

ORDINANCE NO. O-15-13
TOWNSHIP MEETING DATE - June 23, 2015

ORDINANCE AMENDING CHAPTER 79 (ANIMALS), ARTICLE I (DOGS) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Township Committee of the Township of Freehold, County of Monmouth and State of New Jersey as follows (additions are underlined, and deletions are in [~~brackets~~]):

I

Chapter 79, Animals, Article I, Dogs, is hereby amended to read as follow:

Chapter 79 **Animals.**

Article I. Dogs.

Section 79-1 **Definitions.**

As used in this article, the following terms shall have the meanings indicated, except that the terms used herein which are defined in N.J.S.A. 4:19-15.1 shall have the meanings given therein:

KEEPER

Any person exercising control over a dog or permitting a dog to remain on premises under his control.

KENNEL

Any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop.

PET SHOP

Any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein animals for sale are kept or displayed.

POUND

An establishment for the confinement of animals seized either under the provisions of this chapter or otherwise.

POTENTIALLY DANGEROUS DOG

Any dog or dog hybrid which has been declared by a Municipal Judge to be potentially dangerous.

SHELTER

Any establishment where animals are received, housed and distributed without charge.

VICIOUS DOG

Any dog or dog hybrid which has been declared by a Municipal Judge to be a vicious dog.

Section 79-2 **Licensing provisions.** - No change.

Section 79-3 **Pet shots, kennels, shelters and pounds.**

A. No change.

B. No change.

C. Pet Shop Disclosure. In addition to the application submitted pursuant to this Section, every pet shop shall submit to the Township Clerk or other official designated to license dogs in the Township, a report providing the following information from the prior year of operation:

(1) The name, full street address, email address, if available, and USDA license number of: (i) any breeder from which the pet shop purchased an animal, whether or not the pet shop offered the animal for sale, (ii) any breeder that bred an animal that the pet shop purchased from a broker, whether or not the pet shop offered the animal for sale, and (iii) any broker from which the pet shop purchased an animal, whether or not the pet shop offered the animal for sale;

(2) If a breeder whose identity the pet shop is required to report pursuant to § 79-3(C)(1) is required to be licensed in the state in which the breeder is located, the breeder's state license number;

(3) If a broker whose identity the pet shop is required to report pursuant to § 79-3(C)(1) is different from any breeder whose identity the pet shop is required to report pursuant to § 79-3(C)(1), and the broker is required to be licensed in the state in which the broker is located, the broker's state license number; and

(4) The total number of animals for each breeder and broker for which the pet shop has reporting requirements § 79-3(C)(1).

This § 79-3(C) shall not apply to pet shop submitting an initial license application to the Township.

~~C.~~ D. Approval of Health Officer. No license shall be issued until the proposed licensee receives an inspection and a satisfactory posting from the Health Officer or its designee that the establishment or proposed establishment complies with local and state rules governing the location of and sanitation at the establishment

~~D.~~ E. License term. All licenses issued for a kennel, pet shop, shelter or pound shall state the purpose for which the establishment is maintained and all licenses shall expire on the last day of January of each year.

~~E.~~ F. License fees. The annual fees for kennel and pet shop licenses shall be as provided in Chapter 150, Fees.

~~F.~~ G. Compliance with state regulations.

(1) All licenses issued for a kennel, pet shop, shelter or pound shall be subject to revocation by the Township Committee on recommendation of the State Department of Health or the Board of Health for failure to comply with the rules and regulations of the State Department of Health or the Board of Health, after the owner has been afforded a hearing by either the State Department of Health or the Board of Health.

(2) Any person holding a license to establish, keep or operate a kennel, pet shop, shelter or pound shall comply with all Township ordinances and the rules and regulations promulgated by the State Department of Health governing the sanitary conduct and operation of kennels, pet shops, shelters and pounds, the preservation of sanitation and the prevention of the spread of rabies and other diseases of dogs within and from these establishments.

~~G.~~ H. Report to State Health Department. The Health Officer shall forward to the State Department of Health a list of all kennels, pet shops, shelters and pounds licensed within 30 days after the licenses are issued, which list shall include the name and address of the licensee and the kind of license issued

~~H.~~ I. Control of dogs off premises. No dog kept in a kennel, pet shop, shelter or pound shall be permitted off the premises, except on leash or in a crate or other safe control.

Section 79-4 through 79-13 - No change.

II

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

III

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

IV

This Ordinance shall take effect upon adoption and publication according to law.

Explanatory Statement:

This Ordinance amendment is made to Section 79 to bring it into compliance with the Pet Shop Disclosure Act recently enacted by the Legislature.