

**Ord.#15-2020** An Ordinance of the Township of Mount Olive, in the County of Morris and State of New Jersey, Amending Chapter 169, Dogs and Other Animals, of the Township Code to Modify Certain Provisions. (Revised)

**CLERK:**

Delivered to Mayor:

Date: 8/5/2020

Time: 10:00 am

Signed: Susan Gouveia  
Deputy Township Clerk  
Susan Gouveia

**MAYOR:**

Action by Mayor:

Approved: ✓

Date: 8/6/2020

Vetoed:       

Date:       

(Reasons for which Mayor has withheld approval of Ordinance, item or part Thereof.)

Signed: R  
Mayor

**CLERK:**

Returned:

Date: 8/6/2020

Time: 9:15 am

Not returned with in (10) days

Date:         
Signed: Susan Gouveia  
Deputy Township Clerk

**ORD#15-2020**

**AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE, IN THE  
COUNTY OF MORRIS AND STATE OF NEW JERSEY, AMENDING  
CHAPTER 169, DOGS AND OTHER ANIMALS, OF THE TOWNSHIP  
CODE TO MODIFY CERTAIN PROVISIONS**

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Mount Olive, in the County of Morris and State of New Jersey, as follows:

**SECTION 1.** Chapter 169, Dogs and Other Animals, Article I, Dogs; Animal Detention and Redemption, § 169-1, Definitions, is hereby amended as follows:

**OWNER/KEEPER**

Any person who shall possess, maintain, house, harbor, or feed any pet or stray animal, or otherwise have custody of any pet or animal, whether or not the licensed owner of such pet or animal.

**SECTION 2.** Chapter 169, Dogs and Other Animals, Article I, Dogs; Animal Detention and Redemption; § 169-18, Redemption of dogs, cats and other animals; detention fees, is hereby amended to read as follows:

- A. No dog, cat or other domestic animal shall be euthanized by the Township's Animal Control solely because the holding period required by State law has expired. When the holding period has expired and no one has come forward to claim the animal, placement procedures will commence. The Animal Control officer shall ask local shelters and rescue groups, including but not limited to the Mt. Olive TNR Project, to assist with placement of the homeless animal. If placement is still needed, the Animal Control Officer shall notify Animal Control Officers from other towns in the area that the animal needs placement and ask for their assistance. Impounded feral cats shall be Trap-Neuter-Returned by the TNR Sponsor or, in the rare circumstance where that is not possible, placed at a barn or other outdoor home by the TNR Sponsor.
- B. Euthanasia shall be an act of mercy as a last resort limited to the following animals, who are exempt from the placement procedures in Section A:
  - 1) An animal suspected to carry and exhibiting signs of rabies, as determined by a licensed veterinarian; or
  - 2) A dog who, after having physically attacked a person, has been determined by a court having competent jurisdiction to be dangerous pursuant to State law and cannot be safely contained by the owner or placed with a rescue, shelter, or sanctuary; or
  - 3) An animal who has a terminal medical condition which causes great suffering with little hope of respite, defined as an animal identified by a veterinarian who if not euthanized, will die an agonizing death

regardless of where or under whose care it is housed (i.e. a veterinary hospital or foster home with access to hospice).

- C. When any dog has been seized in accordance with § 169-11 as a potentially dangerous dog, and has been detained for seven days after seizure when notice has been given as set forth in § 169-12, and if the owner or person keeping or harboring said dog has not claimed said dog, the ACO shall obtain a behavior assessment from a qualified behaviorist to see if the dog can be safely placed with a rescue, shelter, or sanctuary without posing unreasonable risk of serious injury to a person. If the results of the behavior assessment indicate the dog can be so placed, the procedures in Section A shall be followed. If the results of the behavior assessment indicate the dog cannot be so placed, the dog may be euthanized as a last resort.
- D. The Township shall not enter into a shared service agreement to provide animal control services to any municipality that does not follow the policies set forth in (A) and (B), § 169-40 allowing Trap-Neuter-Return of feral cats, and § 169-46 regarding disposition of feral cats already Trap-Neuter-Returned.
- E. The following charges shall be paid to the Township of Mount Olive as expenses incurred by reasons of detention in accordance with the provisions of this article:

(1) Pickup of any dog or cat:

(a) First offense: \$50.

(b) Second offense: \$75.

(c) Third/subsequent offense: \$100 to \$500.

(2) Maintenance, per day: \$4.

(3) Euthanasia:

(a) Dog: \$45.

(b) Cat: \$45.

(4) Disposal/cremation:

(a) Dog: \$45.

(b) Cat: \$45.

(5) Quarantine:

(a) Dog: \$40.

(b) Cat: \$30.

(6) All veterinarian fees.

F. The charges specified herein shall be the responsibility of the detained animal's owner/keeper, regardless of whether the owner/keeper resides in Mt. Olive Township. Such charges shall be paid to the Mount Olive Township Health Department, and a receipt shall be provided to the person paying such charges, which receipt will be the authority for the Animal Control Officer to release the animal to the owner or person claiming such animal. If the person reclaiming the animal is unable to pay all charges at once due to financial hardship, the Animal Control Officer may offer a reasonable payment plan to enable the person to reclaim the animal and stop incurring new fees. In cases of severe financial hardship, the Animal Control Officer may waive part or all of the fees to enable the person to reclaim their animal. No impounded animal shall be sold, given, released or turned over to any agency, organization or corporation, whether governmental or private, for experimentation or other like purposes.

**SECTION 4.** Chapter 169, Dogs and Other Animals, Article I, Dogs; Animal Detention and Redemption, is hereby amended to add § 169-27 to read as follows:

The Animal Control Officer (ACO) of the Township of Mount Olive may periodically, at the discretion and direction of the Township, conduct a census of all dogs owned, kept or harbored within the limits of the Township of Mount Olive

**SECTION 5.** Chapter 169, Dogs and Other Animals, Article IV, Cats, § 169-34, Definitions, is hereby amended to read as follows:

**OWNER/KEEPER**

Any person who shall possess, maintain, house, harbor, or feed any pet or stray animal, or otherwise have custody of any pet or animal, whether or not the licensed owner of such pet or animal. .

**SECTION 6.** Chapter 169, Dogs and Other Animals, Article IV, Cats, § 169-38, Cat census, is hereby amended to read as follows:

The Animal Control Officer (ACO) of the Township of Mount Olive may periodically, at the discretion and direction of the Township, conduct a census of all cats owned, kept or harbored within the limits of the Township of Mount Olive.

**SECTION 7.** This Ordinance may be renumbered for the purposes of Codification.

**SECTION 8.** If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of the Ordinance.

**SECTION 9.** All ordinances or parts of ordinances of the Township of Mount Olive that are inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION 10.** This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced:

Adopted:

Effective Date:

TOWNSHIP OF MOUNT OLIVE

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Joe Nicastro, Township Council President

Attest:

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Susan Gouveia, Deputy Township Clerk