

1<sup>ST</sup> READING: April 21, 2026

ORD. NO.: 70-32

2<sup>ND</sup> & FINAL READING: May 19, 2026

**AN ORDINANCE TO AMEND CHAPTER 5-1.9 ENTITLED "DOGS RUNNING AT LARGE PROHIBITED; LEASH REQUIRED" BY THE CITY COUNCIL, IN THE CITY OF LINDEN**

**WHEREAS**, the City of Linden (the "City") adopted and enacted an Ordinance creating a section known as Dogs which addresses the requirements of dog ownership and the health and safety of the citizens related thereto; and

**WHEREAS**, the City is dedicated to insuring the safety of the citizens by requiring better oversight of dogs before they become a threat or danger to the citizens; and

**WHEREAS**, after thoughtful consideration and review of the existing ordinance and relevant statutes, the following amendments are set forth for adoption; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Linden as follows:

**SECTION 1:**

1. Chapter 5-1.9, entitled Dogs Running at Large Prohibited; Leash Required shall be amended to read as follows:

§ 5-1.9 Dogs Running at Large Prohibited; Leash Required; Secured Premises.

a. No person owning or keeping any dog shall permit it to be or to run at large upon any public street, place or building or upon premises other than those of the owner of such dog within the City, unless such dog shall be securely confined and controlled by an adequate leash not more than six (6) feet long. All dog owners shall ensure that their dogs always remain secured on the owner's premises at all times. The provisions of this section shall not apply to any property or park designated as a "dog park" by the City of Linden Department of Public Property and Community Services.

b. No person owning or keeping any dog shall permit it to be or to run at large in any public park, nor shall any person owning or keeping a dog permit it, whether on leash or running at large, in any public park in the City where the Department of Public Property and Community Services has posted signs prohibiting dogs in such park.

c. Containment standards. All dog owners with premises having private outdoor space where dogs may be kept, shall maintain secure enclosures that prevent the dog (s) escape. Such enclosures shall be six feet and meet the requirements as established in Section 31-20.9 or any other applicable section of the City's zoning ordinance provision. Electronic or invisible fencing alone shall not satisfy the requirements of this subsection.

d. For dogs with a documented history of escaping by digging, the owner shall implement ground-level barriers or other measures sufficient to prevent escape by digging. Such measures shall conform to applicable zoning ordinances.

e. The Animal Control Officer or in the absence thereof, the Chief Law Enforcement Officer or his or her or their designee may inspect exterior areas of any premises to verify compliance with this section upon reasonable cause to believe a violation exists, which includes, but is not limited to any reported escape, at-large incident, or bite incident. Upon inspection, the Animal Control Officer or in his or her or their absence the Chief Law Enforcement Officer or his or her or their designee may issue a violation notice specifying remedial measures and a schedule for abatement of the violation the abatement of which shall not exceed thirty (30) days. Failure to comply with a violation notice shall constitute a violation of this section.

f. The Animal Control Officer or in his or her or their absence the Chief Law Enforcement Officer or his or her or their designee may issue warning notices prior to the issuance of a summons as follows: First escape or at-large violation: Written warning and mandatory inspection of the escaped premises within fourteen (14) days; Second escape or running at-large violation within twenty-four (24) months of the last written warning, a violation notice with specific remediation requirements, on consent; and the Third or subsequent escape, or at-large violation within twenty-four (24) months from the second offense shall be subject to a violations summons as set forth in subsection g. and impoundment pursuant to § 5-3.2 et seq. if any injury to person or domestic animal occurred during any of the escape incidents.

**SECTION 2:**

There shall be added the following:

§ 5-1.16 Violations and Penalty.

a. Any person(s) who is found to be in violation of the provisions of this section by a Municipal Court Judge shall be subject to a fine not to exceed two thousand (\$2,000.00) dollars, or imprisonment in the County jail up to ninety (90) days, or ninety (90) days community service in the discretion of the Municipal Judge. In determining the appropriate penalty, the court should consider: (1) any prior violations of this section; (2) whether multiple dogs were involved in the violation; (3) whether any injury to a person or domestic animal resulted from the violation; and (4) non-compliance with any prior warnings or orders.

b. The Animal Control Officer or in his or her or their absence the Chief Law Enforcement Officer or his or her or their designee shall implement, administer, and enforce this section, and is hereby authorized to implement all rules and regulations consistent with this section. The Animal Control Officer or in his or her or their absence the Chief Law Enforcement Officer or his or her or their designee shall have all necessary powers to carry out the purpose of this section and is authorized to issue violations for any violation of this section.

**SECTION 3:**

Chapter 5-2.6, entitled Violations and Penalty shall be amended to read as follows:

§ 5-2.6 Violations and Penalty.

Any person who violates any provision of this section shall be subject to the provisions of subsection 1-5.1 of the General Ordinances of the City of Linden.

**SECTION 4:** All ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

**SECTION 5:** If any section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 6:** This Ordinance shall take effect upon final adoption and publication in accordance with applicable law.

**SECTION 7:** The City Clerk is hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

PASSED: May 19, 2026

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President of Council

APPROVED: May 20, 2026

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Mayor

ATTEST:

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City Clerk

