

**AN DRAFT ORDINANCE ESTABLISHING A NEW CHAPTER 110, “ANIMALS”
AND REPEALING IN THEIR ENTIRETY CHAPTER 353 “WILDLIFE FEEDING”,
CHAPTER 381 “DOGS”, CHAPTER 387 “CATS”, AND
CHAPTER A434, “WATERFOWL, FEEDING OF,”
OF THE CODE OF THE TOWNSHIP OF NORTH BRUNSWICK**

BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey, that Chapter 353, Wildlife Feeding, Chapter 381 Dogs, Chapter 387 Cats, and Chapter A434 Waterfowl Feeding Of be hereby repealed in their entirety and a new Chapter 110, Animal Control, be hereby established as follows:

Article I Purpose.

§ 110-1 Purpose.

The purpose of this chapter is to protect public health, safety, and welfare by establishing rules and regulations for the management of animals in order to prevent nuisance conditions, property damage, and public health risks.

§ 110-2 Compliance required.

No person shall keep any animal in the Township except in accordance with the provisions of this article.

Article II Definitions.

§ 110-3 Definitions. Certain words, phrases and terms in this chapter are defined for the purpose herein as follows:

ANIMAL CONTROL OFFICER - Any person or agency designated by the Township or certified by the State of New Jersey to enforce the provisions of this article.

ANIMAL SHELTER - Facilities that do not contract for the impoundment of stray animals, but receive, house and distribute seven (7) or more animals that are surrendered by owners or identified as stray animals.

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

CAT OF LICENSING AGE - Any cat which has attained the age of seven months or possesses a set of permanent teeth.

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

CAT COLONY - A group of free-roaming cats that are provided with food, shelter, or care by a person or organization.

CAT COLONY MANAGER(S) – Any person(s) approved by the Animal Control Officer to manage or maintain a cat colony.

COMMIT A NUISANCE – Any animal injuring or damaging any lawn, shrubbery, flower garden or property of another, or an animal defecating on any public street, sidewalk, public park or on any other private property.

CRUEL OR INHUMANE TREATMENT - Committing any act of mistreatment upon any animal, including but not limited to any act proscribed by N.J.S.A. 4:22-26, and as it may hereafter be amended.

DANGEROUS DOG - Any dog or dog hybrid declared potentially dangerous by any municipal court pursuant to state statute, which has a propensity to attack or cause injury unprovoked, or threatens humans or domestic animals.

DOG - Any dog, bitch or spayed bitch.

DOG OF LICENSING AGE - Any dog which has attained the age of seven months or which possesses a set of permanent teeth.

DOMESTIC ANIMAL - Any cat, dog, or livestock other than poultry.

EXOTIC ANIMAL — Any non-game species, mammal, bird, reptile, or amphibian not indigenous to New Jersey, and hybrids of such animals, whether wild-borne or captive-bred, which are kept in the home for pleasure rather than utility, and are relatively rare or unusual to keep, or are generally thought of as a wild or farm species rather than as a pet.

FEED — To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting such as the legal baiting of fish and/or game.

FREE ROAMING CAT – Any cat that is not confined to an owner's property or is not under the direct control of an owner.

KENNEL - Any licensed lands, structure or facility where pets are kept for sale, breeding, boarding, training or treatment purposes in return for remuneration or as a nonprofit organization, except an animal hospital, care facility, grooming parlor, or pet shop.

LICENSING AUTHORITY - The office of the Township Clerk of the Township of North Brunswick.

LIVESTOCK - All animals of the equine, bovine, or swine class, including but not limited to goats, sheep, mules, horses, hogs, cattle, and other grazing animals, kept for the production of food, wool, skins or fur, or for use in any agricultural or for-profit activity.

MULTIPLE DWELLING PROPERTY - A property such as, but not limited to, apartments or condominiums, with or without housing associations. This includes any property where a cat colony is located in a common residential area.

NEUTERED - Rendered permanently incapable of reproduction as certified by a licensed veterinarian.

OWNER - When applied to the proprietorship of an animal, includes every person having a right of property or custody in such animal and every person who has such animal in his/her keeping or who harbors or maintains an animal or knowingly permits an animal to remain on or about any premises occupied by that person.

PASTORAL ANIMALS – Livestock or poultry.

PERSON(S) - An individual, family, firm, partnership, corporation, association of persons or institution commonly recognized by law as a unit.

PET SHOP - Any retail establishment, which is not part of a kennel, wherein animals, including, but not limited to, dogs, cats, birds, fish, reptiles, rabbits, hamsters or gerbils are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail for personal appreciation and companionship rather than for business or research purposes.

PET SHOP OPERATOR - A person who owns or operates a pet store, or both.

POULTRY - Domesticated fowl, such as chickens, turkeys, ducks, or geese, raised for meat or eggs, or for use in any agricultural or for-profit activity.

POUND - An establishment for the confinement of dogs and other animals seized either under the provisions of this chapter or otherwise, including animal holding facilities that contract with municipalities for the impoundment of stray animals seized by animal control officers pursuant to N.J.S.A. 4:19-15.16.

SHELTER - Any structure that provides cover or protection, as from weather or danger; place of refuge and the protection afforded by such a cover.

STRAY ANIMAL - Any animal for which there is no owner as described in Section §110-31 shall be deemed a stray.

VICIOUS DOG - Any dog or dog hybrid declared vicious by a municipal court pursuant to state statute.

WATERFOWL - Any member of the species of birds, commonly known as swans, geese, river and sea ducks, sea gulls and any other waterfowl falling under the jurisdiction of the State of New Jersey Department of Fish, Game and Wildlife.

WILDLIFE - Living things and especially mammals, birds, and fishes that are neither human nor domesticated.

Article III Animal Control; Health Requirements; Limitations

§ 110-4 Animal Control Officer; assistants.

- A. The Mayor and Council, acting as the governing body and the Board of Health, are hereby authorized to employ a suitable person as Animal Control Officer, and to employ such assistants to the Animal Control Officer as they deem necessary. Such employee(s) shall enforce the provisions of this chapter.
- B. The Animal Control Officer and such assistants as may be appointed shall be subject to the supervision and direction of the Police Director and/or Director of Public Safety, and his/her designee, who may adopt rules and regulations prescribing further duties of the Animal Control Officer and his assistants, and for the keeping and maintaining of animals not inconsistent with the laws of the state and of this chapter.
- C. The Township may contract with a recognized animal welfare agency to perform the functions of the Animal Control Officer.

§ 110-5 Health requirements; condition of premises; inspections.

- A. The premises on which animals are maintained and kept shall meet and conform to the following health standards:
 - (1) Location is such as to preclude odors and sounds from interfering with the comfortable enjoyment of life and property on neighboring premises.
 - (2) Buildings, food storage bins, appliances, equipment, feeding areas and other facilities on premises are constructed and maintained in such fashion as to permit proper cleansing.
 - (3) Water supply is adequate for proper sanitation.
 - (4) Water or other liquid to which mosquitoes may have access is properly treated to prevent their breeding.
 - (5) Disposition is made of animal wastes, garbage, refuse or vegetable matter deposited upon the premises in such manner as to prevent insect breeding, rodent haborage, pollution of the air, any body of water, or the creation of any other unhealthy or unsanitary condition.
 - (6) Rodents or insects hazardous to public health do not exist or reproduce therein or thereon.
 - (7) Adequate measures are taken to prevent animals from escaping.
 - (8) Adequate equipment is available to maintain the premises in a sanitary condition at all times.

- B. The Animal Control Officer and the Health Officer are authorized to inspect any premises where animals under this section are kept for the purpose of enforcing the provisions herein.

§ 110-6 Limitations on number of animals.

A. Dogs, Cats and Household Pets.

- (1) No person shall keep or maintain in, on or upon any building, premises or property used for residential purposes, including any residential unit in a multiple-family building or mobile home, more than a total of five (5) cats and dogs of age seven (7) months or older. Pets, other than cats and dogs, commonly purchased at a retail pet store and including, but not limited to, birds, fish, reptiles, rabbits, hamsters, and gerbils, shall not be limited by these restrictions, provided that its maintenance does not constitute a public nuisance detrimental to the public health, safety and welfare; and/or nuisance to the health or safety of occupants or other persons utilizing the premises; and free of unsanitary conditions.
- (2) Exemption to Limitations Permit. A person seeking to keep or maintain more than a total of five (5) cats and dogs of ages seven (7) months or older, but no more than eight (8) cats and dogs total, shall have the ability to seek a calendar year annual Exemption to Limitations Permit.
 - (a) Inspection. The permit shall require the property and pet owner(s) to grant full access for an both an exterior and interior residential inspection by the Animal Control Officer who must certify that the building, premises or property meets and satisfies the health standards of Section § 110-5 and that the increase in the total number of cats and dogs can be satisfactorily accommodated.
 - (b) Complaints. The property and pet owner(s) must agree to grant additional inspections as sought and deemed necessary by the Animal Control Officer to address any complaint that alleges violations of Sections § 110-5 or § 110-30.
 - (c) Revocation. The Exemption to Limitations Permit may be revoked by the Animal Control Officer at any time there are violations of the health standards of Section §110-5 that are not immediately abated or he determines cannot otherwise be satisfied. Any violation or conviction of section § 110-30 shall result in the immediate and permanent revocation of the permit.

- B. Chickens. Chickens shall be permitted as provided by the provision of Chapter 205-42, and be regulated pursuant to Article VI in this chapter.

- C. Horses. No person shall keep any horses except on lots greater than five (5) acres. The number shall be limited to such that can reasonably be maintained and kept in compliance with the health standards of Section § 110-5.
- D. Pigs. No person shall raise, herd, breed or otherwise keep in any manner pigs, except on lots greater than five (5) acres. There shall be a maximum of five (5) pigs per the first five (5) acres of land, and for each acre thereafter, one additional pig may be kept. In no case shall any pig, pigsty, run or any shelter for such animals be located closer than 250 feet to any road or highway abutting such lands or from any property boundary thereof.
- E. Cows and other pastoral animals. No person shall keep any cows or other pastoral animals, excluding chickens and common household pets, except on lots greater than five (5) acres pursuant to § 205-42. The number shall be limited to such that can reasonably be maintained and kept in compliance with the health standards of Section § 110-5.
- F. Exotic Pets. No person shall keep or maintain in, on or upon any building, premises or property used for residential purposes, including any residential unit in a multiple-family building or mobile home, more than **two (2) exotic pets** of age seven (7) months or older.

§ 110-7 (Reserved).

§ 110-8 (Reserved).

§ 110-9 (Reserved).

Article IV Cats and Dogs.

§ 110-10 Licensing Required.

- A. License requirements. No person shall own, keep, harbor or maintain any cat or dog over seven months of age unless such cat or dog is licensed by the office of the Township Clerk. The provisions of this section do not apply to cats held in a cattery, or those held by a state or federal licensed facility, or a veterinary establishment where cats or dogs are received or kept for diagnostic, medical, surgical or other treatments, or licensed animal shelters, pounds, kennels or pet shops.
- B. Annual procurement; display of license required. Any person who shall own, keep or harbor a cat or dog of licensing age shall annually, in the month of January, apply for and procure from the office of the Township Clerk a license and official registration tag with a license number or a registration sleeve for each cat or dog so owned, kept or harbored, and shall place upon each cat and dog a collar, harness, or other device with the license number securely fastened or displayed thereto. Acceptable methods of displaying the license number shall include, but are not limited to, breakaway or elastic collars. License tags or sleeves are not transferable.

- C. Time for applying for license. The owner of any newly acquired cat or dog of licensing age, or of any cat or dog which attains licensing age, shall make application for a license tag or sleeve for such cat or dog within 10 days after such acquisition or age attainment. This requirement will not apply to a non-resident keeping a cat or dog within the Township for no longer than 90 days.
- D. Cats and dogs brought into jurisdiction.
 - (1) Any person who shall bring or cause to be brought into the Township any cat or dog licensed in another state or municipality for the current year and bearing a registration tag or sleeve, and shall keep or permit the cat or dog to be kept within the Township for a period of more than 90 days, shall immediately apply for a license and registration tag or sleeve for each such cat or dog.
 - (2) If said owner has obtained a valid cat or dog license from another municipality within Middlesex County, said license shall be valid for the balance of the calendar year, provided that the owner provides the previous municipality and the office of the Township Clerk with his new post office address and telephone number.
 - (3) Any person who shall bring or cause to be brought into the Township any unlicensed cat or dog, and shall keep same or permit same to be kept within the Township for a period of more than 10 days, shall immediately apply for a license and registration tag or sleeve for each such cat or dog.

§ 110-11 License Application; Vaccination.

- A. Application; contents; preservation of information; fees.

The license application shall state the breed, sex, age, color and markings of the cat or dog for which license and registration are sought and whether it is of a long- or short-haired variety; the name, street and post office address of the owner and the person who shall keep or harbor such cat or dog. The information on said application and the registration number issued for the cat or dog shall be preserved for a period of three (3) years by the office of the Township Clerk.
- B. License forms and tags. License forms and official tags or sleeves shall be furnished by the municipality and shall be numbered serially and shall bear the year of issuance and the name of the municipality.
- C. Vaccination and evidence of inoculation with rabies vaccine or certification of exemption; requirement for license. Neither the office of the Township Clerk nor any other official designated by the governing body of the municipality to license cats and dogs therein shall grant any such license and official registration tag or sleeve for any cat or dog unless the owner thereof provides evidence that the cat or 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 United States Department of Human Services or has been certified exempt as provided by this Section.

The rabies inoculation shall be administered by a duly licensed veterinarian or by such other veterinarian permitted by law to do the same. If a required inoculation has an expiration date which is less than one year from the date the license is issued, the issuance of the license shall be conditioned upon the applicant submitting proof to the office of the Township Clerk that the inoculation which will expire has been administered. Said proof shall be submitted no later than 30 days after the expiration date listed on the license. Failure to submit the required proof of inoculations within 30 days of the expiration date shall result in a fine of \$5 for each thirty-day period, or fraction thereof, that the proof has not been submitted.

Exemptions. Any cat or dog may be exempted from the requirements of such vaccination for a specified period of time by the local Board of Health, upon presentation of a veterinarian's certificate stating that, because of an infirmity or other physical condition or regimen of therapy, the inoculation of such cat or dog shall be deemed inadvisable.

D. Fees, renewals and expiration date of license.

- (1) Cats. A license shall be issued after payment of a fee of \$11 for each intact cat and \$8 for each neutered or spayed cat. The fee for any cat whose owner is 65 years or older shall be reduced by the sum of \$2 per license.
- (2) Dogs. A license shall be issued after payment of a fee of \$12 for each intact dog and \$9 for each neutered or fixed dog. The fee for any dog whose owner is 65 years or older shall be reduced by the sum of \$2 per license.
- (3) The licenses, registration tags and renewals thereof shall expire on the last day of January of the following year.
- (4) Late fee. Persons who fail to obtain a license by February 1 of the year in question shall be subject to a late charge of \$5 for every month or fraction thereof that each cat or dog license is delinquent.
- (5) Dangerous Dog. The fee for a dangerous dog shall be \$500.
- (6) Exemption to Limitations Permit. The fee for such permit pursuant to Section § 110-6 (A)(2) shall be \$50 annually.

E. Loss of license. If a license tag or sleeve has been misplaced or lost, the office of the Township Clerk may issue a duplicate license and/or registration sleeve for the particular cat or dog at a fee of \$2 each.

F. Disposition of fees collected.

- (1) License fees and other moneys collected or received under the provisions of this article shall be forwarded to the Treasurer of the municipality and shall be placed in a special account separate from any of the other accounts of the municipality and shall be used for the following purposes only:
 - (a) Collecting, keeping and disposing of cats and dogs liable to seizure;
 - (b) Local prevention and control of rabies;
 - (c) Providing anti-rabies treatment under the direction of the local Board of Health for any person known or suspected to have been exposed to rabies;
 - (d) Administering the provisions of this article.
- (2) Any unexpected balance remaining in such special account shall be retained until the end of the third fiscal year following and may be used for any of the purposes set forth in this section. At the end of said 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 municipality 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.

§ 110-12 Tampering with license tags.

No person, except an official in the performance of his duties, shall remove a registration tag or sleeve from any cat or dog, nor shall any person attach a registration tag or sleeve to a cat or dog for which it was not issued.

§ 110-13 Interfering with officials.

No person shall hinder, molest or interfere with anyone authorized or employed to perform any duty under this article.

§ 110-14 Proof of licensing.

Proof of licensing shall be produced by any person owning, keeping, maintaining or harboring a cat or dog, upon the request of any Animal Control Officer, health official, police officer, or other authorized person.

§ 110-15 Rabies control; Quarantine.

Any cat or dog which has bitten or abraded the skin of a human being shall be forthwith quarantined by the Animal Control Officer for observation and examination. Before such cat or dog is released from quarantine, the Animal Control Officer shall certify that, to the best of his knowledge, such cat or dog is free of rabies; provided, however, if any cat or dog has received antirabic treatment under the direction of an enforcement authority or a licensed veterinarian

within one year prior to the time that it has bitten or abraded the skin of a human being, such cat or dog may, in the discretion of the Animal Control Officer, be quarantined into the care of its owner for a period of not less than 10 days from the day of the bite or abrasion; provided further that this section shall not be construed as preventing the Animal Control Officer, where necessary, from quarantining the animals referred to herein, so long as prior to such animal's release an examination shall be made by a licensed veterinarian and a written report thereof be transmitted to the Animal Control Officer. Any violations of quarantine pursuant to this chapter shall be subject to violations and penalties established in Section § 110-50.

§ 110-16 **(Reserved).**

§ 110-17 **(Reserved).**

§ 110-18 **(Reserved).**

Article V Free Roaming Cats and Colonies.

§110-19 Prohibited Conduct.

No person shall knowingly feed any free-roaming cat unless that cat is spayed or neutered as documented by a licensed veterinarian. Anyone feeding such cat or cats must verify that these conditions have been met including documentation from a licensed veterinarian indicating spay/neuter status, a photograph of the cat, confirmation the cat's ear is tipped, and proof of rabies vaccination. This verification must also include the cat's gender, color, breed, and free-roaming status. This documentation must be produced upon request by the Animal Control Officer.

§110-20 Registration of Cat Colonies.

A. Any person(s) or group of persons attempting or volunteering to manage or maintain any outdoor cat colony must register their colony, in cooperation with the property owner, with the Animal Control Officer annually citing the specific location of the colony with the following information for each cat:

- (1) A photograph of each cat displaying a tipped ear.
- (2) Proof of spay or neuter.
- (3) Proof of rabies vaccination.
- (4) **Proof of liability insurance.**

The Animal Control Officer may grant exemptions for rabies vaccination if the manager has made reasonable attempts to re-trap cats and if the risk to public health is deemed low. There shall be no fee for registering a cat colony.

B. If the cat colony is located at a commercial or single resident property, the property owner must grant written permission in support of registering the cat colony.

- C. If the cat colony is located at a multiple dwelling property, the property owner (or property manager on behalf of the owner or Homeowner's Association) must grant written permission in support of registering the cat colony.
- D. The registration of cat colonies shall not be permitted on any municipal lands or property.
- E. Recognizing the difficulty of managing large colonies, once a new colony is identified, the Animal Control Officer, at their discretion, may grant a compliance schedule to satisfy this Section not to exceed 90 days for persons feeding multiple free-roaming cats.

110-21 Colony Regulations.

- A. Food shall only be left outdoors for a period not exceeding one (1) hour and all plates/bowls shall be removed/discarded after each one (1) hour feeding. Food must be on a plate/bowl and not scattered on the ground.
- B. Rabies booster inoculations shall be administered to each cat in accordance with NJAC 8:23A-4.2.
- C. Veterinary care shall be provided by the managers of the colony for any cat that exhibits illness or injury.
- D. All new cats joining the colony are subject to all the requirements of this article.

§110-22 Colony Nuisance Cats.

No person owning, harboring, or in charge of any cat shall allow such cat to soil, defile, or defecate on private or public property; cause property damage; or interfere with the enjoyment of private or public property. Upon receipt of a nuisance complaint about a colony cat, the Cat Colony Manager(s) must resolve the issue or remove the cat at their own expense. Failure to abate the nuisance or remove the cat within 30 calendar days shall be deemed a violation of this article.

§110-23 Colony Abandonment.

It shall be considered animal abandonment if an owner, by direct or indirect means, willfully or negligently abandons any cat or colony. This includes circumstances such as moving, selling, eviction, or ceasing care of the colony. In the event of the owner's death, the land or property owner shall assume responsibility for the colony.

§ 110-24 (Reserved).

§ 110-25 (Reserved).

Article VI Chickens.

§ 110-26 Permit required.

A Zoning Permit from the Department of Community Development shall be required to permit the keeping of chickens.

§ 110-27 Standards for keeping chickens.

- A. Number of allowable chickens. No more than eight female chickens (pullets and hens) may be kept on any residential lot.
- B. Roosters and cockerels are prohibited.
- C. Slaughtering. The slaughtering of chickens in public view is prohibited.
- D. Required shelters.
 - (1) Chickens shall be provided a fully enclosed shelter with a fenced enclosure. Shelters and enclosures shall be located in the rear yard or, if on a corner property, in a side yard fronting a public street only when the yard is fully enclosed by a privacy fence.
 - (2) Shelters and enclosures shall be located not less than 20 feet from neighboring property lines and 30 feet from any residential structure on an adjoining property.
 - (3) Shelters shall not exceed 60 square feet in size or six-feet in height, and shelters for chickens or similar species shall not be less than five (5) square feet per bird, and shall be maintained and kept clean at all times.
 - (4) Shelters shall be constructed and maintained as to prevent rodents or other pests from being harbored underneath, within, or within the walls of the enclosure. The shelter must be impermeable to rodents, wild birds, and predators, including dogs and cats.
 - (5) Fences shall not exceed six feet in height and shall be constructed so that the shelter cannot be seen by the public.
- E. Feed storage. Animal feed stored outdoors shall be kept in a metal container or other approved containers with tight-fitting lids.
- F. Waste storage. Storage of manure or other waste, or odor- or dust-producing substances associated with keeping chickens shall comply with all state and local health guidelines and be disposed of properly off-site.

- G. Disease. If a majority of the chickens maintained on the property perish due to disease or suspected disease, the property owner and/or the person owning, keeping, or maintaining the chickens shall immediately notify the Animal Control Officer and/or the Health Official.

§ 110-28 Restrictions.

Any homeowner seeking to keep chickens on their property shall be responsible and required to review their respective property deeds for any deed restrictions against such use, or where the rules and regulations of any homeowners' association may apply, to determine whether or not the keeping of chickens would be contractually prohibited on their real property. Nothing within this section shall override any such restrictions.

§ 110-29 (Reserved).

Article VII Animal Welfare; Prohibited Actions; Declaration of Nuisance.

§110-30 Animal Welfare; Prohibited Actions.

- A. Interference with officer. No person shall hinder, molest or interfere with the Animal Control Officer or anyone authorized or empowered to perform any duty under this chapter.
- B. Permitting animals to commit nuisances. No person owning or having the care or custody of any animal shall knowingly or negligently permit any animal to commit any nuisance upon any public street, nor other thoroughfare, nor upon any crosswalk of any public street or thoroughfare, nor in or upon any public building or any approach to such building, nor in or upon any public park or public playground, nor upon the property of another, nor shall any such person omit to do any reasonable and proper act, nor omit to take any reasonable and proper precaution to prevent any such animal from committing a nuisance in or upon any of the places or premises herein specified. It shall be the duty of each animal owner to remove any feces left by their animal on any sidewalk, gutter, street or other public area.
- C. Animals damaging shrubbery, flowers, landscaping. No person owning, keeping or harboring any animal shall permit or suffer it to do any injury or damage to any lawn, shrubbery, flowers, grounds or property of another.
- D. No person shall commit any act of cruelty or shall treat any animal in an inhumane manner.
- E. Unattended animal in a vehicle. No person shall leave any animal unattended in a vehicle under inhumane conditions adverse to the health or welfare of the animal. Any person who shall violate this subsection shall be subject to a fine of \$250 through the municipal court.

- F. Abandonment of a cat, dog, or other animal. No person shall abandon any cat, dog, or other animal. Any person who shall violate this subsection shall be subject to a fine of \$500 through the municipal court. Any person who shall abandon a cat, dog, or other animal near a roadway shall be subject to a fine of \$1,000 through the municipal court.
- G. Barter or sale of flesh, fur, or hair. No person shall knowingly sell, barter or offer for sale or barter, at wholesale or retail, the flesh, fur or hair of any domestic animal or any product made in whole or in part from the flesh, fur or hair of a domestic animal. This subsection shall not apply to the sale or barter, or offering for sale or barter, of the fur or hair of a domestic dog cut at a commercial grooming establishment, or at a veterinary office or clinic, or for scientific research purposes. Any person who shall violate this subsection shall be subject to a fine of \$250 through the municipal court.
- H. Proper care required. No person shall fail to provide their pastoral animals with sufficient and wholesome food and fresh water, proper shelter, protection from the weather, veterinary care when needed to prevent suffering and with humane care and treatment. For the purpose of this subsection, "proper shelter" shall be defined as a shelter with sound sides, top and bottom with a slanted roof to provide runoff from the rain and snow. There shall be a covering over the entranceway to prevent rain, wind and snow from entering the structure, and the structure shall be large enough for the animal to stand up in a natural position and turn around without touching the top or sides of the structure.

§ 110-31 Declaration of a Public Nuisance.

- A. A cat, dog, or any animal shall be considered a stray or public nuisance if it has no owner and no known place of care or shelter, or if it habitually trespasses upon or damages either private or public property, or harms lawful users or occupants thereof, or if it causes a definable public health hazard which is supported by medical documentation.
- B. Any person who owns, keeps, feeds or harbors any stray cat, dog, or other animal at any time, or who permits any cat, dog, or other animal to enter the limits of the Township, shall exercise sufficient and proper care and control over such animal at all times so as to prevent the cat, dog, or other animal from becoming a public nuisance.
- C. Howling or barking dogs. It shall be unlawful for any person to possess or harbor upon his premises any dog which shall, by howling or barking, make any disturbing noises in any neighborhood in the Township.
- D. Dogs running at large. No person owning, keeping or harboring any dog shall suffer or permit such dog to be outside unless such dog is accompanied by a person capable of controlling the dog, and unless such dog is securely confined by an adequate leash. The only exceptions to the aforementioned provision are when a dog is kept on private property which is completely fenced in or which is provided with a hidden wireless fence for which a sign is posted, or if a dog is being transported in a dog crate or carrier. Any owner whose dog shall be found running at large in the Township off the premises of the owner of such dog shall, upon conviction, be subject to pay a fine of not less than \$10

nor more than \$50 for the first offense or to imprisonment for a term of not less than five days nor more than 10 days, or both, at the discretion of the Municipal Court. For a subsequent violation, such owner shall be subject to a fine of not less than \$15 nor more than \$100 or to imprisonment for a term of not more than 20 days, or both, at the discretion of the Municipal Court.

§ 110-32 Seizure; notification; custodial period and fees; disposal.

- A. The Animal Control Officer or any person or agency designated by the governing body to enforce the provisions of this article shall, upon receipt of a complaint that a cat, dog, or other animal is a public nuisance, investigate said complaint and, if found to be legitimate, shall authorize and execute the seizure of the cat, dog, or animal. Cats that are part of a colony registered in accordance with Section §110-20 shall be exempt from this provision.
- B. Invading premises to seize cats, dogs, and other animals. Any officer or agent authorized or empowered to perform any duty under this chapter is hereby authorized to go upon any premises to seize for impounding any animal which he may lawfully seize and impound when such officer is in immediate pursuit of such animal, except upon the premises of the owner if the owner is present and forbids the same.
- C. Cats and dogs subject to seizure will be kept in custody for a period of seven (7) days from the date of apprehension. If any cat or dog so apprehended bears any identification of ownership, the designated officer shall, on the date of apprehension, notify the owner and certify acknowledgment that the animal has been apprehended, and that it may be claimed at a designated location subject to the provisions of this article.
- D. Any cat or dog may be claimed by its owner during the seven (7) custodial period upon the payment to the Township of a fee of \$25 per day or part thereof that the cat or dog has been in custody, along with a redemption fee of \$50.
- E. Any cat or dog which has been seized pursuant to this article and which has not been reclaimed during the seven (7) custodial period may be disposed of in a humane manner in accordance with standards generally recognized by the American Veterinary Medical Association.
- F. The fees in this section shall be superseded whenever the municipality enters into a contractual agreement with any third-party to provide the services herein; owners shall be subject to the rates established by the third-party as provided in the contractual agreement.

§ 110-33 Canvassing and reporting the impoundment of cats, dogs, and other animals.

- A. The Animal Control Officer shall regularly canvass the Township to assure compliance with this chapter and report to the Police Director and the office of the Township Clerk

a description of each animal seized pursuant to the provisions of this chapter, the reason for such seizure and the disposition made of such animal.

B. The office of the Township Clerk shall render a quarterly report to the Mayor and Council which shall contain the following information:

- (1) The number of cats, dogs, and other animals captured.
- (2) The number of cats, dogs, and other animals redeemed from the pound.
- (3) The number of cats, dogs, and other animals destroyed.

§ 110-34 **(Reserved).**

§ 110-35 **(Reserved).**

Article VIII Kennels, Pet Shops, Shelters and Pounds

§ 110-36 **Requirements for kennels, pet shops, shelters and pounds.**

- A. License. Any person who keeps or operates or proposes to establish a kennel, pet shop, shelter or a pound shall annually apply to the office of the Township Clerk for a business license entitling him to keep or operate such establishment.
- B. Application. The application for a kennel, pet shop, shelter, or pound license shall describe the premises where the establishment is located or is proposed to be located and the purpose for which it is to be maintained. The application shall require the approval of the Animal Control Officer certifying compliance with local and state rules and regulations governing the location of any sanitation at such establishment.
- C. Content of license; expiration. All licenses 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 lost day of January of the following year.
- D. Fees. The annual license fee for a kennel providing accommodations for 10 or fewer dogs shall be \$20 and for more than 10 dogs shall be \$25. No fee shall be charged for a shelter or a pound.
- E. Control of dogs allowed off premises. No dog kept in a kennel, shelter or pound shall be permitted off such premises, except on a leash or in a crate or other safe control.

§ 110-37 **Prohibited actions.**

No pet shop or pet shop operator shall sell, offer for sale, barter, auction, breed or otherwise improperly sell or dispose of cats or dogs in the Township. Nothing contained herein shall

prohibit a shelter, pound or other establishment from keeping, displaying, selling or otherwise transferring any cat or dog that has been seized, rescued or donated.

§ 110-38 **(Reserved).**

§ 110-39 **(Reserved).**

Article IX Animal Foster and Rescue Care.

§ 110-40 Limitations on animal foster and rescue care.

In no event shall any person in a home or premises used for residential purposes establish or provide temporary animal foster care or a rescue operation housing more than five (5) animals, with or without salary or compensation. Any animals held for such purpose for more than seven (7) months shall be therefore considered privately owned and subject to the requirements of this chapter.

§ 110-41 **(Reserved).**

§ 110-42 **(Reserved).**

Article X Wildlife.

§ 110-43 Feeding of Wildlife on Public Property

No person shall feed any wildlife in any public park or on any other property owned, controlled or operated by the Township.

§ 110-44 Feeding of Seagulls, Canada Geese, Ducks and Other Water Fowl

- A. Feeding prohibited. No person or persons shall feed, cause to be fed or provide food for seagulls, geese, ducks or other waterfowl on property either publicly owned or privately owned.
- B. Exceptions. The temporary nurturing of wounded seagulls, geese, ducks or other water fowl on one's own premises shall be an exception.
- C. Abandonment. No person shall abandon, leave or discard any seagulls, geese, ducks or other water fowl upon any public or private property.

§ 110-45 **(Reserved).**

§ 110-46 **(Reserved).**

§ 110-47 Exemption from restrictions.

The restrictions set forth in this article shall not apply to properties qualifying under the Right to Farm Act. Nothing herein shall affect the enforceability of more stringent restrictions in place or

the ability of private property owners and/or neighborhoods to create and/or enforce private restrictions (including but not limited to: deed restrictions, condominium/homeowners' association restrictions and by-laws, or private covenants), which may provide more stringent regulation.

§ 110-48 Exemption of ritual slaughter.

Nothing in this chapter shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group. Notwithstanding any other provision of this chapter, in order to protect freedom of religion, ritual slaughter and the handling or other preparation of livestock for ritual slaughter are exempted from the terms of this chapter, except Section § 110-5 shall apply, and except that ritual slaughter be performed only out of public view and restricted to private property or at religious institution.

§ 110-49 Enforcement.

It shall be the duty of the Animal Control Officer to inspect and require correction of any conditions found to exist in violation of this chapter, and he shall have the right of inspection to enter any premises or associated enclosure during the daytime in the course of his duties. This Chapter shall be concurrently enforced by the Police Director or his designee including a Humane Officer, and the Director of Community Development or his designee.

§ 110-50 Violations and penalties.

Any person or entity who shall violate any of the provisions of this article or any order promulgated hereunder shall, after a summons is issued under the terms hereof; unless otherwise specified in this chapter, be punished as follows:

- A. For a first offense, by a fine of not less than \$100 and not to exceed \$250.
- B. For a second offense within two years of any prior conviction under this chapter, by a fine not less than \$250 and not to exceed \$500.
- C. For a third offense or any subsequent offenses within 10 years of any prior conviction under this chapter, by a fine of not less than \$500 and not to exceed \$1,250, and or by imprisonment in the county jail for a period not to exceed 90 days, or both fine and imprisonment. Each violation of any of the provisions of this article, and each day that each such violation shall continue, shall be deemed to be a separate and distinct offense.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

TITLE

This Ordinance shall be known as may be cited as the
Ordinance Establishing Chapter 110, Animals

Joseph Battaglia
Police Director

Michael C. Hritz
Director of Community Development

Justine Progebin
Business Administrator

Ronald H. Gordon, Township Attorney
(Approved as to legal form)

RECORDED VOTE FIRST READING: December 1, 2025

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
RICH				
HUTCHINSON				
MEHTA				
DAVIS				
SOCIO				
GUADAGNINO				
MAYOR WOMACK				

RECORDED VOTE SECOND READING: December 15, 2025

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
RICH				
HUTCHINSON				
MEHTA				
DAVIS				
SOCIO				
GUADAGNINO				
MAYOR WOMACK				

CERTIFICATION

I hereby certify that the above Ordinance was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on December 15, 2025.

Lisa Russo, Township Clerk

EFFECTIVE DATE

This Ordinance shall take effect on January 1, 2026, upon passage and publication in accordance with applicable law.

- ☐ APPROVED
☐ REJECTED

Francis M. Womack III, Mayor
Township of North Brunswick

Date Signed: _____, 2025

TOWN	CATS	DOGS	LIMITATIONS
North Brunswick			Five (5) domestic pets.
East Brunswick	3	3	Less than 30,000 SF or .6 acres.
South Brunswick		5	Less than three (3) acres.
		8	Three (3) acres or more.
Old Bridge	3	3	Less than two (2) acres.
			Doesn't specify larger acreage.