

ORDINANCE NO. 17-2017

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF HARRISON,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 79
ENTITLED "ANIMALS" OF THE CODE OF THE TOWNSHIP OF HARRISON TO INCLUDE A
NEW ARTICLE V ENTITLED "SALE OF DOGS AND CATS FROM PET SHOPS"**

WHEREAS, the Mayor and Committee, Township of Harrison, have determined that an amendment to Chapter 79 entitled "Animals" shall be amended to include a new Article V entitled "Sale of Dogs and Cats from Pet Shops" is necessary; and

WHEREAS, in all other respects Chapter 79 entitled "Animals" shall remain in full force and effect.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

A new Article V entitled "Sale of Dogs and Cats from Pet Shops" shall be added to read in its entirety as follows:

ARTICLE V
Sale of Dogs and Cats from Pet Shops

§79-37. Definitions.

Animal care facility means 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 or rescue organizations.

Animal rescue organization means any not-for-profit organization which has tax-exempt status under Section 501 (c)(3) of the United States Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.

Cat means a member of the species of domestic cat, *Felis catus*.

Dog means a member of the species of domestic dog, *Canis familiaris*.

Offer for sale means 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 means 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 herein.

Section 2.

§79-38. Restrictions on the Sale of Animals.

- (1) A pet shop may offer for sale only those dogs and cats that the pet shop has purchased or obtained from, or displays in cooperation with:

 - (a) An animal care facility; or
 - (b) An animal rescue organization.
- (2) A pet shop shall not offer for sale a dog or cat that is younger than eight (8) weeks old.

Section 3.

§79-39. Violations and Penalties.

Any person or persons, firm or corporation who shall violate any provision of this Article shall be subject to any of the following: a fine not exceeding \$1,250.00; imprisonment for a term not exceeding ninety (90) days; and/or a period of community service not exceeding ninety (90) days for each offense. Each such person or persons, firm or corporation shall be deemed guilty of a separate violation for each and every day during which such violation is continued.

Section 4.

Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of the Ordinance are hereby declared to be severable.

Section 5.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

TOWNSHIP OF HARRISON

**BY: _____
LOUIS F. MANZO, MAYOR**

ATTEST:

DIANE L. MALLOY, Clerk

NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, held on April 17, 2017. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township's Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062, in the Township, on May 1, 2017 at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at the Municipal Building, 114 Bridgeton Pike, in the Township, to the members of the general public who shall request the same.

DIANE L. MALLOY
Municipal Clerk