



BOROUGH OF GARWOOD
UNION COUNTY, NEW JERSEY
MUNICIPAL BUILDING
403 SOUTH AVENUE
GARWOOD, NEW JERSEY 07027

ORDINANCE NO. 25-24

AN ORDINANCE AMENDING THE BOROUGH CODE OF THE BOROUGH OF GARWOOD BY AMENDING CHAPTER 58, ENTITLED “ANIMALS”.

WHEREAS, the Borough of Garwood (the “Borough”) has previously adopted Chapter 58 of the Code of the Borough of Garwood establishing the regulations regarding animals; and

WHEREAS, the Police Committee has recommended revisions to the full chapter including the establishment of new sections regarding cats; and

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Garwood that Chapter 58 (Animals) of the Borough Code of the Borough of Garwood is hereby amended as follows (additions underscored, deletions struck-through):

ARTICLE I
Dogs

§ 58-1. Definitions.

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

AT LARGE — A dog off the premises of the person owning or keeping or harboring it and not in a crate or other safe control, or not securely fastened to a tether, leash, or chain of six feet or less held by its owner or other person capable of controlling said dog.

DOG — Any male or female dog, bitch, or spayed bitch.

DOG OF LICENSING AGE — Any cat or dog which has obtained the age of seven months or which possesses a set of permanent teeth.

FOSTER PLACEMENT — A temporary placement of six months or less in which a domestic animal resides while attempting to find permanent placement.

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

OWNER — When applied to the proprietorship of a dog, shall include every person having a right of property in such dog and every person who harbors or has such dog in his or her keeping.

§ 58-2. License required.

- A. No person shall own, keep, or harbor any dog within the Borough except in compliance with the provisions of this article, and unless he first obtains a license and

official metal registration tag therefor issued by the Borough Clerk upon application by the owner and payment of the prescribed fee.

- B. The license shall contain the name and address of the owner of such dog, a short description of the dog, including the breed, sex, and markings, and also the number of such license, and shall bear the signature of the Borough Clerk.
- C. This section does not apply to dogs in a foster placement, state or federal research facility, veterinary establishment where dogs are kept for diagnostic, medical, surgical, or other treatments, or licensed animal shelters, pounds, kennels, or pet shops.

§ 58-3. ~~Annual license~~ License procedure; tag.

Any person who shall own, keep or harbor a dog of licensing age in the Borough shall immediately, in the month of January in each year in the year following the expiration of a license, apply for and procure from the Borough Clerk 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. A valid rabies certification must accompany registration and remain effective through October 31st of the current year to qualify for renewal.

§ 58-4. Fee; expiration date of license; Seeing Eye dogs exempt. [Amended 4-24-1990 by Ord. No. 90-07]

- A. The person applying for the license and registration tag for each dog shall pay to the Borough Clerk a fee of \$17.20 ~~16~~ for the license ~~ing~~ of each dog which is spayed/neutered, \$20.20 for the license of each dog non-spayed/non-neutered and such additional fee for the registration tag as provided for by state law. ~~Each license and tag shall be renewed annually, and for each annual renewal, the fee for the license and for the registration tag shall be the same as for the original license and registration.~~ Each license and tag shall be renewed annually, with the corresponding fees payable on an annual basis. Said licenses, registration tags and renewals thereof shall expire on the last day of January in each year. [Amended 11-23-2004 by Ord. No. 04-19; 3-13-2007 by Ord. No. 07-07]
- B. There shall be an additional fee of \$5 for the replacement of any lost or otherwise missing registration tag. **[Amended 11-23-2004 by Ord. No. 04-19]**
- C. There shall be an additional late fee of \$5 for each dog license ~~any person who shall fail to make an application/renewal not for and received the license and registration renewed by the last day of January each year by the last day of January of each year.~~ **[Amended 11-23-2004 by Ord. No. 04-19; 3-13-2007 by Ord. No. 07-07]**
- D. Only one license and registration tag shall be required in any license year for any dog owned in New Jersey, and such license and tag issued by any other municipality shall be accepted by the Borough as evidence of compliance with this section and § 58-3.

- E. Dogs used for guides for blind persons and commonly known as "Seeing Eye" dogs, dogs used to assist deaf persons and commonly known as "hearing ear" dogs and dogs used to assist handicapped persons and commonly known as "service" dogs shall be licensed and registered as other dogs as herein provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefor. **[Amended 12-10-2002 by Ord. No. 02-28]**

§ 58-5. License forms and registration tags to be furnished by Borough.

Application forms for license and uniform official metal registration tags designed by the State Department of Health shall be furnished by the Borough and shall be numbered serially and shall bear the year of issuance and the name of the Borough. The Borough may make all required forms available online.

§ 58-6. Application by owner. [Amended 3-13-2007 by Ord. No. 07-07]

- A. The owner of any newly-acquired dog of licensing age or any dog which attains licensing age shall apply for a license and registration tag for such dog within 10 days after such acquisition or age attainment.
- ~~B.~~ No license shall be granted for any dog unless the dog owner provides evidence that the dog to be licensed and registered has been inoculated against rabies with a vaccine having duration of immunity which extends through at least 10 of the 12 months of the licensing period, in accordance with the regulations of the New Jersey Department of Health and Senior Services, or the written certification of a licensed veterinarian indicating that the dog is unable to be vaccinated due to age or infirmity. ~~Dogs with a duration of immunity against rabies that expires prior to the 10th month of the licensing period shall be revaccinated prior to the issuance of a license.~~

§ 58-7. Contents of application.

- A. 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-haired or short-haired variety; the name, street and post office address of the owner and the person who shall keep or harbor such dog.
- B. The information on said application and the registration number issued for the dog shall be preserved for a period of three years by the Borough Clerk. In addition, ~~he~~ the Clerk shall forward to the State Department of Health each month, on forms furnished by the said Department, an accurate account of registration numbers issued or otherwise disposed of. Registration numbers shall be issued in the order of the applications.

§ 58-8. Dogs brought into Borough.

- A. Any person who shall bring or cause to be brought into the Borough any dog licensed in another state for the current licensing year, and bearing a registration tag, and shall

keep the same or permit the same to be kept within the Borough for a period of more ~~then~~ than 90 days shall immediately apply for a license and registration tag for such dog, unless such dog be licensed under § 58-2.

- B. Any person who shall bring or cause to be brought into the Borough any unlicensed dog and shall keep the same or permit the same to be kept within the Borough for a period of more than 10 days, shall immediately apply for a license and registration tag for each such dog, unless such dog be licensed under § 58-2.

§ 58-9. Removal of tag.

No person, except an officer or agent in the performance of his 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.

§ 58-10. Disposition of fees collected.

License fees, registration tag fees and other money collected and received pursuant to this article shall be turned over and disposed of in accordance with and as provided by law.

§ 58-11. Running at large prohibited.

No person owning, keeping, harboring, or in control of any dog shall permit said dog to run at large at any time within the limits of the Borough.

§ 58-12. Dog nuisances. [Amended 3-13-2007 by Ord. No. 07-07]

It shall be unlawful and a violation of the article for any person who owns, possesses or controls a dog to permit, suffer or allow such animal to soil, defile or defecate on, or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place where people congregate or walk, or upon any public property whatsoever, or upon any private property without the permission of the owner or lawful occupant thereof. This restriction shall not apply to that portion of the street lying between the curblines, which shall be used to curb such animal, provided that said person who curbs such dog shall remove all feces deposited by such animal and dispose of same as provided in Article III of this chapter.

§ 58-13. Enforcement.

The provisions of this article shall be enforced by any private citizen signing a formal complaint against such offender or by any member of the Board of Health, Garwood Police Department or such other person who may be employed by the Mayor and Council of the Borough of Garwood to exercise the duty and authority of dog catcher, dog warden or pound-master.

§ 58-14. Contract for enforcement.

The Mayor and Council shall have the power to enter into a contract with one or more

persons for the exercise of the duty and authority of dog catcher, dog warden or pound-master to enforce the provisions of this article, including the taking into custody, impounding, destruction and disposal of dogs as hereinafter provided. Nothing contained in this section, however, shall be construed as limiting the duty or authority of the Chief of Police or any member of the Police Department to enforce the provisions of this article.

§ 58-15. Costs to Maintain Dog Canvass of dogs; report. [~~Amended 9-10-1991 by Ord. No. 91-21; 5-25-1999 by Ord. No. 99-10~~]

~~The Chief of Police of the Borough of Garwood shall biannually cause a canvass to be made of all dogs owned, kept or harbored within the limits of the Borough of Garwood as prescribed by N.J.S.A. 4:19-15.15, as amended. The Chief of Police shall report biannually to the Borough Clerk, to the local Board of Health, and to the State Department of Health the result thereof, as prescribed by N.J.S.A. 4:19-15.15, as amended. In causing such canvass of dogs to be conducted, the Chief of Police may employ for such purpose regular members of the Police Department, duly appointed special law enforcement officers, and/or duly appointed school crossing guards.~~

An owner of a dog(s) who is unable or unwilling to provide care for an animal in their custody due to their arrest, eviction, hospitalization, or other circumstances outside of their control shall be required to pay all costs of sheltering, caring for, or treating any dog(s), including veterinary expenses, until that dog(s) is returned to its owner, forfeited, liberated, or disposed of. All costs are determined by the housing authority of such dog(s).

§ 58-16. Seizing and impounding.

Members of the police, acting under the direction of the Chief of Police or such person appointed to enforce the provisions of this article, shall take into custody or impound the following:

- A. Any dog running at large within the limits of the Borough.
- B. Any dog not licensed or tagged as provided in this article.
- C. Any dog off the premises of the owner or of the person keeping or harboring the dog, which dog said official or his agent or agents have reason to believe is a stray dog.
- D. Any dog with a fierce, dangerous or vicious propensity or noticeably infected with rabies or bitten by a dog suspected of having rabies.
- E. Any female dog in season off the premises of the owner or of the person keeping or harboring said dog.
- F. Any dog seized under this section shall be handled and disposed of with proper notice given, as required by N.J.S.A. 4:19-15.16.

§ 58-17. Entry upon premises for seizure.

Any officer or agent authorized or empowered to perform any duty under this article is

authorized to go upon any premises to seize for impounding any dog or dogs which he may lawfully seize and impound when such officer or agent is in immediate pursuit of such dog or dogs, except upon the premises of the owner of the dog if said owner is present and forbids the same.

§ 58-18. Interference.

No person shall hinder, molest, or interfere with anyone authorized or employed to perform any duty under this article.

§ 58-19. Violations and penalties.

Any person who shall violate any provisions of §§ 58-2, 58-3, 58-6, 58-11 or 58-16, upon conviction thereof, shall be punished by a fine of not less than ~~\$5 nor more than \$250.~~ \$50 nor more than \$500 for each offense. Each day a violation continues shall constitute a separate and distinct offense.

§ 58-20. Construal of provisions.

The provisions of this article and the penalties for the violation of the provisions thereof shall be construed to be in addition to the provisions and penalties of any and all statutes of New Jersey relating to rabies and control of dogs.

ARTICLE II
Livestock
[Added 3-24-1998 by Ord. No. 98-03]

§ 58-21. Horses.

The keeping of horses, ponies or other domestic equine animals within the Borough of Garwood is hereby prohibited.

§ 58-22. Other livestock.

The keeping of pigeons, fowl, pigs, goats, sheep, cattle and other kinds of livestock within the Borough of Garwood is hereby prohibited.

§ 58-23. Enforcement.

This article shall be enforced by the Health Officer of the Borough of Garwood.

§ 58-24. Violations and Penalties.

Any person who shall violate any provision of the article shall be subject to a fine not exceeding \$1,000, a period of community service not exceeding 90 days, and a period of imprisonment not exceeding 90 days.

ARTICLE III
Pet Waste
[Added 6-14-2005 by Ord. No. 05-20]

§ 58-25. Purpose.

An ordinance to establish requirements for the proper disposal of pet solid waste in the Borough of Garwood so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 58-26. Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

IMMEDIATE — Shall mean that the pet solid waste is removed at once, without delay.

OWNER/KEEPER — Any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

PET — A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

PET SOLID WASTE — Waste matter expelled from the bowels of the pet; excrement.

PROPER DISPOSAL — Placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

§ 58-27. Requirement for disposal.

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

§ 58-28. Exemptions.

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

§ 58-29. Enforcement.

The provisions of this article shall be enforced by the Police Department and the Local Board of Health of the Borough of Garwood.

§ 58-30. Penalties.

Any person violating this chapter shall be subject to a fine of up to \$500. Upon conviction, any person who violates any portion of this article shall be fined no less than \$50 or more than \$500 for each offense. Each day the violation continues shall constitute a separate and distinct offense.

ARTICLE IV
Wildlife Feeding
[Added 6-14-2005 by Ord. No. 05-19]

§ 58-31. Purpose.

An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Borough of Garwood so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 58-32. Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

FEED — To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

WILDLIFE — All animals that are neither human nor domesticated.

§ 58-33. Prohibited conduct.

- A. No person shall feed, in any public park or on any other property owned or operated by the Borough of Garwood, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).

§ 58-34. Enforcement.

- A. This article shall be enforced by the Police Department and Health Department of the Borough of Garwood.
- B. Any person found to be in violation of this article shall be ordered to cease the feeding immediately.

§ 58-35. Violations and penalties.

- B. ~~Any person(s) who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$500.~~ Upon conviction, any person who violates any portion of this article shall be fined no less than \$50 or more than \$500 for each offense. Each day the violation continues shall constitute a separate and distinct offense.

ARTICLE V
Pet Sales
[Added 6-12-2018 by Ord. No. 18-15]

§ 58-36. Definitions.

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

ANIMAL CARE FACILITY — An animal control center or animal shelter, maintained by or under contract with any state, county or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes.

ANIMAL RESCUE ORGANIZATION — Any not-for-profit organization which has tax-exempt status under § 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.

CAT — A member of a species of domestic cat, *Felis catus*.

DOG — A member of a species of domestic dog, *Canis familiaris*.

OFFER FOR SALE — To sell offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

PET SHOP — A retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

§ 58-37. Restrictions on sale of animals.

No pet store shall sell, deliver, offer for sale, barter, auction, give away or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit stores from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs and cats.

ARTICLE VI
Cats
[Added XX-XX-2025 by Ord. No 25-XX]

§ 58-38. Definitions

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

CAT – Any member of the domestic feline species; male, female or neutered.

CAT OF LICENSING AGE – Any cat which has obtained the age of seven (7) months or which possesses a set of permanent teeth.

FOSTER PLACEMENT – A temporary placement of six (6) months or less in which a domestic animal resides while attempting to find permanent placement.

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

OWNER – When applied to the proprietorship of a cat, shall include every person having a right of property in such cat and every person who harbors, feeds, or has such cat in his or her keeping.

§ 58-39. Licensing and vaccination of cats required.

Effective January 1, 2026, any member of the domestic feline species, whether male, female, or neutered, over seven (7) months old shall be vaccinated for rabies by a licensed veterinarian and shall be licensed by the Borough of Garwood. The licensing authority is hereby designated as the Office of the Borough Clerk.

As a condition of licensing, all such cats shall be vaccinated against rabies per the latest "Compendium of Animal Rabies Vaccines and Recommendations for Immunization, published by the National Association of State Public Health Veterinarians.

A certificate of vaccination shall be issued by the veterinarian to the owner of each animal vaccinated on a form recommended by the State of New Jersey. The certificate shall state the period of time during which the vaccination is deemed to be effective. A written certification of a licensed veterinarian indicating that the cat cannot be vaccinated due to age or infirmity shall be provided in place of the vaccination certificate.

This section does not apply to cats held in a cattery, foster placement, state or federal research facility, veterinary establishment where dogs or cats are kept for diagnostic, medical, surgical, or other treatments, or licensed animal shelters, pounds, kennels, or pet shops.

§ 58-40. Licensing procedures; tag.

Any person who shall own, keep or harbor a cat of licensing age in the Borough shall effective January 1, 2026 immediately apply for and procure from the Borough Clerk a license and official metal registration tag for each such cat so owned, kept or harbored. A valid rabies certification must accompany registration and remain effective through October 31st of the current year to qualify for renewal.

Upon presentation to the Borough Clerk of a completed application, a certificate of vaccination (or certification of exception due to age/infirmity), along with the necessary fee, whether in person or by mail, the Borough Clerk shall issue a metal tag type license for said cat bearing a code number identifying such cat which shall be affixed to or worn on a collar by the cat at all times. Such tag shall also indicate the year of expiration of the license.

§ 58-41. Application, contents, preservation and information.

The application shall state the breed, sex, age, color, and markings of the cat for which a license is sought and whether it is a long or short-haired variety. Such application shall also state the name, street address and post office address of the owner. The information on said application and the license number for the cat shall be preserved for a period of three years by the Borough Clerk. Applications may be made in person or online using the forms provided by the Borough.

§ 58-42. License fees.

The fee for a cat license is hereby fixed at \$10 if the animal is spayed or neutered and \$13 if the animal is not spayed or neutered and such additional fee for the registration tag as provided for by state law. Each license and tag shall be renewed annually, with the corresponding fees payable on an annual basis.

There shall be an additional late fee of \$5 for each cat license application/renewal not renewed by the last day of January each year.

Only one license and registration tag shall be required in any license year for any cat owned in New Jersey, and such license and tag issued by any other municipality shall be accepted by the Borough as evidence of compliance with this section.

§ 58-43. Loss of license tag.

Duplicate tags shall be issued upon proof satisfactory to the Borough Clerk of the loss of the original tag and the payment to the Borough Clerk of \$5 for each duplicate tag.

§ 58-44. Enforcement.

The provisions of this article shall be enforced by any private citizen signing a formal complaint against such offender or by any member of the Board of Health, Garwood Police Department, or such other person who may be employed by the Mayor and Council of the Borough of Garwood to exercise the duty and authority of animal control officer.

§ 58-45. Contract for enforcement.

The Mayor and Council shall have the power to enter into a contract with one or more persons for the exercise of the duty and authority of the animal control officer to enforce the provisions of this article. Nothing contained in this section, however, shall be construed as limiting the duty or authority of the Chief of Police or any member of the Police Department to enforce the provisions of this article.

§ 58-46. Offense defined; violations.

It shall be unlawful for any person to permit an unlicensed cat to be at large outside of a building occupied by such person. Any person who permits such a cat to be at large outside of a building shall be subject to a fine of not less than \$50 nor more than \$500, and the cat shall be subject to being picked up by the animal control authority of the municipality. In order to recover said cat, the owner shall be required to pay a fee levied by said authority and must also have the cat vaccinated and licensed as provided for in this article.

Upon conviction, any person who violates this article shall be fined no less than \$50 or more than \$500 for each offense. Each day the violation continues shall constitute a separate and distinct offense.

§ 58-47. Costs to Maintain Cat.

An owner of a cat(s) who is unable or unwilling to provide care for an animal in their custody due to their arrest, eviction, hospitalization, or other circumstances outside of their control shall be required to pay all costs of sheltering, caring for, or treating any cat(s), including veterinary expenses, until that cat(s) is returned to its owner, forfeited, liberated, or disposed of. All costs are determined by the housing authority of such cat(s).

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect after final passage and publication in accordance with applicable law.

Rejected Approved

Jen Blumenstock, Mayor

Date

Reconsidered by Council _____

Override Vote Yes ___ No ___

DATE OF INTRODUCTION:

DATE OF ADOPTION:

RECORDED VOTE OF COUNCIL															
	Date:					Date:					Date:				
	First Reading/Introduction					Final Reading/Adoption					Tabled				
Council Members	M	S	Yay	Nay	N V	Ab	M	S	Yay	Nay	N V	Ab	M	S	Nay
K. Boto															
S. Foley															
V. Kearney															
M. Lazarow															
C. Padusniak															
C. Nolde															
<i>✓ - Indicates Vote NV: Not Voting/Abstain AB: Absent M: Motion S: Seconded</i>															

CERTIFICATION

I, Patricia Vazquez, Acting Borough Clerk of the Borough of Garwood, County of Union do hereby certify that the foregoing Ordinance was introduced at a Regular Meeting of the Borough of Garwood held on Tuesday, September 9, 2025, and thereafter duly advertised in the legal newspaper of the Borough of Garwood at least seven (7) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on Thursday, September 25, 2025, at which time any person interested therein will be given an opportunity to be heard.

Patricia Vazquez, Acting Borough Clerk

Notice is hereby given that the foregoing Ordinance 25-24 was finally adopted at a meeting of the Borough of Garwood held on Thursday, September 25, 2025 at 7:00 pm in the Borough Municipal Building, 403 South Avenue, Garwood, New Jersey 07027.

Patricia Vazquez, Acting Borough Clerk