

ORDINANCE 11 - 2022

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 48, SECTION 2 OF THE CODE OF THE BOROUGH OF MOUNT ARLINGTON ENTITLED "ANIMALS"

WHEREAS, the Borough of Mount Arlington (the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Mayor and Borough Council desire to amend and supplement Chapter 48, Section 2 of the Revised General Ordinances of the Borough with respect to the governance of the Borough's Animal Licensing Provisions.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Mount Arlington, County of Morris, New Jersey that:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Chapter 48, Section 2 of the Revised General Ordinances of the Borough entitled "Animals" is hereby amended as follows (additions are underlined and deletions are in ~~striketrough~~):

§ 48-2 Licensing Provisions.

A. License, when required. Licenses shall be required for the following dogs of licensing age:

- (1) Any dog owned or kept within the borough by a resident of the borough on the first day of January of any calendar year.
- (2) Any dog acquired by any person during the course of any calendar year and kept within the borough for more than 10 days after acquisition.
- (3) Any dog attaining licensing age during the course of the calendar year.
- (4) Any unlicensed dog brought into the borough by any person and kept within the borough for more than 10 days.
- (5) Any dog licensed by another municipality brought into the borough by any person and kept within the borough for more than 90 days.

B. Application for license.

- (1) Each application for a license under this chapter shall give the following information:

- (a) A general description of the dog sought to be licensed, including breed, sex, age, color and marking, and whether the dog is of a long- or short-haired variety.
- (b) The name and street and post office address of the owner of, and of the person who shall keep or harbor, the dog.
- (2) Registration numbers shall be issued in the order in which applications are received.
- C. Application for license, when made. Applications for licenses for dogs which are required to be licensed by the provisions of Subsection A (1) shall be made before the first day of February of each calendar year. In all other cases, the application for a license shall be made at the time the dog in question first becomes subject to the provisions of this chapter.
- D. License record. The information on all applications under this chapter and the registration number issued to each licensed dog shall be preserved for a period of three years by the Borough Clerk. In addition, he shall forward similar information to the State Department of Health each month on forms furnished by the Department.
- E. Fees.
 - (1) The following fees shall be charged: The fee for issuance of dog license and any renewal thereof shall be ~~\$16.20~~ \$16.00 for a dog that is spayed or neutered; and ~~\$19.20~~ \$19.00 for a dog that is not spayed or neutered. It shall be the obligation of the applicant for a dog license or renewal of a dog license to present a certificate signed by a licensed veterinarian stating that the dog has been spayed or neutered. A portion of the fees collected shall be forwarded to the State Department of Health as follows: \$3 for any dog of reproductive age which has not had its reproductive capacity permanently altered through sterilization, N.J.S.A. 4:19-15.3b; \$0.20, Pilot Clinic Fund, N.J.S.A. 4:19-15.3c; \$1 for registration tag, N.J.S.A. 4:19-15.3. If the New Jersey Department of Health increases its charge, then the foregoing fees shall be deemed automatically increased with the increase in such state charge. Applications made after January 31 for a license renewal will be subject to a late penalty fee of \$1 per month.
 - (2) In addition to the foregoing fees, a late charge of \$1 shall be assessed for the issuance of a license or renewal thereof on the first day of the month next succeeding the month during which an application for license or renewal thereof should have been made in accordance with the provisions of this chapter, and an additional late charge of \$1 on the first day of each month thereafter, such late charge(s) to accumulate until such time as the required application is made. No license shall be issued until all fees and charges are paid.
 - (3) The fees set forth in this section shall take effect on January 1, 1992.
- F. Expiration date. Each dog license and registration tag shall expire on the last day of January of the calendar year following the calendar year in which it was issued.

- G. Exceptions. Dogs used as guides for blind persons and commonly known as "Seeing Eye" dogs, dogs used to assist handicapped persons and commonly known as "service" dogs and dogs used to assist deaf persons and commonly known as "Hearing Ear" dogs shall be licensed in the same manner as other dogs, except that the owner or keeper shall not be required to pay any fee.

Section 3. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4. Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

Section 5. Except as amended by this ordinance, all other provision of the Borough's Revised General Ordinances shall remain in full force and effect.

Section 6. The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof.

Section 7. This ordinance shall be in full force and effect from and after its adoption and any publication according to law.

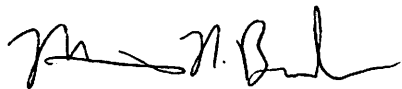
I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, adopted on December 6, 2022 and will be further considered after a Public Hearing held on December 20, 2022 at the Municipal Building at 7:00 p.m.

INTRODUCED: December 6, 2022

ADOPTED: December 20, 2022

ATTEST:

BOROUGH OF MOUNT ARLINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY



Matthew N. Bansch
Borough Clerk



Michael Stanzilis, Mayor
Borough of Mount Arlington