

ORIGINAL

TOWNSHIP OF TEANECK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 3886

AN ORDINANCE AMENDING CHAPTER 6 ENTITLED "ANIMALS AND FOWL" OF THE TOWNSHIP CODE.

BE IT ORDAINED by the Township Council of the Township of Teaneck, Bergen County, as follows:

SECTION 1. That Article III "Dogs", be hereby amended as follows:

Delete:

Section 6-16. Registration and licensing required.

No person shall own, keep, harbor or protect a dog, either male or female, within the township without having such dog registered and licensed in the manner provided by this article. Dog licenses shall be applied for during the month of December and shall be effective for the calendar year beginning January 1. The owner of any newly acquired dog of licensing age or any dog which attains licensing age during any other period must purchase a license within 10 days of such acquisition or age attainment.

Add:

Section 6-16. Definitions.

Dog. Any animal of the domestic canine species; male, female, or altered.

Immediate. Shall mean that the solid waste is removed at once, without delay.

Owner/Keeper. Any person who shall possess, maintain, house or harbor any dog or otherwise have custody of any dog, whether or not the owner of such dog.

Person. Any individual, corporation, company, partnership, firm, association, or political subdivision of the State subject to municipal jurisdiction.

Proper disposal. 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 removal.

Solid waste. Waste matter expelled from the bowels of the dog; excrement.

Section 6-16.1 Registration and licensing required.

No person shall own, keep, harbor or protect a dog, either male or female, within the township without having such dog registered and licensed in the manner provided by this article. Dog licenses shall be applied for during the month of December and shall be effective for the calendar year beginning January 1. The owner of any newly acquired dog of licensing age or any dog which attains licensing age during any other period must purchase a license within 10 days of such acquisition or age attainment.

SECTION 2. That Article III "Dogs", Section 6-28, "Curbing of dogs required" be hereby amended as follows:

Delete:

(d) Removal of dog's feces. When the dog shall have defecated on the portion of a public street between the curblines, it shall not be considered a violation of this Article; provided, however, that the person owning or in charge or control of the dog shall immediately remove and dispose of, in a sanitary manner, all feces deposited.

Add:

(d) All dog owners and keepers are required to immediately and properly dispose of their dog's solid waste deposited on any property, public or private. When the dog shall have defecated on the portion of a public street between the curblines, it shall not be considered a violation of this Article; provided, however, that the person owning or in charge or control of the dog shall immediately remove and dispose of, in a sanitary manner, all feces deposited.

(e) 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.

SECTION 3. That Article V "Cats", Section 6-35, "Definitions", be hereby amended as follows:

Delete:

Owner. Every person having a right of property (or custody) in any cat and every person who has a cat in his keeping or who harbors or maintains a cat or knowingly permits a cat to remain on or about any premises occupied by that person. The owner of a cat shall be considered the initial owner of its kittens. A person who continually feeds a stray cat shall be considered its owner.

Add:

Immediate. Shall mean that the solid waste is removed at once, without delay.

Owner/Keeper. Every person having a right of property (or custody) in any cat and every person who has a cat in his keeping or who harbors or maintains a cat or knowingly permits a cat to remain on or about any premises occupied by that person. The owner/keeper of a cat shall be considered the initial owner/keeper of its kittens. A person who continually feeds a stray cat shall be considered its owner/keeper.

Person. Any individual, corporation, company, partnership, firm, association, or political subdivision of the State subject to municipal jurisdiction.

Proper disposal. 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 removal.

Solid waste. Waste matter expelled from the bowels of the cat; excrement.

SECTION 4. That Article V "Cats", be hereby amended as follows:

Add:

Section 6-37.1. Requirement for Disposal.

All cat owners and keepers are required to immediately and properly dispose of their cat's solid waste deposited on any property, public or private.

Section 6-37.2. 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.

SECTION 5. That Chapter 6 be amended with the addition of Article VI, **Pet Waste** as follows:

Section 6-55. Definitions.

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meaning 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. Shall mean that the pet solid waste is removed at once, without delay.

Owner/Keeper. 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. Any individual, corporation, company, partnership, firm, association, or political subdivision of the State subject to municipal jurisdiction.

Pet. A domesticated animal (other than a disability assistance animal) kept for amusement or companionship, other than dogs or cats.

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

Proper disposal. 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 removal.

Section 6-56. 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. When the pet shall have defecated on the portion of a public street between the curblines, it shall not be considered a violation of this Article; provided, however, that the person owning or in charge or control of the pet shall immediately remove and dispose of, in a sanitary manner, all feces deposited.

Section 6-57. 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.

Section 6-58. Enforcement.

The provisions of this Article shall be enforced by the Department of Health of the Township of Teaneck.

Section 6-59. Violations and Penalty.

Any person violating the provisions hereof, or any part hereof, shall be subject to a fine or penalty as provided in Section 1-6 of the Township Code.

SECTION 6. That all ordinances or parts of ordinances contrary to or inconsistent with this ordinance are hereby superseded.

SECTION 7. That if any section of this ordinance be adjudged invalid or unconstitutional, the same shall not affect the validity of the ordinance as a whole or any other section or provision hereby.

SECTION 8. This ordinance shall take the effect immediately upon passage and publication, or otherwise as provided by law.

Jacqueline B. Kates
JACQUELINE B. KATES, MAYOR

ATTEST:

Robyn J. Lamorte
ROBYN J. LAMORTE, RMC, CMC MUNICIPAL CLERK

Introduced: May 10, 2005

Adopted: May 24, 2005

INTRODUCED:

ADOPTED:

MOTION: DM. VEACH

MOTION: DM. VEACH

SECONDED: C. STERN

SECONDED: C. KATZ

IN FAVOR: C. KATZ
DM. VEACH
C. STERN
C. HONIS
C. OSTROW
MAYOR KATES

IN FAVOR: C. GALLUCCI
C. KATZ
DM. VEACH
C. STERN
C. HONIS
C. OSTROW
MAYOR KATES

OPPOSED: NONE

OPPOSED: NONE

ABSENT: C. GALLUCCI

ABSENT: NONE