

TOWN OF BOONTON
ORDINANCE 03-10

AN ORDINANCE OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING A PORTION OF CHAPTER 80, ANIMALS, SECTION 80-3, LICENSING, OF THE REVISED GENERAL ORDINANCES

BE IT ORDAINED by the Town of Boonton, in the County of Morris and State of New Jersey as follows:

SECTION 1. Chapter 80, Animals, Section 80-1, Definitions, of the Revised General Ordinances of the Town of Boonton is hereby amended and supplemented with the addition of the following definition:

§80-1 Definitions.

CURBING A DOG

Walking a dog on a leash in the public right-of-way which shall include sidewalks, public streets and any unrestricted areas.

SECTION 2. Chapter 80, Animals, Section 80-3, Licensing, of the Revised General Ordinances of the Town of Boonton is hereby amended with regards to subsection (F)(1) read as follows:

§80-3 Licensing.

F. Acts prohibited.

- (1) No person owning, keeping or harboring a dog shall permit, suffer or allow the dog to:
 - (a) Run-at-large within the limits of the Town.
 - (b) Be off the premises of such owner or person harboring the dog or upon a street, sidewalk or other public place in the Town, except that when restrained by a leash, the leash not to exceed six feet in length, and in the custody of some person capable of controlling the dog.
 - (c) Cause any injury to any person.
 - (d) Do any damage to any shrub, tree or other property in any street, park or other public place in the Town.
 - (e) Soil, defile, defecate on or commit any nuisance on any common driveway or thoroughfare, sidewalk, passageway, bypass, 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 of the property. ~~except under the following conditions:~~
 - ~~[1] The person who owns, harbors, keeps or is in charge of such dog shall immediately remove all feces deposited by such dog by any sanitary method approved by the local health department.~~
 - ~~[2] The feces removed from the aforementioned designated area shall be disposed of by the person owning, harboring, keeping or in charge of any dog curbed in accordance with the provision of this section, in a sanitary manner by placing the feces in a waterproof container, properly sealed, and placed in a garbage container, or disposed of in any other sanitary manner approved by the local health department.~~
 - (f) Habitually bark, howl or cry. The habitual barking, howling or crying of a dog in the Town is declared to be a disturbing noise within the meaning of N.J.S.A. 40:48-1, Subsection (8) and a nuisance.
 - (g) Be or become a public nuisance, or to create a condition hazardous to safety and health.

SECTION 3. Chapter 80, Animals, Section 80-3, Licensing, of the Revised General Ordinances of the Town of Boonton is hereby amended and supplemented with the addition of subsection (L), Curbing of dogs, read as follows:

§80-3 Licensing.

L. Curbing of dogs.

- (1) All dogs must be curbed by walking dogs from a sidewalk to, into the street. If there is no sidewalk, dogs must be walked in the street. Allowing dogs on private property is prohibited
- (2) The person who owns, harbors, keeps or is in charge of such dog shall immediately remove all feces deposited by such dog by any sanitary method approved by the local health department.
- (3) The feces removed from the aforementioned designated area shall be disposed of by the person owning, harboring, keeping or in charge of any dog curbed in accordance with the provision of this section, in a sanitary manner by placing the feces in a waterproof container, properly sealed, and place in a garbage container, or disposed of in any other sanitary manner approved by the local health department

SECTION 4. All ordinances of the Town of Boonton which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 6. This Ordinance may be renumbered for purposes of codification.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: March 15, 2010

Adopted: April 19, 2010

ATTEST:

MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF BOONTON

Cynthia A. Oravits, Town Clerk

By: _____
Cyril Wekilsky