

**Borough of Millstone
Somerset County
State of New Jersey**

Ordinance 84-80c

An ordinance for the uniform control, licensing and vaccination of dogs and to establish penalties for the violations of said ordinance in the Borough of Millstone, County of Somerset, State of New Jersey.

Be it ordained by the Mayor and Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey, as followed:

Section 1.

No person shall keep or harbor any dog over 7 months of age or which possesses a set of permanent teeth within the Borough of Millstone without first obtaining a license. Therefore to be issued by the Borough Clerk upon application by the owner and payment of the prescribed fees and no person shall keep or harbor any dog in the Borough except in compliance with the provisions of this ordinance. Dogs used as guides for blind persons and commonly known as “seeing eye dogs” or dogs used to assist deaf persons and commonly known as “hearing ear dogs” shall be licensed and registered as any other dogs herein provided for except that the owner or keeper of such dog shall not be required to pay any fee.

Section 2.

- A- The license and registration fee shall be \$ 5.00 per year for each dog. The license and registration shall expire on the last day of January in each year. No license for a dog shall be issued to a person who is a minor.
- B- In addition to the \$ 5.00 fee referred to in paragraph 2A, each person shall pay a surcharge .20 cent fee for each dog and license and registration tags for each dog, which surcharge is mandated by the state law and be forwarded to the State of New Jersey by the Borough Clerk in accordance with law.
- C- In addition to the fees referred to in paragraphs 2A and 2B, an additional fee of \$ 3.00 shall be charged for any dog of reproductive age which has not had its reproductive capacity permanently altered through sterilization. The exemption from such fee will be granted upon proof of sterilization, which proof must consist of a copy of the veterinarian’s certificate of neutering. The additional \$ 3.00 fee shall be forwarded to the State of New Jersey by the Borough Clerk in accordance with law.

Section3.

No person shall own, possess or harbor within the Borough of Millstone any dog over 7 months of age unless said dog has been vaccinated against rabies by a duly licensed

veterinarian of the State of New Jersey. Proof of a valid vaccination shall be presented annually.

Section 4.

The Borough may provide through its own offices or offices of the Board of Health of the Borough of Millstone free vaccination of such dogs at a suitable clinic and place designated to be conducted by a licensed veterinarian of the State of New Jersey.

Section 5.

Any dog not vaccinated at said clinic must have a valid vaccination by a duly licensed veterinarian of the State of New Jersey and proof of this vaccination shall be submitted to the Borough Clerk with the application for a dog license. The vaccination shall have been given within 12 months of the application for license.

Section 6.

The Mayor with the advice and consent of the Borough Council shall have the power to appoint an animal control officer upon such terms and conditions as provided. Said officer shall promptly after the first of February of each year cause a canvass to be made of all dogs kept or harbored in the Borough. The number of licensed and unlicensed dogs, together with the names and addresses of owners and a complete description of any unlicensed dogs shall be included in said report. Said report shall be provided on or before September 1 of each year to the Borough Clerk, the local Board of Health and the State Department of Health.

Section 7.

Any dog owner or person harboring a dog found to have an unlicensed dog after February shall be required to pay an additional \$ 5.00 delinquent fee plus the required license fee as provided in this ordinance for a dog license, together with any other fines due to summons issued that may be imposed on them as provided in this ordinance for failure to obtain a dog license before the first of February. The aforementioned delinquent fee shall not apply to dogs which have been acquired by the owner after the first of February for which the license fee shall be the same required in the first part of this ordinance. The owner, however, must present sufficient proof to establish that said dog was acquired after February 1st.

Section 8.

All licenses and registration shall expire on January 31st of each year at midnight for the year for which issued. All license and registration fees shall be payable in full for the entire amount regardless of when applied for or issued. All fees shall be due and payable for dogs already owned on the first day of February of each and every year and for dogs acquired after February 1st of each year.

Section 9.

The animal control officer shall enforce the provisions of this ordinance and shall have the power to impound unlicensed dogs running at large in violation of the provisions of this ordinance. Said official shall impound and thereafter destroy or dispose of as provided in this section:

- A- Any unlicensed dog.
- B- Any dog off the premises of the owner or the person keeping or harboring said dog, unless accompanied by an adult person at least 12 years of age and is attached to a leash or rope not to exceed 6 feet in length.

If any dog so seized where its registration tag or any other type of identification that show ownership of said dog, then the official seizing the dog shall serve on the owner a notice that the dog has been seized and is liable to be disposed of if not claimed within the time prescribed by law.

When a dog so seized has been detained for the time prescribed by statute and notice has been served as above set forth and the dog has not been claimed, then the officials may cause the dog to be destroyed in a matter causing as little pain as possible.

Section 10.

No dog shall run at large at any time in the municipality.

Section 11.

No person shall keep, harbor or maintain any dog which habitually barks or cries so as to disturb the public peace.

Section 12.

Any dog off premises of the person owning, keeping or harboring it shall be accompanied by a capable person and shall be controlled and secured by an adequate leash not more than 6 feet long.

Section 13.

Any dog which has attacked other dog or domestic animals or poultry is hereby defined as being a vicious dog for the purpose of this section. No dog which has so been determined to be a vicious dog shall be permitted to run at large or be upon any street or public place in the Borough of Millstone, except while securely muzzled and under leash as provided in this ordinance.

Section 14.

A female dog in season shall not be off the premises of the owner or of the person keeping or harboring said dog. Such female dogs must, in addition, be confined indoors

or within a fenced enclosure on the premises of the owner.

Section 15.

No person owning, keeping or harboring a dog shall permit the same or suffer it to do any bodily injury to any person, not on his property, or to do any damage to any lawn, shrubbery, flowers, grounds or property of persons other than the owner or person having care, custody or control of such dog.

Section 16.

No owner shall fail to provide his animals with sufficient and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with human care and treatment.

Section 17.

Every section of this ordinance shall be considered a separate provision to the intent that if in any portion shall be declared illegal it shall not affect the remaining parts of this ordinance

Section 18.

Any person who violated or fails to comply with any part of this ordinance or with the rules and regulations promulgated by the State Department of Health governing the sanitary conduct of kennels, pet shops, etc shall be liable of fine of not less then \$ 25.00 nor more then \$ 250.00 for each offense to be recovered by the Borough.

Section 19.

All ordinance or parts of an ordinance which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency. The ordinance shall take effect immediately after the final passage and publication in accordance with law.