

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
ORDINANCE**

ORDINANCE NO. 013-2024

**RE: AN ORDINANCE AMENDING CHAPTER 8 (ANIMAL CONTROL)
OF THE CODE OF UPPER TOWNSHIP**

BE IT ORDAINED by the Township Committee, in the Township of Upper, County of Cape May and State of New Jersey, as follows:

SECTION 1. Chapter 8 (entitled “Animal Control”) of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

Add the following to Chapter 8, Section 6:

8-6 ENFORCEMENT.

8-6.4. Notice of Violation Citation.

Notwithstanding the duties and powers granted to the Certified Animal Control Officer, violations of this Chapter may also be enforced by the issuance of a Notice of Violation citation issued by the New Jersey State Police, Township Code Enforcement Officer, or any other person who actually observes or witnesses a violation.

Revise Chapter 8, Section 17 as follows:

8-7 VIOLATIONS AND PENALTIES.

Violations of this Chapter shall be punishable as follows:

- a. First offense, in any twelve-month period, a fine of not less than \$100;
- b. Second offense, in any twelve-month period, a fine of not less than \$150;
- c. Third or subsequent offenses, in any twelve-month period, a fine of not less than \$200.

SECTION 2: EFFECTIVE DATE: This ordinance shall take effect immediately upon the following publication as required by law.

SECTION 3: REPEALER: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 4: SEVERABILITY: If any section, paragraph, subdivision, subsection, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause, or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

SECTION 5: CODIFICATION: This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

ATTEST:

JOANNE R. HERRON, Twp. Clerk

JAY NEWMAN, Mayor

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 12TH DAY OF AUGUST, 2024 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 9TH DAY OF SEPTEMBER, 2024 AT 6:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

Legislative History:

Introduced: August 12, 2024

Publication: August 20, 2024

Newspaper(s): The Press of Atlantic City

Second Reading & Public Hearing: September 9, 2024

Final Adoption: September 9, 2024

Final Publication Date: September 14, 2024

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on September 9, 2024 and notice of adoption was thereafter published pursuant to law in the Press of Atlantic City on September 14, 2024.

JOANNE R. HERRON, Township Clerk