

## ORDINANCE

### AN ORDINANCE OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING TOWNSHIP CODE CHAPTER 98, "ANIMALS," TO RESTRICT THE SALES OF DOGS AND CATS

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Township Council of the Township of Brick, County of Ocean, and State of New Jersey, as follows:

**SECTION 1.** The Township Code of the Township of Brick is hereby amended in Chapter 98 entitled "Animals," to amend Sections 98-69 and 98-70 in the manner set forth below (language with strike-outs is hereby deleted):

§ 98-69 Definitions. For purposes of this article, the following definitions shall be applicable:

#### **KENNEL**

Any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on.

#### **KENNEL OPERATOR**

A person who owns and/or operates a kennel.

#### **~~LEGALLY EXISTING NONCONFORMING USE~~**

~~Any pet store, pet store operator, kennel or kennel operator that displayed, sold, offered for sale, bred, or otherwise disposed of cats or dogs, or both, in the Township of Brick prior to the effective date of this article. A legally existing nonconforming use does not include any pet store, pet store operator, kennel or kennel operator whose license issued in accordance with Chapter 98, §98-10, is subsequently revoked.~~

#### **PET STORE**

A retail establishment open to the public and engaging in the business of selling cats or dogs, or both, at retail. Any person who sells, exchanges, or otherwise transfers only animals that were bred and reared on the premises owned by the person shall be considered a breeder and not a pet store.

#### **PET STORE OPERATOR**

A person who owns and/or operates a pet store.

#### § 98-70 Prohibited acts; exceptions.

No pet store, pet store operator, kennel or kennel operator shall sell, offer for sale, barter, auction, breed or otherwise improperly dispose of cats or dogs, or both, in the Township of Brick. ~~This section shall not apply to legally existing nonconforming uses or to the adoption of cats or dogs, or both.~~ Nothing contained herein shall prohibit a shelter, pound or other establishment from keeping, displaying, selling or otherwise transferring any cat or dog, or both, that has been seized, rescued or donated.

**SECTION 2.** The provisions of this ordinance shall become effective as of June 30, 2017.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Council of the Township of Brick held on the 11<sup>th</sup> day of April, 2017, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 25<sup>th</sup> day of April, 2017 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.



LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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JOHN G. DUCEY  
MAYOR