

#2020-01

**ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN
AND STATE OF NEW JERSEY, AMENDING ORDINANCE NO. 2015-03, ENTITLED
“DOGS, GENERAL REGULATIONS”**

WHEREAS, the Borough of Audubon Park (“Borough”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, on April 6, 2015, the Governing Body adopted Ordinance No. 2015-03 which repealed and replaced Ordinance No. 2010-09 establishing licensing requirements and regulating the ownership and control of dogs within the Borough; and

WHEREAS, on November 6, 2017, the Governing Body adopted Ordinance No. 2017-06 which amended Section 1.4 of Ordinance No. 2015-03 which established certain licensing fees regarding the registration of dogs; and

WHEREAS, Section 3.4 of Ordinance No. 2015-03 established procedures concerning the hearing, declaration, and the requirements of the owner of potentially vicious and/or dangerous dogs; and

WHEREAS, Section 3.5 of Ordinance No. 2015-03 established duties of the owner of a potentially dangerous dog; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Borough by law;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Audubon Park, County of Camden, and State of New Jersey, as follows:

SECTION 1: Ordinance No. 2015-03, entitled “Dogs, General Regulations, Article III, entitled “Potentially Dangerous and/or Vicious Dogs, Section 3.4, entitled “Hearing; Declaration; Requirements of Owner” is hereby amended, revised and/or supplemented to read as follows:

3.4 Hearing; Declaration; Requirements of Owner

- A. [No Changes]
- B. [No Changes]
- C. In the event the Municipal Court declares such dog to be a vicious dog, and no appeal is made of this ruling, the Municipal Court may issue an order

(1) for the dog’s owner to comply with certain restrictions to protect the public that are at least as stringent as the requirements for potentially dangerous dogs pursuant to N.J.S.A. 4:19-24 and N.J.S.A. 4:19-28; or

(2) that the dog shall be destroyed in a humane and expedition manner.

D. [No Changes]

(1) [No Changes]

(2) [No Changes]

(3) [No Changes]

(4) [No Changes]

(5) [No Changes]

E. [No Changes]

F. [No Changes]

SECTION 2: Ordinance No. 2015-03, entitled “Dogs, General Regulations, Article III, entitled “Potentially Dangerous and/or Vicious Dogs, Section 3.5, entitled “Duties of owner of potentially dangerous dog” is hereby amended, revised and/or supplemented to read as follows:

A. [No Changes]

(1) comply with the order and schedule for compliance entered by the Municipal Court, but in no case more than 60 days subsequent to the date of determination;

(2) [No Changes]

(3) [No Changes]

(4) [No Changes]

(5) [No Changes]

(6) [No Changes]

B. [No Changes]

SECTION 3: Except as set forth in Sections 1 and 2 above, the balance of Ordinance No. 2015-03 shall not be affected by this Ordinance.

SECTION 4: All ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 5: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 6: This Ordinance shall take effect upon passage and publication according to law.

Attest:

BOROUGH OF AUDUBON PARK

Introduced: May 18, 2020

Adopted: _____, 2020

LAWRENCE E. PENNOCK, MAYOR

Certified to be a true copy of an Ordinance adopted by the Mayor and Borough Council of the Borough of Audubon Park at a regular meeting held on July 1, 2020.

DAWN M. PENNOCK, MUNICIPAL CLERK