

BOROUGH OF HELMETTA  
ORDINANCE NO. 2005 – 11

AN ORDINANCE AMENDING CHAPTER 31 (DOGS AND CATS) OF THE BOROUGH OF HELMETTA, MIDDLESEX COUNTY, NEW JERSEY.

BE IT ORDAINED, by the Mayor and the Borough Council of the Borough of Helmetta in the County of Middlesex and State of New Jersey, as follows:

Section 1. Section 31-1 (Definitions) of Chapter 31 (Dogs and Cats) is amended to add the following:

CAT – Any animal of the feline species, whether male or female. Reference to cats in the singular or plural shall be read to include both as the case may require.

FERAL CAT – A wild or stray cat that is not owned by an owner, as defined herein.

HARBOR – To provide food, shelter, health care or any other care to cats, whether on a regular or irregular basis, and whether the cats are vaccinated or housed.

IMMEDIATE – pet solid waste is removed at once, without delay.

OWN – When applied to the proprietorship of a cat, includes possessing cats by providing regular care by way of food, shelter and/or health care.

OWNER/KEEPER – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

PET – a domesticated animal, other than a disability assistance animal, kept for amusement or companionship.

PET SOLID WASTE – waste matter expelled from the bowels of the pet.

PROPER DISPOSAL – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the Borough or other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

PUBLIC NUISANCE – A cat shall be considered a “public nuisance” if it has no known owner or custodian; if it has no known place of care or shelter; if it trespasses upon or damages either private or public property; annoys or harms lawful users or occupants thereof; or causes a definable public health hazard, supported by medical and/or other documentation.

Section 2. Section 31-11 (General regulations) is amended as follows:

**Section 31-11. General regulations.**

No person shall own a dog, cat or pet in the Borough except in compliance with the following additional regulations, except that cats shall be exempted from Subsections B through E.

...  
F. Requirement for Disposal. All pet owners and keepers are required to immediately and properly dispose of their pet’s solid waste deposited on any property, public or private, not owned or possessed by that person; except that any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this subsection F while such animal is being used for that purpose.

G. Any person who owns or harbors any cat at any place within the Borough or who permits any cat to enter the corporate limits of the Borough shall exercise sufficient and proper care of and control over such animal at all times so as to prevent the same from becoming a public nuisance.

H. Any individual found feeding or in any way attracting or harboring cats and/or feral cat colonies without complying with the vaccination and other provisions of this Chapter shall be deemed in violation of this provision and will be responsible for any costs incurred by the Borough in the process of collecting and surrendering of said cats, as well as any fines or penalties provided in this Chapter.

I. Inasmuch as cats are generally considered to be domestic animals/pets, wildlife preserves such as cat colonies for feral cats may contribute to public health potential for rabies in the wildlife community and place residents at risk. No person shall place food intended or suitable for consumption by a cat in any location out of doors unless a licensed cat or dog is regularly kept, harbored or maintained on the premises where such food is placed, and if the person placing such food is not the owner or licensee of the cat or dog, then only if the owner or licensee of the same consents to such feeding. All such food shall be removed within two (2) hours, and in no event shall such food be allowed to remain out of doors more than thirty (30) minutes after sunset and before sunrise. The setting out of food or liquids, empty dishes and bowls by a person not the owner or licensee of a licensed cat or dog, or in violation of the time provisions stated above, shall operate as evidence of the establishment of feral cat colonies. Such evidence shall act as a presumption against the individual. Any individual harboring a feral cat colony will be in violation of this provision and will be responsible for any costs

incurred by the Borough in the process of collecting and surrendering of said cats, as well as any fines or penalties provided in this Chapter.

Section 3. If any part of parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

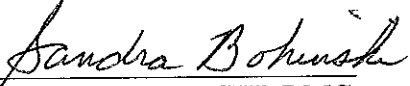
Section 4. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

Section 5. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

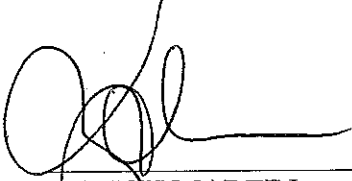
**NOTICE**

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2005 - 1<sup>1</sup> was introduced at a meeting of the Mayor and Council of the Borough of Helmetta in the County of Middlesex and State of New Jersey on the 14th day of September, 2005 and was then

read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall at 7:30 P.M. on the 28th day of September, 2005. At such time and place, or at any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said Ordinance.

  
SANDRA BOHINSKI, RMC  
Municipal Clerk

APPROVED:

  
NANCY MARTIN  
Mayor

First reading and introduction:  
Passed on First Reading: *September 14, 2005*  
Second Reading and Final Hearing:  
Approved: *September 28, 2005*