

ORDINANCE NO. 09-2025

AN ORDINANCE OF THE TOWNSHIP OF EAST HANOVER AMENDING CHAPTER 173
“ANIMALS” OF THE TOWNSHIP CODE.

WHEREAS, due to the elimination of the East Hanover Board of Health and establishment of the East Hanover Department of Health it is necessary to repeal, replace, amend and/or supplement certain provisions of the Township of East Hanover Municipal Code to reflect such change in structure

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of East Hanover, County of Morris, State of New Jersey as follows:

Section 1. Chapter 173 “Animals” of the Code of the Township of East Hanover is hereby deleted in its entirety and replaced with the following:

Chapter 173. Animals

Article I. Animals and Animal Establishments

§ 173-1. Definitions.

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

ABANDONMENT: Abandoning an animal in the person's custody without making reasonable arrangements for assumption of custody by another person.

ANIMAL: Any wild or domesticated warm-blooded creature.

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 significant part, the rescue, temporary care, and placement of animals in permanent homes or rescue organizations.

ANIMAL FEEDING: To give, place, expose, deposit, distribute or scatter any edible or other material with the intent of feeding, attracting or enticing any stray, feral or wild animal, and any conduct which a person knows, or reasonably should know, would result in the giving, placing, exposing, distributing or scattering of any edible or other material which would result in the feeding, attracting or enticing of any stray, feral or wild animal.

ANIMAL RESCUE ORGANIZATION: Any not-for-profit organization which has tax-exempt status under § 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, to house and care for homeless animals, with the intent of placing the animals in responsible, more permanent homes as soon as possible.

AT LARGE: Refers to an animal off the premises of the person owning or keeping or harboring it and not securely fastened to a tether, leash, cord or chain or the like.

BREEDER: Any person, firm, corporation, or organization in the business of breeding cats or dogs.

BROKER: Any person, firm, corporation, or organization who sells a cat or dog to a pet shop, whether or not the broker is also the breeder of the cat or dog.

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

DOG: Any dog, bitch or spayed bitch.

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

HARBOR: The act of providing space or making available food or shelter in such a manner which attracts a dog(s), cat(s) or other animal.

HOUSEHOLD ANIMALS: All nonfarm animals or fully domesticated animal for ownership.

KENNEL: Any establishment wherein or whereon the business of boarding or selling animals or breeding animals for sale is carried on, except a pet shop.

OWNER: When applied to the proprietorship of an animal, includes every person having a right of property or custody in such animal and every person who has such animal in his/her keeping or who harbors or maintains an animal or knowingly permits an animal to remain on or about any premises occupied by that person.

PERSON: Any individual, corporation, partnership, organization or institution commonly recognized by law as a unit.

PET DEALER: Any person engaged in the ordinary course of business in the sale of cats or dogs to the public for profit or any person who sells or offers for sale more than five cats or dogs in one year.

PET SHOP: Any place of business which is not part of a kennel, wherein animals, including, but not limited to, dogs, cats, birds, fish, reptiles, rabbits, hamsters or gerbils, are kept or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship rather than for business or research purposes.

POUND: An establishment for the confinement of animals seized either under the provisions of this Article or otherwise.

QUARANTINE: To hold in segregation/isolation from the general human and/or animal population any animal because of the presence or suspected presence of a contagious or infectious disease.

SHELTER: Any establishment where animals are received, housed and distributed without charge.

§ 173-2. License required; compliance with Article.

No person shall own, keep or harbor any dog within the township without first obtaining a license therefor, to be issued by the Department of Health upon application by the owner and payment of the prescribed fee, and no person shall keep or harbor any dog except in compliance with the provisions of this Article.

§ 173-3. Annual license and registration tag; late charge.

- A. Any person who shall own, keep or harbor a dog of licensing age shall, in the month of January of each year and annually thereafter, apply for and procure from the Department of Health a license and official metal registration tag for each such dog so owned, kept or harbored and shall place upon each such dog a collar or harness with the registration tag securely fastened thereto.
- B. Any person who shall own, keep or harbor a dog of licensing age and who fails to apply for and procure from the Department a license and official metal registration tag for each such dog by January 31 of each calendar year shall be charged a late fee in addition to the license fee. See § 173-4.

§ 173-4. License and tag fees; expiration; Service Animal (as defined by the Americans with Disabilities Act).

- A. The person applying for the license and registration tag shall pay a fee for the licensing of each dog and an additional sum for the registration tag of each dog; and for each annual renewal, the fee for the license and for the registration tag shall be the same as for the original license and tag. Said licenses, registration tags and renewals thereof shall expire on January 31 of each calendar year. The fee for the licensing of each dog and an additional sum for the registration tag of each dog shall be as follows:
 - (1) Dog license fee: \$9.80.
 - (a) Registration fee: \$2.
 - (b) State surcharge: \$0.20.
 - (i) Total fee, neutered animal: \$12.
 - (ii) Total fee, unneutered animal: \$15.
 - (2) Reduced dog license fee for seniors (age 60 and above): \$5.80.
 - (a) Registration fee: \$2.
 - (b) State surcharge: \$0.20.
 - (i) Total fee, neutered animal: \$8.
 - (ii) Total fee, unneutered animal: \$11.
 - (3) Late fee for dog license not obtained by January 31: \$10.
 - (4) Potentially dangerous dog license fee: Not less than \$700 nor more than \$1,000 in the discretion of the judge of a court of competent jurisdiction.
- B. Dogs used as service animals shall be licensed and registered as dogs as hereinabove provided for, except that the owner or keeper of such service animal shall not be required to pay any fee therefor.

§ 173-5. License issued in another municipality.

Only one license and registration tag shall be required in any licensing year for any dog owned in New Jersey, and such license and tag issued by any other municipality of this state shall be accepted by the township as evidence of compliance with §§ 173-3 and 173-4.

§ 173-6. Licensing newly acquired dog or dog attaining age.

The owner of any newly acquired dog of licensing age or of any dog which attains licensing age shall make application for license and registration tag for such dog within 10 days after such acquisition or age attainment.

§ 173-7. Contents of application; Health Officer and/or designee's report.

- A. The application shall state the breed, sex, age, color and markings of the dog for which license and registration are sought, whether it is of a long-haired or shorthaired variety and the name, street and post office address of the owner and the person who shall keep or harbor such dog.
- B. The information on said application and the registration number issued for the dog shall be preserved for a period of three years by the Department of Health and/or its designee. Registration numbers shall be issued in the order of the applications.
- C. The Department of Health and/or its designee shall forward to the State Department of Health each month, on forms furnished by the said Department, an accurate account of registration numbers issued or otherwise disposed of.

§ 173-8. Licensing of dogs brought into township.

- A. Any person who shall bring or cause to be brought into the township any dog licensed in another state for the current year and bearing a registration tag and shall keep the same or permit the same to be kept within the township for a period of more than 90 days shall immediately apply for a license and registration tag for each such dog, unless a license for such dog is not required under § 173-10.
- B. Any person who shall bring or cause to be brought into the township any unlicensed dog and shall keep the same or permit the same to be kept within the township for a period of more than 10 days shall immediately apply for a license and registration tag for each such dog, unless a license for such dog is not required under § 173-10.

§ 173-9. Removal of tag; illegal use.

- A. No person, except an officer in the performance of his duties, shall remove a registration tag from the collar of any dog without the consent of the owner, nor shall any person attach a registration tag to a dog for which it was not issued.
- B. No licensed dog shall be allowed off the premises of the person owning, harboring or keeping the dog without the metal registration tag attached to its harness or collar.

§ 173-10. License for kennel or pet shop.

- A. Any person who keeps or operates or proposes to establish a kennel, a pet shop, a shelter, animal care facility, or a pound shall apply to the Department of Health for a license entitling him to keep or operate such establishment. All licenses issued for such establishments shall state the purpose for which the establishment is maintained, shall expire on the last day of January of each year and shall not be transferable to another owner or different premises.
- B. Any person holding such license shall not be required to secure individual licenses for dogs owned by such licensee and kept at such establishments.

§ 173-11. Contents of application for dog establishment.

The application shall describe the premises where the establishment for a kennel, pet shop, shelter, animal care facility, or pound is located or is proposed to be located and the purpose or purposes for which it is to be maintained, and shall be accompanied by the written approval of the Health Officer showing compliance with the local and state rules and regulations governing the location of and sanitation at such establishments.

§ 173-12. Revocation of license for dog establishment.

All licenses issued for a kennel, pet shop, shelter, animal care facility, or pound shall be subject to revocation by the Township Council on recommendation of the State Department of Health or the Township Health Officer for failure to comply with the applicable provisions of this article or the rules and regulations of the

State Department of Health or of the Township governing the same, after the licensee has been afforded a hearing by either the State Department of Health or the Township Council.

§ 173-13. License fees for dog establishments.

- A. The annual license fees for a kennel providing accommodations for 10 or fewer dogs and for more than 10 dogs and the annual license fee for a pet shop shall be as follows. No fee shall be charged for a shelter, animal care facility, or pound.
- (1) Ten or fewer dogs: \$50.
 - (2) More than 10 dogs: \$100.
 - (3) Pet shop: \$200.

B. License fees for dog establishments shall be paid with the application.

§ 173-14. Permitting animals off premises of animal establishments.

No animal kept in a kennel, pet shop, shelter, animal care facility, or pound shall be permitted off such premises except on leash or in a crate or under other safe control.

§ 173-15. Disposition of fees.

- A. License or other fees collected under the provisions hereof, except those paid to the state, shall be turned over to the Treasurer within 30 days of collection. The fees collected shall be accounted for and spent in accordance with N.J.S.A. 4:19-15.11, as amended.
- B. The registration tag fee for each dog shall be forwarded within 30 days after collection by the Department of Health and/or its designee to the State Department of Health.

§ 173-16. Report of licensed dog establishments.

The Department of Health and/or its designee shall forward to the State Department of Health a list of all kennels, pet shops, shelters, animal care facility, and pounds licensed within 30 days after licenses therefor are issued, which list shall include the name and address of the licensee and the kind of license issued.

§ 173-17. Canvass of dogs; report.

The Chief of Police of the Township or any person appointed for the purpose by resolution of the Township Council shall annually cause a canvass to be made of all dogs owned, kept or harbored within the limits of the township. He shall report on or before May 1 of each year the results of said canvass to the Township Clerk and to the Township Health Official or his/her designee and to the State Department of Health, by setting forth in separate columns the names and addresses of persons owning, keeping or harboring such dogs; the number of licensed dogs owned, kept or harbored by each of said persons, together with the registration number of each of said dogs; and the number of unlicensed dogs owned, kept or harbored by each of said persons, together with a complete description of each of said unlicensed dogs.

§ 173-18. Animal Control Warden and Deputies.

The Township Council may appoint an Animal Control Warden and such Deputy Wardens as it may, from time to time, deem necessary, whose duty it shall be to enforce the provisions of this Article, to take into custody and impound dogs as provided in § 173-19 and to perform such other duties as may be established by resolution of the Township Council.

§ 173-19. Impounding animals off premises; disposition.

- A. The Animal Control Warden, his Deputies or members of the Police Department shall take into custody or impound or cause to be taken into custody and impounded and, thereafter, destroyed or disposed of as hereinafter provided in this section:
- (1) Any animal off the premises of the owner or of the person keeping or harboring said animal which said official or his agent or agents have reason to believe is a stray animal.
 - (2) Any animal off the premises of the owner or of the person keeping or harboring said animal with or without a current registration tag on his collar.

- (3) Any animal kept in a kennel, pet shop, shelter or pound and off such establishment and not confined or controlled as prescribed by § 173-14.
 - (4) Any animal running at large in violation of § 173-24.
 - (5) Any animal deemed vicious as set forth in § 173-26, to be disposed of in accordance with § 173-26.
- B. If any animal seized pursuant to Subsection A(1) through (4) hereof wears a collar or harness having inscribed thereon or attached thereto the name and address of any person or a registration tag or the owner or the person keeping or harboring said animal is known, the Animal Control Warden or anyone authorized by him shall forthwith serve on the person whose address is given on the collar or on the owner or the person keeping or harboring said animal, if known, a notice, in writing, stating that the animal has been seized and will be liable to be disposed of or destroyed if not claimed within 10 days after the service of the notice.
 - C. A notice under Subsection B of 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.
 - D. When any animal seized pursuant to Subsection A(1) through (4) hereof has been detained for 10 days after notice, when notice can be given as above set forth in this section, or has been detained for 10 days after seizure, when notice has not been and cannot be given as above set forth in this section, and if the owner or person keeping or harboring said animal has not claimed said animal and paid all expenses incurred by reason of its detention or if, in the case of cat or dog, it is unlicensed at the time of the seizure and the owner or person keeping or harboring said cat or dog has not produced a license and registration tag for said cat or dog, the Animal Control Warden may cause the animal to be destroyed in a manner causing as little pain as possible.

§ 173-20. Impounding and redemption fees.

- A. There shall be a fee charged to the owner of each animal which is impounded pursuant to § 173-19A(1) through (5) hereof for picking up each animal, for each animal which is redeemed by its owner and for animal maintenance for each day or part thereof that the animal has been impounded. The fee shall be in accordance with the fee schedule as established by the Townships third party animal control contractor as contract shelter and shall be paid when the animal is released.
- B. Any redemption of an animal pursuant to the provisions of this section shall not be deemed to discharge or release the owner thereof from the penalties prescribed in § 173-33 hereof for any violation of this Article.

§ 173-21. Entry upon premises for seizure.

Any officer or agent authorized or empowered to perform any duty under this Article is hereby authorized to go upon any premises to seize for impounding any animal or animals which he may lawfully seize and impound when such officer is in immediate pursuit of such animal or animals, except upon the premises of the owner of the animal if said owner is present and forbids the same.

§ 173-22. Interference with authorized person.

No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this Article.

§ 173-23. Animals making noise at night.

No person shall keep, harbor or maintain any animal which habitually barks, meows or cries between the hours of 10:00 p.m. and 6:00 a.m. or which by frequent barking, meowing or crying disturbs the peace and quiet of the neighborhood and creates a nuisance thereby.

§ 173-24. Running at large; trespassing on private property; defecating on public property.

- A. No person owning, keeping or harboring any animal shall suffer or permit it to run at large upon the public streets or in any public park or in any public building or in any other public place within the township.
- B. No person shall permit any animal in his care or custody or under his control, whether or not on a leash, tether, cord, chain or the like, to enter upon or defecate upon the lawn, yard, entrance walk, designated area or driveway of any private residence without the permission of the owner or tenant thereof. "Private residence" shall be defined for the purposes of this Article to include, not by way of limitation, any limited common area designated by the Master Deed to be under the direction and control of an individual unit owner.
- C. No person owning, harboring, keeping or in charge of any domestic animal shall cause, suffer or allow such animal to soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place where people congregate or walk or upon any public property whatsoever, except under the following conditions:
 - (1) The person who owns, harbors, keeps or is in charge of such animal shall immediately remove all feces deposited by such animal by any sanitary method approved by the Township Health Officer or his/her designee.
 - (2) The feces removed from the aforementioned designated area shall be disposed of by the person owning, harboring, keeping or in charge of any animal curbed in accordance with the provisions of this Article in a sanitary manner approved by the Township Health Officer or his/her designee.
- D. No person owning, harboring, keeping or in charge of any domestic animal shall cause, suffer or allow such animal to do any injury or damage to any lawn, shrubbery, flowers, grounds, or property of any person or entity (including any condominium association or homeowners association common area property) other than the owner or person having custody care and control of such animal.

§ 173-25. Destruction of infected animals.

Any animal which appears to be suffering from rabies or affected with hydrophobia, mange or other infectious or dangerous disease and found running at large may forthwith be destroyed by any police officer or the Animal Control Warden. A report of the disposal of all animals shall be promptly filed with the Chief of Police, who shall keep a proper and complete record in a substantially bound book.

§ 173-26. Vicious animals.

- A. Any animal which has on more than one occasion attacked or bitten a human being or which habitually attacks other wild or domestic animals or which otherwise has shown such savagery, fierceness or ferocity as to indicate that it is a threat to the safety of individual persons or other animals is hereby defined to be a vicious animal for the purposes of this section.
- B. It shall be the duty of the Animal Control Warden or the Chief of Police to receive and to cause to be investigated complaints against animals. When any animal shall be deemed by the Animal Control Warden or any member of the Police Department or Health Officer, whether on his own complaint or the complaint of another, to be a vicious animal, as herein defined, he shall forthwith take into custody and impound said animal and report the facts to the Judge of the Municipal Court, who shall thereupon cause the owner or person harboring such animal, if known, to be notified, in writing, of the complaint against such animal and to appear before said Judge at a stated time and place. The Judge, at the time set for such hearing, shall inquire into the facts and give all interested persons an opportunity to be heard, under oath, and to be represented by counsel.
- C. If the Judge decides, in accordance with the evidence before him, that such animal complained of is a vicious animal, as defined by this section, he may order the destruction of the animal or permit the animal to remain alive under stipulated terms or conditions.

Notice of such decision shall be given to the owner or person harboring such animal, if known.

- D. In the event a vicious animal is permitted to remain alive, no such animal shall be permitted to run at large or be upon any street or public place in the Township except while securely muzzled or under leash. The owner or person harboring any such vicious animal who shall suffer or permit such animal to run upon any street or public place in the Township while not securely muzzled and under leash shall be guilty of a violation of this Article.

§ 173-27. Abandonment of animals.

No person who shall own, keep or harbor an animal shall abandon such animal within the township.

§ 173-28. Animal Feeding Prohibited.

No person shall keep, maintain, and/or feed of any stray or feral cats or wild animals. The maintenance and/or feeding of privately owned cats and/or dogs in such a manner as to create unsanitary conditions, attract vermin, or be potentially detrimental to health or create a public nuisance is hereby prohibited.

§ 173-29. Disposal of bodies of animals.

- A. In the event that the Animal Control Warden or a member of the Police Department shall be summoned to dispose of the remains of a deceased animal whose body shall be on a public roadway or upon the property of an individual who is not the owner of said animal, the owner of said deceased animal shall be charged a fee in accordance with the fee schedule as established by the Townships third party animal control contractor.
- B. No person shall dispose of the body of any deceased animal by placing the body of said animal upon a public roadway or by leaving said body upon the property of another without the permission of the owner of said property.

§ 173-30. Transportation of specimens for laboratory analysis.

- A. The primary responsibility for transporting and delivering animal heads and specimens to the State of New Jersey Health Department laboratories in Trenton, New Jersey, shall rest with the owner of the animal in question.
- B. In the case of animals involved in biting incidents which require laboratory analysis for rabies detection, the Township may assume responsibility for transporting such specimens as may be required. When the owner of the animal cannot deliver the specimen to the laboratory, a fee will be charged in accordance with the fee schedule as established by the Townships third party animal control contractor.

§ 173-31. Number of animals per residential structure.

No person, which shall be defined as including a family unit, shall keep, harbor, have possession or custody of more than five dogs or cats of the same type or combination thereof, on any one residential parcel of land within the township. This restriction shall not include the temporary (until weaned) keeping of puppies or kittens which have been born to a female dog or cat kept on the same residential parcel of land at the time of birth of said puppies or kittens nor to five or more dogs or cats which were licensed pursuant to this chapter, provided that said dogs or cats shall not be replaced so long as four or more other domesticated animals shall be kept, harbored or possessed or be in such custody at said residential parcel of land.

§ 173-32. Restriction on sale of animals.

No kennel or pet shop shall sell, offer for retail sale, barter, auction, or otherwise, puppies, dogs, kittens or cats bred in puppy or kitten mills, or from any breeder and/or broker engaged in the business of selling more than five kittens, cats or dogs in a calendar year. A kennel or pet shop may only sell, display; or offer for sale only those puppies, dogs, kittens or cats that the pet shop has obtained from or in cooperation with an animal care facility or an animal rescue organization. A pet shop shall not sell or offer for sale puppies, dogs, kittens or cats that are younger than eight weeks old. Every kennel, animal care facility, or pet shop shall comply with the provisions of N.J.S.A. 56:8-92-97, N.J.A.C. 13:45A-12.1-12.3, N.J.A.C. 8:23-1.1-1.5 and N.J.A.C. 8:23A-1.1-1.13. Nothing contained herein shall prohibit a shelter, pound, animal care facility, or other establishment from keeping, displaying or selling any cat or dog which has been seized, rescued or donated.

§ 173-33. Violations and penalties.

Any person who violates or fails or refuses to comply with § 173-2, 173-3, 173-6, 173-8, 173-9, 173-10, 173-12, 173-14, 173-22, 173-23, 173-24, 173-26, 173-27, 173-28, 173-29B 173-31, or 173-32 of this article shall, upon conviction thereof, be punishable by a fine of not less than \$5.00 nor more than \$500.00 for each violation.

Article II. Diseases of Animals

§ 173-34. Report by veterinarian or owner.

Every veterinarian who shall attend any animal in the Township of East Hanover affected with or suspected to be affected with anthrax, glanders, farcy, foot and mouth disease, rabies, tuberculosis or any other communicable disease shall file with the Township Health Officer within 12 hours thereafter a written report stating the name of the disease, the kind of animal, the precise location of such animal, the name and address of the owner or person in charge thereof and any other necessary information regarding the animal so affected. In case no veterinarian shall attend such animal, then it shall be the duty of the owner or person in charge to file such report with the Department of Health.

§ 173-35. Ordering isolation or destruction of infected animal.

The owner or person in charge of any animal affected with or suspected to be affected with any disease mentioned in § 173-34 or with any other communicable disease shall isolate or restrict such animal and follow such precautions, in such manner and for such length of time as the Township Health Officer may direct. The Township Health Officer shall have the power to order the destruction of any animal so affected, and it shall be the duty of the owner or person in charge thereof to immediately comply with the terms of such order. The Township and/or Township Health Officer shall not be liable for the value of any animal so destroyed.

§ 173-36. Animals bitten by rabid animals.

Whenever any animal shall be bitten by any animal infected with or suspected to be infected with rabies, the owner or person in charge of the animal so bitten shall, according to the Township Health Officer's orders, either destroy such animal or isolate it for a period of up to six months. If the biting animal is captured, it should be isolated for a period of two weeks.

§ 173-37. Isolation of animals after biting.

When any person shall be bitten by any animal, the owner or person in charge thereof shall isolate said animal for a period of two weeks according to the direction of the Township Health Officer and shall permit the said Township Health Officer or his/her designee to make such examinations of such animal as may be necessary.

§ 173-38. Violations and penalties.

Any person who shall violate any of the provisions of this section shall, upon conviction thereof, be punishable by a fine of not less than \$5.00 nor more than \$500.00 for each violation.

Article III. Cats

§ 173-39. Definitions.

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

ABANDONMENT: Abandoning an animal in the person's custody without making reasonable arrangements for assumption of custody by another person.

ANIMAL: Any wild or domesticated warm-blooded creature.

ANIMAL FEEDING: To give, place, expose, deposit, distribute or scatter any edible or other material with the intent of feeding, attracting or enticing any stray, feral or wild animal, and any conduct which a person knows, or reasonably should know, would result in the giving, placing, exposing, distributing or scattering of any edible or other material which would result in the feeding, attracting or enticing of any stray, feral or wild animal.

ANIMAL CONTROL AUTHORITY: Any person or agency designated or certified by the State of New Jersey to enforce the provisions of this Article.

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

CAT OF LICENSING AGE: Any cat which has attained the age of seven months or which possesses a set of permanent teeth.

CATTERY: Any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein cats for sale are kept or displayed.

FERAL ANIMAL: A feline, either previously domesticated or not, which is now, has always been, or has become wildlife and/or stray.

HARBOR: The act of providing space or making available food or shelter in such a manner which attracts a dog(s), cat(s) or other animal.

LICENSING AUTHORITY: The Department of Health or any designated representative thereof charged with administering the issuance and/or revocation of permits and licenses under the provisions of this Article.

NEUTERED: Rendered permanently incapable of reproduction as certified by a licensed veterinarian.

OWNER: When applied to the proprietorship of an animal, includes every person having a right of property or custody in such animal and every person who has such cat in his/her keeping or who harbors or maintains a n animal or knowingly permits an animal to remain on or about any premises occupied by that person.

PERSON: Any individual, corporation, partnership, organization or institution commonly recognized by law as a unit.

§ 173-40. License and vaccination required; certificate; exemptions.

- A. Vaccination and license required; exceptions. No person shall own, keep, harbor or maintain any cat over seven months of age within the Township of East Hanover unless such cat is vaccinated and licensed. The provisions of this subsection do not apply to cats held in a cattery or those held by a state or federally licensed research facility or a veterinary establishment where cats are received or kept for diagnostic, medical, surgical or other treatments or licensed animal shelters, pounds, kennels or pet shops.
- B. Vaccination. All cats shall be vaccinated against rabies by a licensed veterinarian in accordance with the latest Compendium of Animals Rabies Vaccines and Recommendations for Immunization published by the National Association of State Public Health Veterinarians, except as provided for in Subsection D.
- C. Vaccination certificates. A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form recommended by the state.
- D. Exemptions. Any cat may be exempted from the requirements of such vaccination for a specified period of time by the Township Health Officer or his/her designee upon presentation of a veterinarian's certificate stating that because of an infirmity or other physical condition or regimen of therapy the inoculation of such cat shall be deemed inadvisable.

§ 173-41. Display of license.

Any person who shall own, keep or harbor a cat of licensing age shall annually apply for and procure from the Department of Health, or other official designated by the governing body thereof by resolution to license cats in the municipality in which he/she resides, a license and official registration tag with license number or a registration sleeve for each cat so owned, kept or harbored and shall place upon such cat a collar or other device with the license number securely fastened or displayed thereto. Acceptable methods of displaying the license number shall include, but are not limited to, breakaway or elastic collars. License tags or sleeves are not transferable.

§ 173-42. Time limit for license application.

The owner of any newly acquired cat of licensing age or of any cat which attains licensing age shall make application for a license tag or sleeve for such cat within 10 days after such acquisition or age attainment. This requirement will not apply to a nonresident keeping a cat within the Township of East Hanover for no longer than 90 days.

§ 173-43. Cats brought into township.

- A. Any person who shall bring or cause to be brought into the Township of East Hanover any cat licensed in another state for the current year and bearing a registration tag or sleeve and shall keep the same or permit the same to be kept within the Township of East Hanover for a period of more than 90 days shall immediately apply for a license and registration tag or sleeve for each such cat.

- B. Any person who shall bring or cause to be brought into the Township of East Hanover any unlicensed cat and shall keep the same or permit the same to be kept within the Township of East Hanover for a period of more than 10 days shall immediately apply for a license and registration tag or sleeve for each such cat.

§ 173-44. Application for license; preservation of information.

- A. The application shall state the breed, sex, age, color and markings of the cat for which license and registration are sought and whether it is of a long- or shorthaired variety and also the name, street and post office address of the owner and the person who shall keep or harbor such cat. No license shall issue to applicant maintaining only a Post Office Box Address or a non-residential address.
- B. The information on said application and the registration number issued for the cat shall be preserved for a period of three years by the Department of Health or other local official designated to license cats in the municipality.

§ 173-45. License forms and tags.

License forms and official tags or sleeves shall be furnished by the municipality and shall be numbered serially and shall bear the year of issuance and the name of the municipality.

§ 173-46. Proof of inoculation or exemption required for license.

No Township Health Official, Municipal Clerk or other official designated by the governing body of Township to license cats therein shall grant any such license and official registration tag or sleeve for any cat unless the owner thereof provides evidence that the cat to be licensed and registered has been inoculated with a rabies vaccine of a type approved by and administered in accordance with the recommendations of the United States Department of Agriculture and the United States Department of Human Services or has been certified exempt as provided by § 173-40 of this Article. The rabies inoculation shall be administered by a duly licensed veterinarian or by such other veterinarian permitted by law to do the same.

§ 173-47. License and tag fees; late fee.

- A. The person applying for the license and registration tag shall pay a fee for the licensing of each cat and an additional sum for the registration tag of each cat, and for each annual renewal the fee for the license and for the registration tag shall be the same as for the original license and tag. Any person who fails to apply for and procure from the Department of Health a license and official registration tag for each cat by January 31 of each calendar year shall be charged a late fee. The fee for the licensing of each cat and an additional sum for the registration tag of each cat shall be as follows:
- (1) Total fee, neutered animal: \$10.
 - (2) Total fee, unneutered animal: \$15.
 - (3) Reduced cat license fee for seniors (age 60 and above):
 - (i) Total fee, neutered animal: \$7.
 - (ii) Total fee, unneutered animal: \$12.
 - (4) Late fee for cat license not obtained by January 31: \$10.

§ 173-48. Licenses from other municipalities; renewals; expiration.

- A. A license from another municipality shall be accepted. The person applying for the license and registration tag and/or sleeve shall pay the fee fixed or authorized. The fee for the renewal of a license and registration tag or sleeve shall be the same as for the original, and said license, registration tag or sleeve and renewal thereof shall expire on January 31 of each year, in the following year.
- B. Only one license and registration tag or sleeve shall be required in the licensing year for any cat in the Township of East Hanover. Any valid New Jersey license tag or sleeve issued by a New Jersey municipality shall be accepted by this municipality as evidence of compliance.

§ 173-49. Lost or misplaced licenses.

If a license tag or sleeve has been misplaced or lost, the licensing officer may issue a duplicate license and/or registration sleeve for that particular cat at no fee.

§ 173-50. Proof of license.

Proof of licensing shall be produced by any person owning, keeping, maintaining or harboring a cat upon the request of any health official, police officer, animal control officer or other authorized person.

§ 173-51. Interfering with enforcement.

No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this Article.

§ 173-52. Disposition of fees.

License fees and other moneys collected or received under the provisions of this Article shall be forwarded to the Treasurer of the municipality and shall be placed in a special account separate from any of the other accounts of the municipality and shall be used for the following purposes only: for collecting, keeping and disposing of cats liable to seizure; for local prevention and control of rabies; for providing anti-rabies treatment under the direction of the Township Health Officer for any person known or suspected to have been exposed to rabies; and for administering the provisions of this Article. Any unexpected balance remaining in such special account shall be retained until the end of the third fiscal year following and may be used for any of the purposes set forth in this section. At the end of said third fiscal year following and at the end of each fiscal year thereafter, there shall be transferred from such special account to the general funds of the municipality any amount then in such account which is in excess of the total amount paid into the special account during the last two fiscal years next preceding.

§ 173-53. Violations and penalties.

Except as otherwise provided in this Article, any person who violates or who fails or refuses to comply with this Chapter shall, upon conviction thereof, be punishable by a fine of not less than \$5.00 nor more than \$500.00 for each violation.

Section 2. If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

Section 3. All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect upon final publication as provided by law.

Section 4. This Ordinance shall take effect upon final publication as provided by law.

Attest:

TOWNSHIP OF EAST HANOVER


Nicolette J. Calabro, RMC, Township Clerk


Joseph Pannullo, Mayor

Introduced: March 3, 2025

Adopted: April 7, 2025

I, Nicolette J. Calabro, RMC, Township Clerk of the Township of East Hanover, County of Morris, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Council at a duly convened meeting held on April 7, 2025


Nicolette J. Calabro, RMC, Township Clerk