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**BOROUGH OF HIGH BRIDGE
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

ORDINANCE: 2024-013

AMENDING BOROUGH CODE CHAPTER 120 ANIMALS

ARTICLE III

Dog Licensing and Regulation

[Adopted 2-9-2006 as Ch. 265, Arts. I and IV, of the 2006 Code of the Borough of High Bridge]

§ 120-8. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ABANDONMENT — Releasing, leaving or refusing to pick up or claim any animal which one owned, possessed or had in one's custody or control.

ANIMAL CARE FACILITY – An animal control center or animal shelter, maintained by or under contract with any state, county or municipality, whose mission and practice is, in whole, or in significant part, the rescue and placement of animals in permanent homes or rescue organizations.

ANIMAL CONTROL OFFICER – A certified municipal animal control officer or, in the absence or unavailability of such an officer, the chief law enforcement officer of the municipality or his/her designee.

DEPARTMENT – The New Jersey Department of Health.

DOG — Any dog or dog hybrid.

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

GROOMERS – Refers to both the hygienic care and cleaning of a dog, as well as a process by which a dog's physical appearance is enhanced. A dog groomer (or simply "groomer") is a person who earns their living grooming dogs.

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

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.

LITTER — One or more animals born to a female animal.

OFFER FOR SALE – To sell, offer for sale or adoption, advertise for sale of, barter, auction, give away or otherwise dispose of a dog or cat.

OWNER — When applied to the proprietorship of a dog or cat, includes every person, firm, association, corporation, or responsible party for an animal, owning, controlling, harboring, or

keeping any dog or cat which is over the age of seven (7) months or possesses a set of permanent teeth or any other animals. If the owner is a minor as defined by statute, the minor's parent(s) or legal guardian(s) shall be the owner for purposes of this section.

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

POTENTIALLY DANGEROUS DOG – Any dog or dog hybrid declared potentially dangerous by a municipal court pursuant to N.J.S.A 4:19-24

SHELTER — An establishment for the confinement of dogs seized either under the provisions of this article or otherwise.¹

TETHERING – The restraining of an animal by the tying to an object or structure, including, without limitation, a house, tree, fence, post, garage, weight or shed, by any means, including, without limitation, rope, cord, leash or running line, but shall not include the use of a leash used to walk the animal or to form of restraint used in the transportation of an animal.

VICIOUS CAT – Any cat which has attacked or bitten any human being without provocation.

VICIOUS DOG – Any dog or dog hybrid declared vicious by a municipal court pursuant to N.J.S.A 4:19-23

§ 120-9. License required. [Amended 2-28-2008 by Ord. No. 2008-3]

A. Licenses shall be required for the following dogs of licensing age:

1. Any dog owned and kept within the Borough on the first day of January of any calendar year.
2. Any dog acquired by any person during the course of any calendar year.
3. Any unlicensed dog brought into the Borough by any person and kept within the Borough for more than (10) days.
4. Any dog, licensed by another state, brought into the Borough by any person and kept within the Borough for more than ninety (90) days.
5. Any dog that the municipal court declares to be potentially dangerous.

B. Only one (1) license and registration tag shall be required in any licensing year for any dog owned in New Jersey, and the license and tag issued by any other municipality of this state shall be accepted by the Borough as evidence of compliance with this chapter.

§ 120-10. License application

A. Each application for a dog license shall be made to the High Bridge Borough Clerk's Office and shall give the following information:

1. A general description of the dog sought to be licensed, including breed, sex, age, color and markings, and whether the dog is of a long-or short-haired variety.
2. Name, street and post office address of the owner of the dog and the person who shall

keep the dog if other than the owner, a telephone number for the owner of the dog and the person who shall keep the dog if other than the owner.

B. Registration numbers shall be issued in the order in which they are received.

C. The Borough shall:

1. Issue a potentially dangerous dog registration number and red identification tag along with a municipal potentially dangerous dog license upon a demonstration of sufficient evidence by the owner to the Animal Control Officer that they have complied with the court's orders. The last three digits of each potentially dangerous dog registration number issued by the Borough will be the three number code assigned to the municipality in the regulations promulgated pursuant to N.J.S.A. 4:19-33. The Animal Control Officer shall verify, in writing, compliance to the Borough Clerk to license dogs in the municipality.
2. Publicize a telephone number for reporting violations of this act. This telephone number shall be forwarded to the department and any changes in this number shall be reported immediately to the department.

§ 120-11. Deadline for making application.

Applications for licenses for dogs which are required to be licensed by the provisions of 120-9(A)(1) shall be made before the first day of April of each year. In all other cases, the application for a license shall be made within ten (10) days of the date upon which the dog in question first becomes subject to the provisions of this section.

§ 120-12. Application fees.

The person applying for the license shall pay a fee of \$15.20 for each dog, annually, which includes one dollar and twenty cents (\$1.20) for any dog under Public Laws of 1983, Chapter 181. Any person applying for a license shall pay a fee of \$3.00 for any dog of reproductive age which has not had its reproductive capacity permanently altered through sterilization, pursuant to Assembly Bill 1917 adopted as Chapter 172 of the Laws of 1983. The same fees shall be charged for the annual renewal of each license and registration tag. There shall be a late fee of five dollars (\$5.00) for any license which is applied for after it is due. There shall be a charge of two dollars (\$2.00) for the replacement of any license or tag. Notwithstanding the above, the fee for each potentially dangerous dog license and each renewal thereof shall be \$500.00 annually in accordance with N.J.S.A. 4:19-31.

§ 120-13. Expiration date of license.

Each dog license and registration tag shall expire on the last day of March of the year following the year in which it was issued.

§ 120-14. Exemption from fee for certain dogs.

Dogs used as guides for blind persons and commonly known as "Seeing Eye dogs", dogs used to assist handicapped persons and commonly known as "service dogs", or dogs used to assist deaf persons and commonly known as "hearing ear" dogs shall be licensed in the same manner as other

dogs, except that the owner shall not be required to pay any fee.

§ 120-15. Vaccination required.

No person shall own a dog within the Borough of High Bridge unless it has been vaccinated against rabies.

§ 120-16. Vaccination procedures.

Vaccinations shall be performed by a veterinarian licensed to practice in the State of New Jersey. The vaccine used shall be from a manufacturer licensed by the Bureau of Animal Industry of the United States Department of Agriculture. The dosage shall be as recommended by the manufacturer. All dogs shall be revaccinated before the expiration of the period of time for which the vaccine used is known to be effective.

§ 120-17. Dogs not required to be vaccinated.

The Director of Health and Welfare may exempt any dog from the provisions of 120-15 through 120-20 if there is presented to him a certificate from a licensed veterinarian stating that it would be undesirable to vaccinate a particular dog for a specified period of time because of the dog's age, infirmity or other physical condition.

§ 120-18. Certificate of vaccination.

The fact that a dog has been vaccinated against rabies shall be evidenced by a certificate from the veterinarian performing the vaccination. The certificate shall either be on a form approved by the Director of Health and Welfare or standard immunization certificate used by the veterinarian. The certificate shall be presented to the Director of Health and Welfare within ten (10) days after each vaccination. In the case of dogs being vaccinated before being brought to the Borough, the certificate shall be presented to the Director of Health and Welfare within ten (10) days after the dog is brought into the Borough.

§ 120-19. Certificate of vaccination required prior to issuance of license.

No dog license shall be issued until the certificate required by 120-18 or the certificate provided for in 120-17 is presented to the High Bridge Borough Clerk.

§ 120-20. Regulations for dogs.

No person shall own a dog in the Borough of High Bridge except in compliance with the following regulations.

- A. Registration tags. A metal registration tag shall be issued for each dog licensed. Every licensed dog shall wear a collar or harness with its registration tag securely fastened to it.
- B. Use of registration tags. No person, except the Animal Control Officer or a police officer in the performance of their duties, shall remove a registration tag from the collar of any dog without the consent of the owner, or attach a registration tag to a dog for which it was not issued.

- C. Disturbing the peace. It shall be unlawful for any property owner or tenant to allow any domesticated or caged animal to create a sound across a real property line which unreasonably disturbs or interferes with the peace, comfort, and repose of any resident, or to refuse or intentionally fail to cease the unreasonable noise when ordered to do so by a police officer. Prima facie evidence of a violation of this section shall include but not be limited to:
1. Vocalizing (howling, yelping, barking, squawking, etc.) for 20 minutes without interruption, which is defined as an average of four or more vocalizations per minute in that period.
 2. It is an affirmative defense under this section that the dog or other animal was provoked to violate this article by a person other than the property owner, tenant or a person visiting the property owner or tenant, any child not residing with or visiting the property owner or tenant, a vehicle operated by a person other than the property owner, tenant or a person visiting the property owner or tenant, or any other animal that either is not owned by the property owner, tenant or a person visiting the property owner or tenant or does not have the permission of the property owner or tenant to be on the property, including but not limited to wild animals that may come on the property.
 3. No citation shall be issued by the police unless the police have issued three written warnings before the citation is issued. Upon issuance of citation:
 - a. First offense \$100
 - b. Second offense \$200
 - c. Each subsequent offense \$300
- D. Running at large. No person shall allow any dogs, cattle, horses, swine, fowl or any other animals to run at large upon the public streets or in any public park, in any building or in any other public place within the Borough, nor permit to run at large upon private property without the permission of the owner.
- E. Control Required. No person owning, keeping or harboring any dog shall suffer or permit it to be upon the public or private streets or in any public park/open space area unless such dog is accompanied by a person and is securely confined and controlled by a leash, cord, or chain so that the dog does not come in physical contact with any person or pet without the consent of the person or, in the case of a pet, the consent of the person responsible for or who has control of the pet.
- F. Property Damage. No person owning or in control of a dog shall permit it to damage any lawn, shrubbery, flowers, grounds, or other property.
- G. Curbing of dogs. Every person owning or in control of a dog shall be responsible for curbing it whenever the dog is on public property or property dedicated for public use.
- H. Restrictions on Leaving Animals in Vehicles. No animal shall be confined in parked or standing vehicle or enclosed trailer for a period of fifteen (15) or more minutes when the temperature during such period is below 32°F or above 75°F.

I. Tethering of Dog.

1. Dogs may be tethered under the following conditions:

- a. The tether must be at least fifteen (15) feet long and have an operative swivel on both ends, weigh no more than 1/8 of the dog's weight and be attached to a properly fitted collar or harness.
- b. The collar used for tethering may not be a choke chain collar, slip collar or prong collar.
- c. The tethered dog must have easy access to drinking water, edible food, dry ground and adequate shade and/or shelter within the tethering area.
- d. The tether may not be used in an area where it may be tangled around an object, such as, but not limited to, a tree, pole, fence, or stake.
- e. The tether cannot inhibit the movement of the animal's limbs or cause injury, harm, entanglement or strangulation.
- f. The tether must restrain the dog within the bounds of the owner's or custodian's property.
- g. The tether must terminate no less than five (5) feet from any fence, pool, wall, vehicle, tree or roadway, or other object or obstruction upon which the animal might harm themselves.
- h. Dogs may be tethered for no more than six (6) consecutive hours in any twenty-four-hour period of time.
- i. If there are multiple dogs, each dog shall be tethered separately and in such a manner that the tethers shall not become entangled with each other.
- j. No dog shall be tethered at a vacant structure or premises for any purpose when it is not monitored by a competent adult who is present at the property for the duration of such tethering.
- k. No dog that is sick or injured shall be tethered.
- l. No dogs shall be tethered between the hours of 11:00pm and 6:00am.
- m. No animal shall be left outside during inclement weather, e.g. rainstorms, snowstorms, ice storms, hurricanes, or thunderstorms.

2. Dog Shelters

- a. Dog shelters shall be a suitable size to accommodate the dog in both standing and lying positions.
- b. It shall be moisture-proof, windproof, ventilated and in cold temperatures shall promote the retention of body heat.

- c. It shall be made of durable material with a solid, moisture-proof floor raised at least two (2) inches from the ground.
- d. It shall have a sufficient quantity of clean bedding material consisting of hay, straw, cedar shavings, or equivalent to provide insulation and protection against cold and dampness.
- e. Drinking water is available in a clean, liquid state. Snow or ice is not an acceptable water source.
- f. The doghouse or similar structure and the surrounding area shall be free from excessive dirt, trash and waste.
- g. For temperatures below 32 degrees Fahrenheit, the doghouse or structure shall have a wind break at the entrance.
- h. For temperatures above 85 degrees Fahrenheit, all dogs must be afforded one or more separate areas of shade large enough to accommodate the entire body of each dog and protect them from the direct rays of the sun.

§ 120-21. Investigation of complaints against dogs; report of findings.

It shall be the duty of the Animal Control Officer and/or any police officer to receive and investigate complaints against dogs. If they have reasonable cause to believe that the dog is a nuisance or poses a danger to person or property, they shall issue a Borough summons to the owner for appearance before the Judge of the High Bridge Borough Court.

§ 120-22. Hearing on complaint of vicious dog or cat; notice to owner.

- A. The Animal Control Officer shall notify the owner of an allegedly vicious dog or cat in writing that a complaint has been made and require the owner to appear before the Municipal Court at a stated time and place for a hearing.
- B. Dog declared vicious by municipal court; conditions.
 - 1. The municipal court shall declare the dog vicious if it finds by clear and convincing evidence that the dog;
 - a. Killed a person or caused serious bodily injury as defined in N.J.S. 2C:11-1(b) to a person; or
 - b. Has engaged in dog fighting activities as described in R.S. 4:22-24 and R.S. 4:22-26.
 - 2. A dog shall not be declared vicious for inflicting death or serious bodily injury as defined in N.J.S. 2C:11-1(b) upon a person if the dog was provoked. The municipality shall bear the burden of proof to demonstrate that the dog was not provoked.
 - 3. If the municipal court declares a dog to be vicious, and no appeal is made of this ruling pursuant to 102-22(H), the dog shall be destroyed in a humane and expeditious manner, except that no dog may be destroyed during the pendency of an appeal.

C. Dog declared potentially dangerous; conditions.

1. The municipal court shall declare a dog to be potentially dangerous if it finds by clear and convincing evidence that the dog:
 - a. Caused bodily injury as defined in N.J.S. 2C:11-1(a) to a person during an unprovoked attack, and poses a serious threat of bodily injury or death to a person; or
 - b. Severely injured or killed another domestic animal, and
 - i. Poses a threat of serious bodily injury or death to a person; or
 - ii. Poses a threat of death to another domestic animal; or
 - iii. Has been trained, tormented, badgered, baited or encouraged to engage in unprovoked attacks upon persons or domestic animals.
 - c. A dog shall not be declared potentially dangerous for:
 - i. Causing bodily injury as defined in N.J.S. 2C:11-1(a) to a person if the dog was provoked; or
 - ii. Severely injuring or killing a domestic animal if the domestic animal was the aggressor.

For the purposes of paragraph (1) of this subsection, the municipality shall bear the burden of proof to demonstrate that the dog was not provoked.

D. Registration of potentially dangerous dogs; conditions.

If the municipal court declares the dog to be potentially dangerous, it shall issue an order an a schedule for compliance which, in part:

1. Shall require the owner to comply with the following conditions:
 - a. To apply, at their own expense, to the Borough Clerk to license dogs pursuant to N.J.S.A. 4:19-15.2, for a special municipal potentially dangerous dog license, municipal registration number, and red identification tag issued pursuant to 120-8 et seq. The owner shall, at their own expense, have the registration number tattooed upon the dog in a prominent location. A potentially dangerous dog shall be impounded until the owner obtains a municipal potentially dangerous dog license, municipal registration number, and red identification tag;
 - b. To display, in a conspicuous manner, a sign on their premises warning that a potentially dangerous dog is on the premises. The sign shall be visible and legible from 50 feet of the enclosure required pursuant to paragraph (3) of this subsection;
 - c. To immediately erect and maintain an enclosure for the potentially dangerous dog on the property where the potentially dangerous dog will be kept and maintained, which has sounds sides, top and bottom to prevent the potentially dangerous dog from escaping by climbing, jumping or digging and within a fence of at least six feet

in height separated by at least three feet from the confined area. The owner of a potentially dangerous dog shall securely lock the enclosure to prevent the entry of the general public and to preclude any release or escape of a potentially dangerous dog by an unknowing child or other person. All potentially dangerous dogs shall be confined in the enclosure or, if taken out of the enclosure, securely muzzled and restrained with a tether approved by the Animal Control Officer and having a minimum tensile strength sufficiently in excess of that required to restrict the potentially dangerous dog's movements to a radius of no more than three feet from the owner and under the direct supervision of the owner.

- d. May require the owner to maintain liability insurance in an amount determined by the municipal court to cover any damage or injury caused by the potentially dangerous dog. The liability insurance, which may be separate from any other homeowner policy, shall contain a provision requiring the municipality in which the owner resides to be named as an additional insured for the sole purpose of being notified by the insurance company of any cancellation, termination, or expiration of the liability insurance policy.

E. Obligations of owner of potentially dangerous dog.

The owner of a potentially dangerous dog shall:

1. Comply with the provisions of 120-8 et seq. in accordance with the schedule established by the municipal court, but in no case more than 60 days subsequent to the date of determination;
2. Notify the licensing authority, local police department, and the Animal Control Officer if a potentially dangerous dog is at large, or has attacked a human being or killed a domestic animal;
3. Notify the licensing authority, local police department, and the Animal Control Officer within 24 hours of the death, sale or donation of a potentially dangerous dog;
4. Prior to selling or donating the dog, inform the prospective owner that the dog has been declared potentially dangerous;
5. Upon the sale or donation of the dog to a person residing in a different municipality, notify the department and the licensing authority, police department or force, and Animal Control Officer of that municipality of the transfer of ownership and the name, address, and telephone of the new owner; and
6. In addition to any license fee required pursuant to N.J.S.A. 4:19-15.3, pay a potentially dangerous dog license fee to the municipality as provided by 120-12.

F. Violation by owner; fine, seizure, impoundment of dog.

1. The owner of a potentially dangerous dog who is found by clear and convincing evidence to have violated this act, or any rule or regulation adopted pursuant thereto, or to have failed to comply with a court's order shall be subject to a fine or not more than \$1,000 per day of the violation, and each day's continuance of the violation shall constitute a separate and distinct violation. The municipal court shall have jurisdiction

to enforce this section. An Animal Control Officer is authorized to seize and impound any potentially dangerous dog whose owner fails to comply with the provisions of 120-8 et seq., or any rule or regulation adopted pursuant thereto, or a court's order. The municipal court may order that the dog so seized and impounded be destroyed in an expeditious and humane manner.

2. Fines, fees, used for enforcement by municipalities.

All fines and fees collected or received by the Borough pursuant to subsection F(1) above and 120-12 shall be deposited in a special account and used by the Borough to administer and enforce the provisions of this chapter 120-8 et seq. as they relate to vicious or potentially dangerous dogs.

G. Monthly inspection to verify compliance.

The Animal Control Officer shall inspect the enclosure and the owner's property at least monthly to determine continuing compliance with 120-22(D)(1).

H. Appeal of decision.

The owner of the dog, or the Animal Control Officer in the municipality in which the dog was impounded, may appeal any final decision, order, or judgement, including any conditions attached thereto, of the municipal court by filing an appeal with the Superior Court, Law Division, in accordance with the Rules Governing The Courts of the State of New Jersey pertaining to appeals from courts of limited jurisdiction. The Superior Court shall hear the appeal by conducting a hearing de novo in the manner established by those rules for appeals from courts of limited jurisdiction.

I. Liability of owner for cost, of impounding, destroying dog; rabies testing.

1. If a dog is declared vicious or potentially dangerous, and all appeals pertaining thereto have been exhausted, the owner of the dog shall be liable to the municipality for the costs and expenses of impounding and destroying the dog. The owner shall incur the expense of impounding the dog in a facility other than the municipal pound, regardless of whether the dog is ultimately found to be vicious or potentially dangerous.
2. If the dog has bitten or exposed a person within 10 days previous to the time of euthanasia, its head shall be transported to the New Jersey State Department of Health Laboratory for rabies testing.

J. Hearing on subsequent action of dog.

If the municipal court finds that the dog is not vicious or potentially dangerous, the municipal court shall retain the right to convene a hearing to determine whether the dog is vicious or potentially dangerous for any subsequent actions of the dog.

§ 120-23. Confinement of dogs or cats found to be vicious.

No person owning or having control of a dog or cat which has been determined to be vicious shall

permit it to be outside the confines of the home unless the yard or property is enclosed in such a fashion that the dog or cat will not be able to run at large.

§ 120-23. Confinement of dogs or cats found to be vicious.

- A. The Animal Control Officer and members of the Police Department shall take into custody and impound any of the following dogs or cats:
 - 1. Any dog running at large in violation of the provisions of this chapter 120-8 et seq.
 - 2. Any dog off the premises of the owner, which the Animal Control Officer or a police officer has reason to believe is a stray dog.
 - 3. Any dog off the premises of the owner of the dog without a current registration tag on its collar.
 - 4. Any female dog in-season off the premises of the owner.
 - 5. Any unmuzzled dog or cat which has been determined to be a vicious dog or cat in a manner provided in 120-21 through 120-23.
- B. In addition to the provisions cited in 120-23 above, the Animal Control Officer shall seize and impound a dog when the Animal Control Officer has reasonable cause to believe that the dog:
 - 1. Attacked a person and caused death or serious bodily injury as defined in N.J.S. 2C:11-1(b) to that person;
 - 2. Caused bodily injury as defined in N.J.S. 2C:11-1(a) to a person during an unprovoked attack and poses a serious threat of harm to persons or domestic animals;
 - 3. Engaged in dog fighting activities as described in R.S. 4:22-24 and R.S. 4:22-26; or
 - 4. Has been trained, tormented, badgered, baited or encouraged to engage in unprovoked attacks upon persons or domestic animals.

The dog shall be impounded until the final disposition as to whether the dog is vicious or potentially dangerous. Subject to the approval of the municipal health officer, the dog may be impounded in a facility or other structure agreeable to the owner.

§ 120-24. Destruction of certain dogs, cats, and other animals.

The Animal Control Officer or any police officer or, in their absence and in case of an emergency which will not permit delay, any person may kill any of the following animals:

- A. Any dog or cat determined to be a vicious dog or cat in a manner provided in 120-21 through 120-23 or any dog which is attacking or which has just attacked a human being without provocation and which cannot be seized with safety.
- B. Any animal which is or appears to be suffering from rabies or which is otherwise

immediately dangerous to the public.

- C. Any animal which has been so badly injured that it cannot be moved or helped by a veterinarian.

§ 120-25. Notice of seizure.

- A. General Notice.

If any animal impounded or seized wears a registration tag or a collar or harness having inscribed on it the name and address of any person or the owner of the animal, The Animal Control Officer shall immediately serve notice on the person whose address is given on the collar or on the person owning the animal, stating that the animal has been seized and may be disposed of or destroyed if not claimed within seven (7) 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 mail in a prepaid letter addressed to that person at his usual or last known place of abode or to the address given on the collar.

- B. Notice of impoundment; notice of hearing; return of statement by owner; destruction of dog.

1. The Animal Control Officer shall notify the municipal court and the Chief of Police immediately that he/she has seized and impounded a dog, or that he has reasonable cause to believe that a dog has killed another domestic animal and that a hearing is required. The Animal Control Officer shall through a reasonable effort attempt to determine the identity of the owner of any dog seized and impounded. If its owner cannot be identified within seven days that dog may be humanely destroyed.
2. The Animal Control Officer shall, within three working days of the determination of the identity of the owner of a dog seized and impounded, notify by certified mail, return receipt requested, the owner concerning the seizure and impoundment, and that, if the owner wishes, a hearing will be held to determine whether the impounded dog is vicious or potentially dangerous. This notice shall also require that the owner return within seven days, by certified mail or hand delivery, a signed statement indicating whether they wish the hearing to be conducted or, if not, to relinquish ownership of the dog, in which case the dog may be humanely destroyed. If the owner cannot be notified by certified mail, return receipt requested, or refuses to sign for the certified letter, or does not reply to the certified letter with a signed statement within seven days of receipt, the dog may be humanely destroyed.

§ 120-26. Disposition of impounded animals.

Any impounded animal may be placed in a foster home, transferred to another shelter, pound, kennel operating as a shelter or pound, or animal rescue organization facility, or euthanized in a manner causing as little pain as possible under any of the following contingencies:

- A. When any animal seized has not been claimed by any person within seven (7) days after notice or within seven (7) days of the animal's seizure when notice cannot be given, as set forth in the previous section.

- B. If the person owning the animal seized has not paid all expenses incurred by reason of its seizure, including a maintenance charge not to exceed four dollars (\$4.00) per day.
- C. If the seized dog is unlicensed at the time of its seizure and the person owning, keeping or harboring such dog has not procured a license and registration tag as required by this chapter.

§ 120-27. Fee for picking up animals.

Any person whose animal shall be picked up by the Animal Control Officer or a police officer shall be required to pay all expenses incurred by the Borough by reason of its detention. In addition to the expenses incurred by the Borough, the owner or person charged with the care of the animal shall be required to pay the full maintenance charge imposed by the holding facility for each full or partial day held, not to exceed \$4.00 per day or the limit set forth in N.J.S.A. 4:19-15-.16. The Expenses of impoundment shall be paid to the Clerk's Office of the Borough of High Bridge, and a receipt shall be delivered to the person paying such charges, which receipt shall be the authority.

§ 120-28. Quarantining of certain dogs and cats authorized.

When any dog or cat attacks or bites a human being, the Animal Control Officer and/or Chief of Police or their representative may order the owner of the dog or cat to confine it, either on the owner's premises or any other reasonable location which the Animal Control Officer or Chief of Police designates, for a period of at least ten (10) days. The expenses of confining the dog or cat shall be borne by the owner.

§ 120-29. Examination of quarantined dogs or cats.

The Animal Control Officer and/or Chief of Police or their representative shall have the right to examine any dog or cat confined under the provisions of 120-28 at any reasonable time, including daily examinations, for a period of ten (10) days after the dog or cat has attacked or bitten any person, to ascertain whether the animal shows symptoms of rabies.

§ 120-30. Release from quarantine.

Regardless of whether or not the period of time from which the owner was directed to confine the dog or cat has expired or not, no dog or cat confined under the provisions of 120-28 shall be released from quarantine until the Animal Control Officer and/or Chief of Police issues a certificate of release. The certificate shall only be issued after either the person designated by the Animal Control Officer and/or Chief of Police or representative to examine the dog or cat or a licensed veterinarian has certified in writing that the animal appears to be healthy and free from rabies.

§ 120-31. General quarantine.

Whenever the Animal Control Officer and/or Chief of Police or their representative is notified by the State Department of Health or determines themselves that there is a danger of an epidemic of rabies in the Borough of High Bridge, they shall order all persons owning or having custody of dogs or cats in the Borough to keep their dogs and cats confined to their own premises. Notice that an order has been issued may be either written or oral and may be served personally, by mail, by publication in a newspaper circulating in the Borough, by conspicuously posting it in public

places or by any other method calculated to actually reach the persons affected.

§ 120-32. Enforcement official designated.

The Chief of Police and the Animal Control Officer shall have the primary duty of enforcing this chapter.

§ 120-33. Access to premises.

Any officer authorized or empowered to perform any duty under this chapter may go upon any premises to seize for impounding any dog or dogs which they may lawfully seize and impound when they are in immediate pursuit of such a dog or dogs, except that they shall not go upon the premises of the owner of the dog if the owner is present and forbids it.

§ 120-34. Interference with enforcement prohibited.

No person shall interfere with anyone authorized or empowered to perform any duty under this chapter.

§ 120-35. Owner responsible for curbing dog.

No person owning, harboring, keeping or in charge of any dog shall cause, suffer or allow such dog to soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park, school ground or any space where the public congregate or walk or upon any public property or place whatsoever or upon any private property without the permission of the owner of said property. This restriction in this section shall not apply to that portion of the street lying between the curblines, which shall be used to curb such dog under the following conditions:

- A. The person who so curbs such dog shall immediately remove all feces deposited by such dog by any sanitary method approved by the Department of Health.
- B. The feces removed from the aforementioned designated area shall be disposed of by the person owning, harboring, keeping or in charge of any dog curbed in accordance with the provisions of this section in a sanitary method approved by the Department of Health.
- C. The provisions of this section shall not apply to blind persons who may use dogs as guides.
- D. Any person owning, harboring, keeping or in charge of any dog not curbed in accordance with the provisions of this section shall be deemed to be in violation of this section and subject to the penalty provisions contained in Chapter 1 Article II.

§ 120-36. Kennels and Pet Shops.

Any person, firm or corporation conducting, managing or operating any dog kennel or pet shop engaged in the business of boarding or housing dogs, within the limits of the Borough of High Bridge, shall pay for the privilege of maintaining, conducting or operating such kennel a license fee as established by N.J.S.A. 4:19-15.9 pursuant to which the annual license fee for a kennel

providing accommodations for ten or less dogs shall be ten dollars (\$10.00) and for more than ten dogs twenty-five dollars (\$25.00). The annual license fee for a pet shop shall be ten dollars (\$10.00), unless N.J.S.A 4:19-15.9 is amended to provide for another amount or fee shall be charged for a shelter rescue organization or pound. This license tax shall be in lieu of individual license taxes for such dogs.

§ 120-37. Sale of Cats and Dogs in Kennels and Pet Shops, Exceptions.

- A. A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:
 - 1. An animal care facility; or
 - 2. An animal rescue organization.
- B. Nothing contained herein shall prohibit a shelter, pound or other establishment from keeping, displaying or selling any cat or dog which has been seized, rescued or donated.

§ 120-38. Groomers.

Shall annually be licensed and the fee is \$50.00.

§ 120-39. Use of Animal Control Officer Out of Town.

It shall be permissible for the Animal Control Officer to respond to requests for their services when notified through the High Bridge Police Department that a request has been received. The agency requesting the assistance shall, at the conclusion of the assignment, be billed by the Police Department for an administrative fee of fifty dollars (\$50.00) plus the hourly rate of the Animal Control Officer and shall include premium pay charges for the request of services during non-standard working hours.

§ 120-40. Violations and penalties.

Any person violating any of the provisions of this article shall, upon conviction thereof, be liable for a fine not to exceed \$2,000.00 or imprisonment in the County Jail for a term not exceeding 90 days or both, unless otherwise specified below:

Code	Offense	Fine	Court Appearance
120-19 License Required	First Offense in prior 12 months	\$56.00 fine / \$30.00 cost	No
	Additional Offenses within 12 months of preceding offense	Not to Exceed \$2000.00	Yes
120-20 (C) Disturbing the peace (barking)	First Offense in prior 12 months	\$100.00 fine / \$30.00 cost	No
	Second Offense in	\$200.00 fine / \$30.00	No

	prior 12 months	cost	
	Third Offense in prior 12 months	\$300.00 fine / \$30.00 cost	No
120-20 (D) Running at large	First Offense in prior 12 months	\$50.00 fine / \$30.00 cost	No
	Additional Offenses within 12 months of preceding offense	Not to Exceed \$2000.00	Yes
120-20 (E) Control Required	First Offense in prior 12 months	\$50.00 fine / \$30.00 cost	No
	Additional Offenses within 12 months of preceding offense	Not to Exceed \$2000.00	Yes
120-20(G) Curbing of Dogs	First Offense in prior 12 months	\$50.00 fine / \$30.00 cost	No
	Additional Offenses within 12 months of preceding offense	Not to Exceed \$2000.00	Yes
120-20 (H) Restrictions on leaving animals in vehicle	First Offense in prior 12 months	Minimum \$250.00 Not to exceed \$500.00	Yes
	Additional Offenses within 12 months of preceding offense	Not to Exceed \$2000.00	Yes

Code	Offense	Fine	Court Appearance
120-20 (I) No unmonitored dog tethered to vacant structure	First Offense in prior 12 months	\$50.00 fine / \$30.00	No
	Additional Offenses within 12 months of preceding offense	Not to Exceed \$2000.00	Yes
120-22 Vicious dog	Each Offense	Not to Exceed \$2000.00	Yes
120-35 Owner responsible for curbing dogs	Additional Offenses within 12 months of preceding offense	\$50.00 fine / \$30.00 cost	No
	First Offense in prior 12 months	Not to Exceed \$2000.00	Yes

