

**BOROUGH OF RARITAN  
BOARD OF HEALTH**

**ORDINANCE NO. BH: 2021-02-01**

**AN ORDINANCE OF THE BOARD OF HEALTH OF THE BOROUGH OF RARITAN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, ESTABLISHING PROCEDURES FOR THE LICENSURE AND INSPECTIONS OF PET SHOPS AND ANIMAL SHELTERS IN THE BOROUGH OF RARITAN.**

**1. DEFINITIONS.**

**The following words and phrases shall have the meanings respectively ascribed to them by this section.**

**ANIMAL RESCUE ORGANIZATION**

An individual or group or individuals who, with or without salary or compensation, house, and care for homeless animals in the home of an individual or in other facilities, with the intent of placing the animals in responsible, more permanent homes as soon as possible.

**ANIMAL RESCUE ORGANIZATION FACILITY**

The home or other facility in which an animal rescue organization houses and cares for an animal.

**CERTIFIED ANIMAL CONTROL OFFICER**

A person 18 years of age or older who has satisfactorily completed the course of study approved by the Commissioner of Health and Senior Services and the Police Training Commission; or who has been employed in the State of New Jersey in the capacity of, and with similar responsibilities to those required of, a certified animal control officer pursuant to the provisions of P.L. 1983, c.525 (1) for a period of three years before January 17, 1987.

**DOG**

Any dog, bitch or spayed bitch.

## **DOG OR LICENSING AGE**

Any dog which has attained the age of seven months, or which possesses a set of permanent teeth.

## **FOSTER HOME**

Placement of a cat or dog with an individual or group that is not an animal rescue organization for the purpose of temporarily caring for the cat or dog, without the individual assuming ownership and with the intent of the individual or group relinquishing the cat or dog to a suitable owner when one is located.

## **OWNER**

When applied to the proprietorship of a dog shall include every person having a right of property in that dog and every person who has that dog in his keeping, and when applied to the proprietorship of any other animal, including, but not limited to, a cat, shall include every person having a right of property in that animal and every person who has that animal in his keeping.

## **PET SHOP**

Any place of business which is not part of a kennel, wherein animals, including, but not limited to dogs, cats, birds, fish, reptiles, rabbits, hamsters, or gerbils, are kept, or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship rather than for business or research purpose.

## **SHELTER**

Any establishment where dogs or other animals are received housed and distributed.

## **STERILIZE**

To render an animal incapable of reproducing, by either spaying or neutering.  
(1) Note: See N.J.S. A. 4:19-15. 16a.

## **2. LICENSE REQUIRED**

Any person who keeps or operates or proposes to establish, a pet shop, a shelter shall apply to the clerk or other official designated to license dogs in the Borough of Raritan, for a license entitling him to keep or operate such establishment.

### **3. FORM OF APPLICATION**

The application shall describe the premises where the establishment is located or is proposed to locate the purposes for which it is to be maintained, and shall be accompanied by the written approval of the Borough of Raritan and/ or its Health authorities showing compliance with the local and State rules and regulations governing location of and sanitation at such establishments.

### **4. EXEMPTION FROM INDIVIDUAL LICENSES**

Any person holding a license shall not be required to secure individual licenses for dogs owned by a licensee and kept at the establishments; the licenses shall not be transferable to another owner or different premises.

### **5. LICENSE PERIOD: REVOCATION: HEARING.**

**A.** All licenses issued for a pet shop, shelter, shall state the purpose for which the establishment is maintained, and all licenses shall expire on the last day of December each year, and be subject to revocation by Raritan Borough on recommendation from its health authorities or Raritan Borough's Board of Health for failure to comply with the rules and regulations of the health authorities or local board governing the same, after the owner has been afforded a hearing by either the health authorities or local board.

**B.** The license for a pet shop shall be subject to review upon recommendation by the health authorities or Raritan Borough's Board of Health for failure by the pet shop to comply with the rules and regulations of the health authorities or the Raritan Borough's Board of Health governing pet shops or if the pet shop meets the criteria for recommended suspension or revocation, after the owner of the pet shop has been afforded a hearing.

**C.** The Borough of Raritan, based on the criteria for the recommendation of the Raritan Borough Board of Health authority provided in this section, may suspend the license for 90 days or may revoke the license if it is determined at the hearing that the pet shop:

- (1) Failed to maintain proper hygiene and exercise reasonable care in safeguarding the health of animals in its custody: or
- (2) Sold a substantial number of animals that the pet shop knew, or reasonably should have known, to be unfit for purchase.

### **6. LICENSE RESTRICTIONS**

The Borough of Raritan may issue a license for a pet shop that permits the pet shop to sell pet supplies for all types of animals, including cats and dogs, and sell

animals other than cats and dogs but restricts the pet shop from selling cats or dogs, or both.

**7. LICENSE FEES**

- A. The annual license fee for a pet shop shall be \$150.00
- C. No fee shall be charged for a shelter.

**8. PERMITTING DOGS TO GO OFF PREMISES**

No dog kept in a pet shop, or shelter shall be permitted off such premises, except on leash or in a crate or other safe control.

**9. EFFECTIVE DATE**

This Ordinance shall take effect immediately upon final publication after adoption as provided by law.

**INTRODUCTION: 03/10/2021**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Bongiovi				X
		Hoffmeister	X			
X		Dorey	X			
	X	Ivan	X			
		Machala	X			
		Mastice				X
		Nair	X			X

**PUBLICATION DATE: 03/17/2021**

**PUBLIC HEARING: 04/14/2021**

**ADOPTION: 04/14/2021**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Bongiovi				X
		Hoffmeister	X			
	X	Dorey	X			
X		Ivan	X			
		Machala	X			
		Mastice				X
		Nair				X

**PUBLICATION DATE: 04/21/2021**