

ORDINANCE NO. 3899-10

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 115, DOGS AND OTHER ANIMALS, ARTICLE II, DOGS AND CATS WITH THE ADDITION OF PROVISIONS TO LICENSE CATS AND INCREASING THE LICENSING FEE FOR DOGS.

SUMMARY

An ordinance amending the Code, Chapter 115, Dogs and Other Animals, Article II, Dogs and Cats with the addition of provisions to license cats in the Township and increasing the fees for dog licenses from \$12.00 to \$15.00.

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Code of the Township of Franklin be and it is hereby amended as follows:

SECTION I

Chapter 115, Dogs and Other Animals, Article II, Dogs and Cats, is amended as follows:

**ARTICLE II
Dogs and Cats**

§ 115-7. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

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

DOG — Any dog, bitch or spayed bitch.

OWNER — When applied to the proprietorship of a dog **or cat**, includes every person having a right of property in such dog **or cat** and every person who has such dog **or cat** in his keeping.

POUND — An establishment for the confinement of dogs **or cats** seized either under the provisions of this article or otherwise.

§ 115-8. Licensing required; fees; term; nontransferability.

- A. Dogs **and cats** shall be duly licensed and shall bear evidence of such license at all times, in accordance with the laws of the State of New Jersey. Any person who shall own, keep or harbor a dog **or cat** of licensing age shall, in the month of January or as soon thereafter as such dog **or cat** becomes of licensing age, license said dog **or cat**.
- B. The annual fee for such license shall be **\$12 15** (effective ~~January 1, 2008~~ **January 1, 2011**) for each altered (spayed/neutered) dog and each unaltered dog, and in addition thereto, the sum of \$1.20 for the registration tag of each altered dog and \$4.20 for each unaltered dog. **Effective January 1, 2011, the annual fee for such license shall be \$7.50 for each cat. Effective January 1, 2012, the annual fee for such license shall be \$15 for each cat.**
- C. The owner or person keeping or harboring any dog **or cat** may, if the license tag is mislaid, stolen or lost, procure a duplicate tag upon the payment of an additional \$2.
- D. Licenses, registration tags and renewals thereof shall expire on the last day of January

of each year.

- E. Dog **and cat** licenses are not transferable from one owner to another.

§ 115-9 Late licensing fee. [Amended 10-10-2000 by Ord. No. 3162]

Fees for licenses issued after February 1 of each year shall include those license and registration tag fees set forth in § 115-8 and, in addition thereto, the sum of **\$1 10** per month penalty fee. The aforementioned late licensing fee shall not apply to dogs **or cats** which have been acquired by the owner after February 1, provided that the license is acquired within 30 days of acquisition. The owner, however, shall present sufficient proof to establish the date upon which the dog **or cat** was acquired.

§ 115-10 Licenses not to be issued to minors.

No license to own, keep or harbor a dog **or cat** in the Township shall be issued to or in the name of a minor.

§ 115-11 Rabies vaccination required; exemptions. [Amended 10-10-2000 by Ord. No. 3162]

- A. Any person who shall own, keep or harbor a dog **or cat** shall procure and possess a licensed veterinarian's certificate indicating that such dog **or cat** has been inoculated against rabies with a vaccine approved by the State Department of Health and setting forth the date of such inoculation and the duration of immunity. The certificate of inoculation shall be exhibited to the dog/**cat** licensing official of the municipality when application for a dog **or cat** license is made. No dog/**cat** licensing official shall grant a dog **or cat** license until said veterinarian's certificate is shown in evidence as proof of rabies inoculation. Said certification shall also be produced by any person owning, keeping or harboring a dog **or cat** upon the request of any dog/**cat** licensing enforcement official.
- B. The dog/**cat** licensing official may grant an exception to the requirement that a veterinarian's certificate be presented prior to issuance of a dog **or cat** license when the dog **or cat** is in the custody of the Township Animal Control Division for failure to have a valid dog **or cat** license. The owner shall be permitted to obtain from the dog/**cat** licensing official at the request of the Animal Control Officer a temporary dog **or cat** license which will allow release of the dog **or cat** from the Animal Control Division to permit the owner to obtain a veterinarian's certificate of rabies inoculation as specified in Subsection A above. The dog **or cat** owner shall have the dog **or cat** inoculated and present a veterinarian's certificate to the dog/**cat** licensing official within 10 days of issuance of the temporary license. The Department of Animal Control shall be responsible for insuring that the owner complies with this requirement.
- C. The dog/**cat** licensing official may grant exemption to the rabies inoculation requirement:
- (1) Upon presentation to the licensing enforcement official of a veterinarian's certificate stating that, because of an infirmity, other physical condition or regimen of therapy, the inoculation of such dog **or cat** shall be deemed inadvisable.
 - (2) Dogs **or cats** in veterinary hospitals, kennels, pet shops, pounds or shelters, dogs in transit or dogs **or cats** brought into the state temporarily for the sole purpose of showing in dog **or cat** shows or exhibitions.

§ 115-12 Running at large prohibited. [Amended 11-12-1991 by Ord. No. 1677]

No dog or cat shall be permitted to run at large in this Township.

§ 115-13 Leashing required; exceptions. [Amended 5-9-2000 by Ord. No. 3131]

Any dog off of the premises of the person owning, keeping or harboring it shall be accompanied by a person who is capable of controlling it and who has the dog securely confined and controlled by an adequate leash not more than six feet long except as permitted by Subsections A and B herein:

- A. Hunting dogs may be unleashed in permitted areas in the pursuit of legal game during such seasons as are established by the state, and the training or exercising of unleashed hunting dogs during other seasons shall be permitted, provided that the dog is accompanied by and under the control of an adult owner, custodian or trainer.
- B. Dogs may be unleashed in special areas provided for such purposes, commonly known as "dog parks," provided that the dog is accompanied by and under the control of an adult owner, custodian or trainer. A dog park is defined as a fenced/double-gated area set aside for the socializing and exercising of dogs.

§ 115-14 Damage to person or property prohibited.

No person owning, keeping or harboring a dog **or cat** shall permit the same or suffer it to do any bodily injury to any person not on his property or to do any damage to any lawn, shrubbery, flowers, grounds or property of persons other than the owner or person having the care, custody or control of such dog **or cat** or to do damage to any animals owned by any other person other than the owner or person having the care, custody or control of such dog **or cat**.

SECTION II

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

SECTION III

All ordinances or parts of ordinance inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

SECTION IV

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

ORDINANCE NO. 3899-10

THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE TOWNSHIP COUNCIL, TOWNSHIP OF FRANKLIN, SOMERSET, NJ

INTRODUCED:	September 14, 2010
PUBLIC HEARING:	October 12, 2010
ADOPTED:	October 12, 2010
NOTICE OF FINAL ADOPTION:	October 22, 2010
EFFECTIVE DATE:	November 1, 2010

ANN MARIE McCARTHY, TOWNSHIP CLERK