

**ORDINANCE
TOWNSHIP OF FRANKLIN
ORDINANCE AMENDING CHAPTER 151 – DOGS AND OTHER ANIMALS
– ARTICLE V. CATS**

O-25-14

WHEREAS, the Township Committee of the Township of Franklin seeks to amend the Township Code, specifically Chapter 151 Dogs and Other Animals, Article V. Cats; and

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey, that the codified Ordinance of the Township of Franklin shall be amended to state as follows in Chapter 151 Dogs and Other Animals, Article V. Cats:

Chapter 151. DOGS AND OTHER ANIMALS

Article V. Cats

§ 151-39. Definitions.

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

ABANDONED CAT

A cat of any age which shall be left unattended and at large for a period of 72 hours or more.

ANIMAL

For the purpose of this article, "animal" shall mean cat.

ANIMAL CONTROL OFFICER

An employee or appointee of the Gloucester County Animal Control who holds a certification in good standing from the New Jersey Department of Health and Senior Services whose specific duties include the enforcement of state statutes and local ordinances relating to animals.

BARN CAT

A cat of any age which inhabits the property of a farm and farm buildings within the Township of Franklin.

CAT

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

CAT OF VACCINATION 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.

LICENSING AUTHORITY

The agency or department of the Township of Franklin or any designated representative thereof charged with administering the issuance and/or revocation of permits and licenses under the provision of this article.

OWNER

Any person offering or allowing access to food, water, or shelter to an animal for more than 15 days.

PERSON

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

PUBLIC NUISANCE

A cat that damages either public or private property or harms the lawful users or occupants thereof.

STERILIZED/ALTERED

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

STRAY CAT

A cat having no known owner or custodian or known place of care of shelter.

§ 151-40. License required; fees.

Every person who shall own, possess, keep or harbor a cat within the limits of the Township of Franklin shall obtain an annual license for the same and shall have the same registered and numbered with the Township Clerk (or other designated official) and shall pay the fees together with the sum now or hereafter required by the State of New Jersey to be charged for same. The annual licensing fee for a cat license shall be \$7 for spayed and neutered cat and \$10 for nonspayed and nonneutered cats. Said fee shall take effect January 1, 2015.

§ 151-40.1. Ownership specified.

Any person who harbors or possesses any cat for a period of 15 days or more shall, for the purpose of this article, be deemed to be the owner of the cat or cats so harbored or possessed.

§ 151-40.2. Application requirement.

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

§ 151-40.3. Application procedure; information required.

All applications for cat licenses shall be made to the Township Clerk (or other designated official) of the Township of Franklin, who shall provide a book for the purpose of registering the name of the person or persons owning, keeping, possessing or harboring any cat or cats, and the name of each cat registered and its number shall be entered therein, and numbers of each application of registration of such cat or cats shall be in the order in which the applications are made. 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 short-haired variety and the name, street and post office address of the owner and the person who shall keep or harbor such cat. The information on said application and the registration number issued for the cat shall be preserved for a period of three years by the Township Clerk (or other designated official). In addition, he shall forward similar information to the State Department of Health each month, on forms furnished by said Department.

§ 151-40.4. Issuance of license and tags.

The owner of every cat shall pay the license fees hereinbefore provided to the Township Clerk or his or her designated representative on or before the 28th day of February in each year; and, upon receipt of said license fee or fees as they may be, the Township Clerk or his or her designated representative shall thereupon issue to each person paying such license fee or fees a license for the keeping of such cat or cats,

which license shall contain the name and address of the owner of such cat or cats and a short description of the cat, indicating name, breed, sex, age, color and markings and also the number of such license and shall bear the signature of the Township Clerk or his or her designated representative. All such licenses shall expire on the 28th day of February in each year. The Township Clerk or his or her designated representative shall also issue, for each cat licensed, a numbered metal tag, designated as a registration tag, which tag shall be securely attached to a strap or collar worn around the neck of each cat so licensed, and each tag shall have marked thereon the words "Licensed Cat, Township of Franklin, N.J.," with the year for which it is issued. The Township Clerk or his or her designated representative may issue substitute tags upon proof, in writing, from the owner or member of the owner's household above the age of 14 years, sufficient to satisfy the Township Clerk or his or her designated representative of the loss of the original tag. Any owner so obtaining such substitute tag or tags shall pay an additional registration fee of \$1 for each and every such substitute tag. The owner of every cat who fails to pay the license fees hereinbefore provided, on or before the 28th day of February, or any approved extension, shall pay, in addition to the annual license fee, a late charge of \$7 for each cat license purchased. This late charge shall not be the exclusive penalty, but shall be in addition to any other penalties provided for in this article.

§ 151-40.5. Scope of licensing requirements.

Every person who shall own, keep, possess or harbor any cat or cats in the Township of Franklin and who shall neglect or refuse to cause such a cat or cats to be licensed in the manner herein provided, on or after the last day of January in each year, shall be guilty of a violation of this article; provided, however, that any owner of a cat who brings a cat into the Township of Franklin which had been licensed in another state for the current year and which bears a registration tag, who shall keep the same or permit the same to be kept within the Township of Franklin for a period of more than 90 days, shall immediately apply for a license and registration tag for each such cat unless the cat is licensed under § 151-11 hereof; and provided further that any person who shall bring or cause to be brought into the Township of Franklin any unlicensed cat and shall keep the same or permit the same to be kept within the Township of Franklin for a period of more than 10 days shall immediately apply for a license and registration tag for each such cat unless the cat is licensed under § 151-11 hereof.

§ 151-40.6. Removal and/or transfer of tags prohibited; exceptions.

No person, except an officer in the performance of his duties, shall remove a registration tag from the collar of any cat without the consent of the owner, nor shall any person attach a registration tag to a cat for which it was not issued.

§ 151-40.7 Tag required.

Any cat owner who shall suffer or permit any unlicensed cat to run at large or who shall suffer or permit any cat whether licensed or not to run at large without the tag provided for in § 151-40.4 of this article, or who shall cause or permit any unlicensed cat to wear such a tag, shall be guilty of a violation of this article.

§ 151-40.8. Mandatory treatment for cats.

A. Vaccination requirements. No person shall own, keep, harbor, or maintain any cat over seven months of age within the Township of Franklin, unless such cat is vaccinated for rabies. The provisions of this section do not apply to cats held in a cattery, or those held by a state or federal licensed research facility, or a veterinary establishment where cats are received or kept for diagnostic, medical, surgical, or other treatments, or licensed animal shelters, kennels, or pet shops.

B. Vaccination. All cats shall be vaccinated against rabies by a licensed veterinarian in accordance with the latest Compendium of Animal 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 certificate. 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 local Board of Health 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.

E. The Township shall offer rabies vaccinations for dogs and cats each year at a time and place announced. The vaccination offered by the Township shall have a fee of \$0 for cats.

F. Disposition of fees collected. Fees and other moneys collected or received under the provisions of this article shall be forwarded to the Treasurer of the municipality, and be placed in a special account separate from any of the accounts of the municipality and shall be used for the purposes only of collecting, keeping, and disposing of cats liable to seizure, for local prevention and control of rabies, providing anti-rabies treatment under the direction of the local Board of Health for any person known or suspected to have been exposed to rabies, and for administering the provisions of this article. Any unexpended 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 the 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.

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All cats that shall be permitted to roam at large must be altered/sterilized. Failure to comply with this provision shall result in the assessment of penalties as further outlined in § 151-41.

§ 151-41. Violations and penalties.

Any person who shall have failed to comply with or violates or offends the terms or any sections of this article shall, upon conviction, be liable to a penalty of not less than \$50 for a first offense, but not more than \$100.

§ 151-42. Seizure of cats; particular circumstances.

Any cat suspected of being infected by rabies or that is known to have or is suspected of having bitten, scratched, wounded or otherwise injured any person or persons, or has chased, attacked or caused fear upon any person, is subject to either seizure by or surrender to the duly appointed Animal Control Officer, Chief of Police, Department of Health official or any other Township official in a position of authority. In any such event, any cat so seized or surrendered shall be quarantined in an acceptable facility in a humane manner and for a reasonable time until a determination can be made that the cat does not pose a threat to the safety and health of the public, including the owner's home.

BE IT FURTHER ORDAINED, that if any section, sentence, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of the competent jurisdiction, such holdings shall not effect or impair any other section, sentence, clause, provision or portion of this Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon its final passage, adoption and publication provided by law.

The foregoing ordinance was introduced on first reading at a meeting of the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey, held on July 22, 2014 and will be read and considered for final passage at a meeting to be held by the Franklin Township Committee at the Municipal Building, 1571 Delsea Drive, Franklinville, New Jersey 08322 at 7:00 p.m. on August 26, 2014 at which time and place any and all interested persons will be given an opportunity to be heard.

Attest:

Township of Franklin

Barbara Freijomil, Clerk

Edward Leopardi, Mayor

Notice is hereby given that the foregoing Ordinance O-25-14 was finally adopted at a meeting of the Franklin Township Committee held on the August 26, 2014 at 7:00 in the Township of Franklin Municipal Building, 1571 Delsea Drive, Franklinville, NJ.

BARBARA FREIJOMIL, CLERK

	Yes	No	Abstain	Absent
Mr. Genna				
Mr. Deegan				
Mrs. Neely				
Mr. Gonzalez				
Mayor Leopardi				