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6.04.130	Establishments exempted from individual licensing requirements.		The following words defined in this section shall have the meaning herein indicated for the purposes of interpretation and enforcement of this chapter:
6.04.140	Kennels and pet shops—Fees.		“Dog” means any dog, bitch or spayed bitch.
6.04.150	Off-premises restraint required.		“Dog of licensing age” means any dog which has attained the age of six months or which possesses a set of permanent teeth.
6.04.160	Dog warden and assistants— Appointment and duties.		“Kennel” means any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop.
6.04.170	Dog control committee— Appointment and duties.		“License inspector” means the supervisor of licenses.
6.04.180	Dog warden—Reports required— Equipment authorized.		“Owner,” when applied to the proprietorship of a dog, means and includes every person having a right of property in such dog and every person who has such dog in his or her keeping.
6.04.190	Annual canvass authorized— Information required.		“Pet shop” means any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein dogs for sale are kept or displayed.
6.04.200	Impounding of certain dogs authorized.		“Pound” means an establishment for the confinement of dogs seized under the provisions of this chapter or otherwise.
6.04.210	Impoundment of registered dogs—Notice to owner.		“Shelter” means any establishment where dogs are received, housed and distributed.
6.04.220	Impoundment fees—Disposal of dogs.		“Vicious dog” means any dog which has attacked or bitten any human being or which habitually attacks other dogs or domestic animals. (Prior code § 68-1)
6.04.230	Entrance on private premises authorized—Exception.		
6.04.240	Interference with authorized officials prohibited.		
6.04.250	Removal of canine waste.		
6.04.260	Damage to plant life or property prohibited.		
6.04.270	Running at large prohibited— Leash required.		

6.04.020 License and registration required.

No person shall keep or harbor any dog within the city without registering and obtaining a license therefor, to be issued by the central license bureau upon application by the owner and payment of the prescribed fee. No person shall keep or harbor any dog in the city except in compliance with the provisions of this chapter. (Prior code § 68-2)

6.04.030 Application information—Issuance of registration numbers.

The application shall state the breed, sex, age, color and markings of the dog for which license and registration are sought, and whether it is of a long- or short-haired variety; also the name, street and post office address of the owner and the person who shall keep or harbor such dog. The information on the application and the registration number issued for the dog shall be preserved for a period of three years by the license inspector. In addition, the license inspector shall forward to the State Department of Health each month, on forms furnished by the department, an accurate account of registration numbers issued or otherwise disposed of. Registration numbers shall be issued in the order of the applications. (Prior code § 68-3)

6.04.040 Registration tag—Annual procurement required.

Any person who shall own, keep or harbor a dog of licensing age shall annually, in the month of January, apply for and procure from the license inspector 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. (Prior code § 68-4)

6.04.050 License fees—Expiration date.

The person applying for the license and registration tag for a dog shall pay an annual fee of twelve dollars (\$12.00) for nonspayed or nonneutered dogs and eight dollars (\$8.00) for spayed or neutered dogs and also the sum of one dollar (\$1.00) for the registration tag for 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 tag. The fees shall become effective with the licensing period beginning February 1, 1995; and the licenses, registration tags and renewals thereof shall expire on the last day of January of the following year. The fees shall be turned over to the city treasurer for general revenue purposes. (Prior code § 68-5)

6.04.060 Guide dogs for blind and K-9 dogs excepted from fees.

A. Dogs used as guides for blind persons and commonly known as "Seeing Eye" dogs shall be licensed and registered as other dogs provided for in this chapter, except that the owner or keeper of such dog will not be required to pay any fee therefor.

B. Dogs used as police K-9 dogs by the Elizabeth police department shall be licensed and registered as other dogs provided for in this chapter, except that the owner or keeper of such dog will not be required to pay any fee therefor. (Prior code § 68-6)

6.04.070 Time limit for licensing.

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 each dog within ten (10) days after such acquisition or age attainment. (Prior code § 68-7)

6.04.080 Dogs brought into city—Licensing provisions—Reports required.

A. Any person who shall bring or cause to be brought into the city 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 city for a period of more than ninety (90) days, shall immediately apply for a license and registration tag for each such dog, unless such dog is licensed under Section 6.04.100.

B. Any person who shall bring or cause to be brought into the city any unlicensed dog and shall keep the same or permit the same to be kept within the city for a period of more than ten (10) days shall immediately apply for a license and registration tag for each such dog, unless such dog is licensed under Section 6.04.100.

C. All persons who keep or operate kennels, pet shops, shelters or dog pounds, as well as all veterinarians and persons who own or operate animal hospitals, shall report all unlicensed dogs brought to their business or establishment to the dog warden of the city. (Prior code § 68-8)

6.04.090 Tags nontransferable.

No person, except an officer in the performance of his or her 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. (Prior code § 68-9)

6.04.100 Kennels, pet shops, shelters and pounds—License required.

Any person who keeps or operates or proposes to establish a kennel, a pet shop, a shelter or a pound shall apply to the central license bureau for a license entitling him or her to keep or operate such establishment. (Prior code § 68-10)

6.04.110 Application procedure.

The application shall describe the premises where the establishment is located or is proposed to be located, the purpose for which it is to be maintained, and shall be accompanied by the written approval of the dog warden of the city showing compliance with the local and state rules and regulations governing location of and sanitation at such establishments. (Prior code § 68-11)

6.04.120 Application information—Expiration date.

All licenses issued for a kennel, pet shop, shelter or pound shall state the purpose for which the establishment is maintained, and all such licenses shall expire on the last day of January of the following year. (Prior code § 68-12)

6.04.130 Establishments exempted from individual licensing requirements.

Any person holding such license shall not be required to secure individual licenses for dogs owned by such licensee and kept at such establishment. Such license shall not be transferable to another owner or different premises. (Prior code § 68-13)

6.04.140 Kennels and pet shops—Fees.

The annual license fee for a kennel providing accommodations for ten (10) or less dogs shall be twenty-five dollars (\$25.00); and for more than ten (10) dogs, one hundred dollars (\$100.00). The annual license fee for a pet shop shall be ten dollars (\$10.00). (Ord. 3392 § 1, 2002; prior code § 68-14)

6.04.150 Off-premises restraint required.

No dog kept in a kennel, pet shop, shelter or pound shall be permitted off such premises except on leash or in a crate or other safe control. (Prior code § 68-15)

6.04.160 Dog warden and assistants—Appointment and duties.

The city council shall have the power to appoint a dog warden and such assistants as the city council deems necessary, at annual salaries as stipulated in the annual budget, in accordance with the laws of the state of New Jersey. The employees shall enforce the provisions of this

chapter and keep and maintain the animal shelter in accordance with the laws of the state of New Jersey. (Prior code § 68-16)

6.04.170 Dog control committee—Appointment and duties.

A. The president of the city council shall appoint annually three members of the city council to a committee to be known as the dog control committee.

B. The dog control committee of the city council is delegated with the power and authority to promulgate the rules and regulations necessary for the control of the animal shelter. (Prior code § 68-17)

6.04.180 Dog warden—Reports required—Equipment authorized.

The city shall purchase and pay for the maintenance and use of the animal shelter and the truck or trucks utilized by the dog warden in the course of his or her duties, and shall pay for all food, heat, light, water, gas and other essential items used in the operation of the animal shelter. The dog warden shall keep and maintain accurate records of each licensed and unlicensed animal impounded or sheltered by him or her, and such records shall show in detail the time, place and circumstances under which each animal came into the possession, custody or control of the dog warden, and the disposition of all such animals. All such records shall at all times be available and open for inspection by the members of the city council, the dog control committee, the division of housing and inspections and the general public. Money collected by the dog warden for redemption of licensed animals, adoption of animals, euthanasia, boarding of animals and other services performed for the public by the dog warden shall be reported and deposited on the first day of each week with the city treasurer. The city treasurer shall keep a record of such moneys and shall report same monthly to city council, the dog control committee and the division of housing and inspections. (Prior code § 68-18)

6.04.190 Annual canvass authorized—Information required.

The chief of police of the city shall annually cause a canvass to be made of all dogs owned, kept or harbored within the limits of the city, and shall report on or before May 1st of each year to the supervisor of licenses and to the division of housing and inspections and to the State Department of Health the result thereof, setting forth in separate columns the names and addresses of persons owning, keeping or harboring unlicensed dogs, the number of unlicensed dogs owned, kept or harbored by each person,

together with a complete description of each of the unlicensed dogs. (Prior code § 68-19)

6.04.200 Impounding of certain dogs authorized.

The dog warden of the city shall take into custody and impound, or cause to be taken into custody and impounded, and thereafter destroyed or disposed of as provided in this section:

A. Any dog off the premises of the owner or of the person keeping or harboring the dog, which the warden or his or her agent has reason to believe is a stray dog.

B. Any dog off the premises of the owner or of the person keeping or harboring the dog, without a current registration tag on his or her collar.

C. Any female dog in season off the premises of the owner or of the person keeping or harboring the dog. (Prior code § 68-20)

6.04.210 Impoundment of registered dogs—Notice to owner.

A. If any dog so seized wears a collar or harness having inscribed thereon or attached thereto the name and address of any persons or a registration tag or if the owner or the person keeping or harboring the dog is known, the dog warden shall forthwith serve on the person whose address is given on the collar or on the owner or the person keeping or harboring the dog, if known, a notice in writing stating that the dog has been seized and will be liable to be disposed of or destroyed if not claimed within seven days after the service of the notice.

B. A notice under 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 post in a prepaid letter addressed to that person at his or her usual or last known place of abode or to the address on the collar. (Prior code § 68-21)

6.04.220 Impoundment fees—Disposal of dogs.

For every dog so seized, there shall be a pound fee of five dollars (\$5.00), which shall not include maintenance for the first calendar day; and there shall be a maintenance charge for each dog so seized at the rate of four dollars (\$4.00) per day or any fraction thereof. When any dog so seized has been detained for seven days after notice when notice can be given as above set forth or has been detained for seven days after seizure when notice cannot be given as above set forth for lack of proper identification, and if the owner or person keeping or harboring the dog has not

claimed the dog and paid expenses incurred by reason of its detention, including the pound fee and maintenance charge at the rate of four dollars (\$4.00) per day, or if the dog is unlicensed at the time of the seizure and the owner or person keeping or harboring the dog has not produced or purchased a license and registration tag for the dog, the dog warden may cause the dog to be destroyed in a manner causing as little pain as possible. (Prior code § 68-22)

6.04.230 Entrance on private premises authorized—Exception.

Any officer or agent authorized or empowered to perform any duty under this chapter is authorized to go upon any premises to seize for impounding any dog which he or she may lawfully seize and impound when such officer is in immediate pursuit of such dog, except upon the premises of the owner of the dog if the owner is present and forbids the same. (Prior code § 68-23)

6.04.240 Interference with authorized officials prohibited.

No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this chapter. (Prior code § 68-24)

6.04.250 Removal of canine waste.

It shall be the duty of each dog owner and handler to remove feces left by his or her dog on any sidewalk, gutter, street, grass strip or other public or quasi-public area or upon any private property without the prior consent of its owner. The provisions of this section shall not apply to a guide dog accompanying any blind person. The codification of this chapter shall not be considered to vest exclusive jurisdiction to the department of health, welfare and housing in terms of its enforcement; and the violations of this chapter may be enforced by other city officials, including the uniformed members of the police department. (Prior code § 68-25)

6.04.260 Damage to plant life or property prohibited.

No person owning, keeping or harboring a dog shall permit or suffer it to do any injury or to do any damage to any lawn, shrubbery, flowers, ground or property. (Prior code § 68-26)

6.04.270 Running at large prohibited—Leash required.

No person owning, keeping or harboring any dog 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 city, unless such dog is controlled by an adequate leash not more than eight feet long. (Prior code § 68-27)

6.04.280 Cruel treatment or abandonment of animals prohibited.

No person shall cruelly treat any animal in the city in any way. Any person who inhumanely beats, underfeeds, overloads or abandons any animal shall be deemed guilty of a violation of this chapter. (Prior code § 68-29)

6.04.290 Dangerous animals—Control required.

It is unlawful to permit any dangerous animal or vicious animal of any kind to run at large within the city; exhibitions or parades of animals which are *ferae naturae* in the eyes of the law may be conducted only upon securing a permit from the chief of police. (Prior code § 68-30)

6.04.300 Noises by animals restricted.

It is unlawful to harbor or keep any animals which disturb the peace by loud noises at any time of the day or night. (Prior code § 68-31)

6.04.310 Animals prohibited running at large or grazing.

It is unlawful to permit any cattle, horse, swine, sheep, goats or poultry to run at large in the city; any such animal running at large in any public place in the city shall be impounded in the manner provided in the following sections. It is further unlawful to picket or tie any such animal in any of the streets of the city for the purpose of grazing or feeding. (Prior code § 68-32)

6.04.320 Dangerous animals—Killing authorized in certain circumstances.

The members of the police department or dog warden's personnel are authorized to kill any dangerous animals of any kind when it is necessary for the protection of any person or property. (Prior code § 68-33)

6.04.330 Diseased animals—Supervision required for removal—Contagion controlled.

A. No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large or to be exposed in any public place where the health of human or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof except under the supervision of the chief of police or the dog warden.

B. It is the duty of the dog warden to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of the contagion or infection, except in cases where the State Veterinarian is empowered to act. (Prior code § 68-34)

6.04.340 Sanitary quarters required—Keeping of swine prohibited.

No person shall cause or allow any stable or place where any animal is or may be kept to become unclean or unwholesome, and it is unlawful to keep any live swine or pigs in the city. (Prior code § 68-35)

6.04.350 Keeping of goats prohibited—Cattle and chickens restricted.

It is unlawful to keep or have any goats anywhere in, the city, or any cattle or chickens within one hundred fifty (150) feet of any residence other than the residence of the person so keeping or having such animals anywhere in the city. (Prior code § 68-36)

6.04.360 Stray dog control—Assistance authorized.

The dog control committee of the city council is authorized and empowered to retain the services of an independent contractor to assist the dog warden in picking up stray dogs throughout the city at those periods when, in the discretion of the dog control committee, the work load exceeds the normal capacity of city personnel. (Prior code § 68-37)

6.04.370 Licensing of pit bull dogs.

A. As used in this section, the term "pit bull" shall mean any Staffordshire Bull Terrier breed of dog or any mixed breed of dog which contains as an element of its breeding the breed of Staffordshire Bull Terrier or American Staffordshire Terrier or as to be identifiable as partially of the breed Staffordshire Bull Terrier or American Staffordshire Terrier by a qualified veterinarian duly licensed as such by the state of New Jersey.

B. 1. Any person, corporation, partnership or other association within the city who owns a pit bull shall obtain a special license therefor from the central license bureau of the city. Such license shall be obtained within thirty (30) days of the effective date of the ordinance codified in this section. Such license shall be in addition to any other license required by local ordinance or state statute.

2. The application for the license shall contain such information as the city feels is in the best interests of the city to know, including but not limited to the following:

the name and address of the owner and handler and the address where the pit bull is to be housed or maintained. In the event any of the information on the application is changed, the owner of such pit bull shall file an amended application indicating the new information at least one week prior to such change.

C. No person under the age of eighteen (18) years may own, control, attempt to control or walk a pit bull.

In the event of a violation of this section, such person may be charged with an act of delinquency and the owner and/or handler of the pit bull, if the owner and/or handler is eighteen (18) years of age or over, shall be subject to the fines and penalties set forth in this section. No person shall walk more than one pit bull at a time.

D. In the event any pit bull is sold or otherwise transferred to another person, corporation, partnership or association, the transfer of ownership shall be reported to the central license bureau of the city on an amended application form to be filed with the central license bureau of the city at least one week in advance of such sale or transfer. Whenever a pit bull is outside of closed premises, it shall have a muzzle securely affixed to its mouth which shall be affixed to a harness and which must prevent the animal from using its mouth for fighting. The leash and collar must be of steel only and no barbed wire collar or other type of collar shall be permitted on the pit bull which shall hamper efforts to subdue the animal. In addition, any owner and/or handler who walks such an animal shall carry with him or her an implement which can force open the animal's jaws.

E. All applications and amended applications filed herein shall be on file with the office of the central license bureau of the city and shall be accompanied by a fee of ten dollars (\$10.00) for an initial application and a fee of five dollars (\$5.00) for subsequent applications or amendments. The city clerk shall forthwith transmit copies of each such application, subsequent application and amendments to the police and fire departments and such other departments as shall request such information.

F. Any owner of a pit bull shall be required to post in a conspicuous place on the premises where the pit bull is kept, a sign visible to the public, advising of the presence of a pit bull and its potential viciousness.

G. Unless another penalty is expressly provided by New Jersey statute, any person, partnership, association or corporation which shall violate any of the provisions of this section or any supplement thereto shall be liable to a penalty in an amount not to exceed one thousand dollars (\$1,000.00) and/or six months imprisonment for each such violation, or both. In addition, if any person, partnership, association or corporation is guilty of a second or subse-

quent offense under this section, the animal in question shall be confiscated by the city. (Prior code § 68-38)