorized or empowered to perform any duty under this article shall be authorized to go upon any premises to seize for impoundment when such officer is in immediate pursuit of such dog or dogs, except upon the premises of the owner of the dog if such owner is present and forbids the same. (Ord. 533-94 § 4: prior code § 5-2.6)

6.08.100 Potentially dangerous and vicious dogs.

The provisions of Chapter 19 Title 4 of the Revised Statutes of the State of New Jersey shall govern potentially dangerous dogs and vicious dogs. (Ord. 533-94 § 5: prior code § 5-3)

6.08.110 Limits.

A. No person shall keep, harbor or maintain, or permit to be kept, harbored or maintained, a total of more than five dogs over seven months of age, at any one time, in any residence or upon its grounds, or in any business establishment or on its grounds. This section shall exempt duly licensed veterinary establishments, pet shops, animal shelters, and kennels.

B. It shall constitute a separate violation for each day that each dog in excess of five that is kept, harbored or maintained at a residence.

C. Any person who violates or who fails or refuses to comply with subsection A of this section shall be liable to a fine up to and not more than fifty dollars (\$50.00) for each violation thereof. (Ord. 14-06 § 1, 2006)

Chapter 6.12

CATS

Sections:

Article 1. General

- 6.12.010 Definitions.**
- 6.12.020 License required.**
- 6.12.030 Vaccination requirement.**
- 6.12.040 Vaccination certificate.**
- 6.12.050 Exemptions.**
- 6.12.060 License requirements.**
- 6.12.070 Removal of tag forbidden.**
- 6.12.080 License fee schedule.**
- 6.12.090 Contents of application.**
- 6.12.100 Proof of licensing.**
- 6.12.110 Interfering with persons performing duties.**
- 6.12.120 Disposition of fees collected.**

Article 2. Control of Animals

- 6.12.130 Limits.**
- 6.12.140 Cats running at large.**
- 6.12.150 Abandoning cats.**
- 6.12.160 Stray, abandoned and feral cats.**
- 6.12.170 Impounding of cats.**
- 6.12.180 Additional restrictions.**
- 6.12.190 Violation—Penalty.**

Article 1. General

6.12.010 Definitions.

As used in this chapter:

“Abandoned cat” means a cat of any age which is left unattended and at large for a period of seventy-two (72) hours or more.

“Animal control authority” means any person or agency certified by the state of New Jersey and designated by the township to enforce the provisions of this chapter.

“Cat” means any member of the feline species regardless of age or sex.

“Cat of licensing age” means any cat which has attained the age of seven months, or which possesses a set of permanent teeth.

“Cattery” means any room or group of rooms, cage or exhibition pen, not a part of a kennel, wherein cats for sale are kept or displayed.

“Licensing authority” means the township clerk or other official designated by the township council to administer the issuance of licenses under the provisions of this chapter.

“Neutered” means rendered permanently incapable of reproduction as certified by a licensed veterinarian.

“Owner” when applied to the proprietorship of a cat, includes any person or business establishment having a right of property in, or custody of, such cat and any person or business establishment having such a cat in his/her/its keeping or harboring or maintaining a cat or knowingly permitting a cat to remain on or about any property occupied by that person or business establishment. Any person or business establishment that regularly feeds, shelters or cares for a cat shall be deemed the owner of that cat.

“Public nuisance” means any cat causing the destruction of private or public property, or injury to a person or to another domestic animal, creating a threat to public health, safety or welfare, causing damage to or defecating on any lawn, shrubbery, flowers, grounds, trees or otherwise interfering with the enjoyment of property shall be declared a public nuisance.

“Stray cat” means a cat having no known owner, custodian, identification or known place of care or shelter. (Ord. 14-02 § 1, 2002; Ord. 527-94 (part))

6.12.020 License required.

No person shall own, keep, harbor or maintain any cat over seven months of age within the township 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 state or federally licensed research facilities or a veterinary establishment where cats are received or kept for diagnostic, medical, surgical or other treatments, or licensed animal

shelters, pounds, kennels, or pet shops. (Ord. 527-94 (part))

6.12.030 Vaccination requirement.

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 in Section 6.12.050. (Ord. 527-94 (part))

6.12.040 Vaccination certificate.

A certificate of vaccination shall be issued to the owner of each cat vaccinated on a form recommended by the state. (Ord. 527-94 (part))

6.12.050 Exemptions.

Any cat may be exempted from the requirements of vaccination for a specified period of time by the animal control authority, upon presentation of a veterinarian's certificate stating that because of an infirmity or other physical condition, or regiment of therapy, the inoculation of such cat shall be deemed inadvisable. (Ord. 527-94 (part))

6.12.060 License requirements.

A. Procuring License and Registration Tag. The owner of any cat which attains licensing age or any person who owns, keeps or harbors a cat shall, within ten (10) days after he or she obtained possession of such cat, and annually thereafter, in the month of February, apply for and procure from the office of the municipal clerk, a license and official registration tag for each such cat so owned, kept or harbored. All such applications shall be made to the township clerk prior to February and each succeeding year thereafter. Any person who owns, keeps or harbors a cat shall place upon each cat a collar with the registration tag securely fastened onto it.

B. Cats Brought into Jurisdiction. Any person who shall bring, or cause to be brought into the township, any cat licensed in another state, for the current year, and bearing a registration tag, and shall keep the same or permit the same to be kept within the

township for a period of more than ninety (90) days, shall immediately apply for a license and registration tag for each such cat.

C. Any person who shall bring or cause to be brought in the township any unlicensed cat, and shall keep same or permit same to be kept within the township for a period of more than ten (10) days, shall immediately apply for a license and registration tag for each such cat.

D. License Form 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.

E. Evidence of Inoculation with Rabies Vaccine or Certification of Exemption—Requirement for License. No official designated by the township council 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 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 Human Services, or had been certified exempt as provided by Section 6.12.050. The rabies inoculation shall be administered by a duly licensed veterinarian, or by such other veterinarians permitted by law to do the same. (Ord. 527-94 (part))

6.12.070 Removal of tag forbidden.

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

B. No licensed cat shall be allowed off the premises of the person harboring or keeping the cat without the metal registration tag attached to its collar. (Ord. 527-94 (part))

6.12.080 License fee schedule.

A. A license shall be issued after payment of a fee of seven dollars (\$7.00) for each neutered/spayed

cat for the first year and every year thereafter. A surcharge of three dollars (\$3.00) will be imposed on any license and registration tag for which proof of spay/neutered cannot be provided. A late charge of one dollar (\$1.00) shall be assessed for the issuance of a license and registration tag for each month or portion of a month after the last day of month or portion of a month after the last day of month when the license and registration tag have expired.

B. Fees, Renewals and Expiration Date of License. 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 license and registration tag or sleeve shall be the same as for the original and the license registration tag or sleeve and renewal thereof shall expire on the last day of February in each year. (Ord. 527-94 (part))

6.12.090 Contents of application.

A. The application shall state: the breed, sex, age, color and markings of the cat for which license and registration are sought; and the name, street and post office address of the owner and the person who shall keep or harbor such cat.

B. The information on the application and the registration number issued for the cat shall be preserved for a period of three years by the township clerk or other official designated by the township council. Registration numbers shall be issued in order of the applications. (Ord. 527-94 (part))

6.12.100 Proof of licensing.

Proof of licensing shall be produced by any person owning, keeping, maintaining or harboring a cat, upon request of any health official or other authorized person. (Ord. 527-94 (part))

6.12.110 Interfering with persons performing duties.

No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this chapter. (Ord. 527-94 (part))

6.12.120 Disposition of fees collected.

License fees and other moneys collected or received under the provisions of this chapter as they pertain to cat licensing, shall be forwarded to the municipal finance officer of the township, and shall be placed in the current fund. (Ord. 527-94 (part))

Article 2. Control of Animals

6.12.130 Limits.

No person shall keep, harbor or maintain more than eight cats of licensing age at any one time in any residence or upon its grounds, or in any business establishment or on its grounds. On the effective date of the ordinance codified in this article, any owner of a lawfully licensed cat or cats in excess of eight may continue to keep, care for, own and maintain all licensed cats, but may not replace any such cat in excess of eight. This section shall be exempt to duly licensed veterinary establishments, pet shops, animal shelters, catteries and kennels. (Ord. 14-02 § 1 (part), 2002)

6.12.140 Cats running at large.

A. It shall be unlawful for any person harboring, owning or possessing any cat to permit the same to run at large. For the purpose of this chapter, "running at large" shall be defined to be the presence of a cat at any place except on the premises of the owner or the owner's designee on complaint of the police or animal control officer or the resident of the premises to which the cat has strayed. Running at large shall further be defined as any cat which the animal control officer has reason to believe is abandoned, diseased, injured or running at large. Any cat found running at large within the township shall be taken into custody by the animal control officer or any police officer of the township. Any cat so taken into custody may be impounded as provided in Section 6.12.170 of this article or may be returned directly to the owner or to the person harboring or keeping the cat, if such person is known. In any event, whether the cat is impounded, or returned directly to its owner or other person keeping or harboring the cat, a three dollar (\$3.00) redemption fee to cover expenses

incurred in seizing the cat shall be collected by the animal control officer or the police officer as the case may be from the owner or other person taking possession of the cat at the time of the return. If the animal control officer or the police officer seizing the cat elects to return the cat directly to its owner or keeper, and such owner or person keeping the cat refuses to pay such redemption fee, the cat shall be impounded in accordance with the procedure established in Section 6.12.170 of this article.

B. It shall be unlawful for any cat to be on any public beach or in the water adjacent to any public beach within the township. (Ord. 14-02 § 1 (part), 2002)

6.12.150 Abandoning cats.

No person shall abandon any cat no matter what its age may be within the township. (Ord. 14-02 § 1 (part), 2002)

6.12.160 Stray, abandoned and feral cats.

Any person who feeds, shelters or otherwise cares for unlicensed stray, abandoned or feral cats for a period of not less than seventy-two (72) hours shall be deemed the owner of the cat or cats and shall be made to comply with the licensing requirements as set forth in Section 6.12.060 of this chapter. (Ord. 14-02 § 1 (part), 2002)

6.12.170 Impounding of cats.

A. The animal control officer or any police officer or the township shall take into custody and impound or cause to be taken into custody or impounded, and thereafter destroyed or disposed of as provided in this article:

1. Any cat off the premises of the owner or of the person keeping or harboring the cat which the animal control officer or police officer has reason to believe is a stray, abandoned or feral cat;

2. Any cat off the premises of the owner or of the person keeping or harboring the cat without a current registration tag on his or her collar.

B. If any cat so seized wears a collar or harness having inscribed thereon or attached thereto the name and address or phone number of any person or a reg-

istration tag, or that has any other identifying device, or whose owner or person keeping or harboring the cat is otherwise known, the animal control officer or police officer of the township, shall forthwith serve on the person a notice, in writing, stating that the cat has been seized and will be liable to be disposed of or destroyed if it has not been claimed within seven days after service of the notice.

C. 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 by delivering it to the address given on the cat's collar or license application, or by forwarding it by post in a prepaid letter addressed to the owner or the person harboring or keeping the cat.

D. When any cat so seized has been impounded and detained for seven days after the notice has been served when notice can be given as set forth above, or has been detained for seven days after seizure when notice has not been and cannot be given as above set forth, and if the owner or person keeping or harboring the cat has not claimed the cat and paid the redemption fee of three dollars as provided in Section 6.12.140 of this chapter, plus paid a maintenance fee of six dollars per day for each day the cat has been impounded, and if the cat was unlicensed at the time of the seizure and the owner or person keeping or harboring the cat has not produced a license and registration tag for the cat, the animal control officer or any police officer of the township may cause the cat to be destroyed in a manner causing as little pain as possible. No cat so caught and detained or procured, obtained, sent or brought to a pound or shelter, shall be sold or otherwise be made available for the purpose of experimentation. Any person who sells or otherwise makes available any such cat shall be guilty of a disorderly person's offense. (Ord. 14-02 § 1 (part), 2002)

6.12.180 Additional restrictions.

A. The Duty of Care. No person having the care, custody or control of any cat or cats shall leave the cat or cats in any vacant building, or caged/tied

upon any property without proper food, water and shelter.

B. Access to Premises—Seizure of Cats. Any officer or agent authorized or empowered to perform any duty under this article shall be authorized to go upon any premises to seize for impoundment when such officer is in pursuit of such cat or cats, except when upon the premises of the owner of the cat if such owner is present and forbids the same. (Ord. 14-02 § 1 (part), 2002)

6.12.190 Violation—Penalty.

Any person who shall violate, fail, or refuse to comply with this article shall be liable for the following fines: Twenty-five dollars (\$25.00) for the first offense; not less than twenty-five dollars (\$25.00) and not more than fifty dollars (\$50.00) for the second offense; not less than fifty dollars (\$50.00) and not more than five hundred dollars (\$500.00) for the third and each subsequent offense or to imprisonment and/or community service for a period of not more than fifteen (15) days or both at the discretion of the court. (Ord. 14-02 § 1 (part), 2002)

Chapter 6.16

PET WASTE

Sections:

- 6.16.010 Purpose.**
- 6.16.020 Definitions.**
- 6.16.030 Requirement for disposal.**
- 6.16.040 Exemptions.**

6.16.010 Purpose.

The purpose of this chapter is to establish requirements for the proper disposal of pet solid waste in the township of Mine Hill, so as to protect public health, safety and welfare. (Ord. 5-06 § 1, 2006)

6.16.020 Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

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

"Owner/keeper" means 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" means any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

"Pet" means a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

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

"Proper disposal" means 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. (Ord. 5-06 § 2, 2006)

6.16.030 Requirement for disposal.

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person. (Ord. 5-06 § 3, 2006)

6.16.040 Exemptions.

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. 5-06 § 4, 2006)

