

# TOWNSHIP OF FAIRFIELD

## KENNEL/PET SHOP LICENSE APPLICATION

Fee: \$ 25.00 Five (5)/or MORE DOGS (*ANNUALLY*)  
\$100.00 ANNUAL LICENSE FEE FOR PET SHOP  
NO LICENSE FEE FOR SHELTER OR POUND

APPLICANT'S NAME: \_\_\_\_\_

ADDRESS OF LOCATION (OR)  
PROPOSED LOCATION \_\_\_\_\_

DESCRIPTION OF LOCATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE PURPOSE OF USE: \_\_\_\_\_

- **Kennel** shall mean any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop.
- **Pet Shop** shall mean any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein dogs for sale are kept or displayed
- **Pound** shall mean an establishment for the confinement of dogs seized either under the provisions of Section 5-4 of this chapter or otherwise
- No licensing provision of this section shall be construed to apply to any establishment wherein or whereon dogs are received or kept for diagnostic, medical, surgical or other treatments, owned by and operated under the immediate supervision of a graduate veterinarian licensed in the State of New Jersey. (Ord No. 95-11 2)
- No kennel, pet shop, shelter or pound shall be located established or maintained within the Township unless the person who keeps or operates or proposes to establish such kennel, pet shop, shelter or pound shall obtain a license therefore.
- Application must be accompanied by the written approval of the Zoning Officer and Health Officer of the Township, showing compliance with the State laws, ordinance of the Township and rules and regulations thereunder governing location of and sanitation at such establishments.
- All licenses under this section for a kennel, pet shop, shelter or pound shall state the purpose for which the establishment is maintained and shall not be transferable to another owner or different premises. Such license shall expire on the last day of June of each year.
- All such licenses shall be subject to revocation by the Health Officer on recommendation of the State Department or as a result of an unsatisfactory Township Health Department inspection for any failure to comply with the rules and regulations of the Department of Health or of the Township Department of Health governing the same, after the licensee has been afforded a hearing by either the State or Township Department of Health. (Ord. No. 95-11 § 5)

- No dog kept in a kennel, pet shop, shelter or pound shall be permitted off such premises except on a leash or in a crate or other safe control (Ord. No. 95-11§ 7)
- Any person to whom a license is issued under this section shall cause the same to be exhibited in a conspicuous place on the licensed premises. The license shall apply only to the person and to the particular place to whom and for which the same is granted and shall not be transferable. (Ord. No. 95-11 § 9)
- The Board of Health or its representatives shall at all times have right of reasonable inspection over the premises licenses as herein provided, and in case the licensee, his agents or servants at any time refuse admission to the Board of Health or its representative to the premises for the purpose of making an inspection thereof, the Health Officer may revoke such license, whereupon the right of the person so licensed to conduct and operate such kennel or pound shall immediately cease and terminate. (Ord. No. 95-11§10)
- Upon investigation by the Fairfield Health Department representatives as herein provided, the Health Officer may, if in his/her judgment to the public welfare so requires, order and direct such licensee to alter the premises to conform to such reasonable regulations as the Health Officer may prescribe, and upon the refusal of such licensee to comply with such regulations, such license may be revoked and the right of such licensee to conduct such kennel or pound shall thereupon cease and terminate. (Ord. No. 95-11 § 11)
- No new kennel license shall be granted or issued until such time as the number of kennel licenses issued and outstanding at any one (1) time shall not exceed three (3). In the event that the number of kennel licenses issued and outstanding at any one (1) time shall be fewer than three (3), only such number of additional kennel licenses may be issued as will cause the total number of kennel licenses issued and outstanding at any one (1) time to equal three (3) or fewer. (Ord. No. 95-11 § 12)
- No new kennel license shall be issued for any kennel on premises at which dogs are kept, harbored, maintained, exhibited or displayed, which premises are less than four hundred (400) feet from any residential district; provided, however, that the provisions of this subsection shall not prevent the issuance of renewals of kennel licenses on the effective date of this ordinance.
- No kennel license shall be issued or renewed by the Township unless the premises wherein the dog or dogs are to be kept, harbored, maintained, exhibited or displayed comply with all the requirements of the rules and regulations of the State Board of Health and unless in the judgement of the Fairfield Board of Health, the premises are so located and constructed that dogs can be kept, raised or maintained in a sanitary manner without creating a nuisance and without disturbing the public peace and welfare. (Ord. No. 95-11 § 13)
- Any person who violates or fails or refuses to comply with these regulations and the rules and regulations promulgated by the State Department of Health pursuant to the provisions of N.J.S.A. 4:19-15.14, as amended and supplemented, shall be liable to a penalty of not less than five (\$5.00) dollars nor more than fifty (\$50.00) dollars for each offense, to be recovered by and in the name of the Township. (Ord. No. 95-11 § 14)

APPLICANT SIGNATURE \_\_\_\_\_

DATE: \_\_\_\_\_

Introduced August 28, 1995  
Adopted September 25, 1995

ORDINANCE #95-11

AN ORDINANCE PROVIDING FOR THE  
LICENSING OF KENNELS, PET SHOPS,  
SHELTERS AND POUNDS

WHEREAS, the Mayor and Council of the Township of Fairfield have determined it to be in the best interest of the Town to provide for licensing of kennels, pet shops, shelters and pounds, and

WHEREAS, the Health Officer of the Township of Fairfield has recommended the adoption of such ordinance in conformance with N.J.S.A. 4:19-15.1 et seq.,

NOW, THEREFORE, be it ordained by the Mayor and Council of the Township of Fairfield as follows:

1. Definition.

As used in this Article, the following terms shall have the meanings indicated:

KENNEL - Any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop.

PET SHOP - Any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein dogs for sale are kept or displayed.

POUND - An establishment for the confinement of dogs seized either under the provisions of Article I of this or otherwise.

SHELTER - Any establishment where dogs are received, housed and distributed without charge.

2. Veterinarian's establishment exempt from licensing requirements.

No licensing provision of this chapter shall be construed to apply to any establishment wherein or whereon dogs are received or kept for diagnostic, medical, surgical or other treatments, owned by and operated under the immediate supervision of a graduate veterinarian licensed in the State of New Jersey.

3. Licenses required; exemption for individual dogs.

A. No kennel, pet shop, shelter or pound shall be located, established or maintained within the Township unless the person who keeps or operates or

proposes to establish such kennel, pet shop, shelter or pound shall obtain a license therefor. Application for the license shall be made to the Township Clerk on forms supplied by the Township Clerk.

- B. Any person holding a license issued under Subsection A of this section shall not be required to procure individual licenses for dogs owned by said licensee and kept at such establishment.

4. Application for license.

The application for a license under this Article shall describe the premises where the establishment is located or is proposed to be located and the purpose or purposes for which it is to be maintained and shall be accompanied by the written approval of the Zoning Officer and Health Officer of the Township, showing compliance with the state laws, ordinance of the Township and rules and regulations thereunder governing location of and sanitation at such establishments.

5. Contents of license; expiration; revocation.

- A. All licenses issued under this Article for a kennel, pet shop, shelter or pound shall state the purpose for which the establishment is maintained and shall not be transferable to another owner or different premises. Such licenses shall expire on the last day of June of each year.
- B. All such licenses shall be subject to revocation by the Health Officer on recommendation of the State Department or as a result of an unsatisfactory Township Health Department inspection for any failure to comply with the rules and regulations of the State Department of Health or of the Township Department of Health governing the same, after the licensee has been afforded a hearing by either the State or Township Department of Health.

6. License Fees

- A. The annual license fee for a kennel providing accommodations for five (5) or more dogs shall be \$25.00.
- B. The annual license fee for a pet shop shall be \$100.00.
- C. No license fee shall be charged for a shelter or pound.

7. Control of dogs off premises

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

8. Information to State Department of Health

The Township Clerk shall forward to the State Department of Health a list of all kennels, pet shops, shelters or pounds licensed by the Township within thirty (30) days after the licenses therefor are issued, which list shall include the name and address of the licensee and the kind of license issued.

9. Posting of license; applicability; license nontransferable

Any person to whom a license is issued under this Article shall cause the same to be exhibited in a conspicuous place on the licensed premises. The license shall apply only to the person and to the particular place to whom and for which the same is granted and shall not be transferable.

10. Right of entry

The Board of Health or its representatives shall at all times have the right of reasonable inspection over the premises licensed as herein provided, and in case the licensee, his agents or servants at any time refuse admission to the Board of Health or its representatives to said premises for the purpose of making an inspection thereof, the health Officer may revoke such license, whereupon the right of the person so licensed to conduct and operate such kennel or pound shall immediately cease and terminate.

11. Compliance with orders; revocation of license

Upon investigation by the Fairfield Health Department representatives as herein provided, the Health Officer may, if in his/her judgement the public welfare so requires, order and direct such licensee to alter said premises to conform to such reasonable regulations as the Health Officer may prescribe, and upon the refusal of such licensee to comply with such regulations, such license may be revoked and the right of such licensee to conduct such kennel or pound shall thereupon cease and terminate.

12. Number of kennel licenses limited.

No new kennel license shall be granted or issued until

such time as the number of kennel licenses issued and outstanding at any one (1) time shall not exceed three (3). In the event that the number of kennel licenses issued and outstanding at any one time shall be fewer than three (3), only such number of additional kennel licenses may be issued as will cause the total number of kennel licenses issued and outstanding at any one (1) time to equal three (3) time to equal three (3) or fewer.

13. Kennel location and sanitary requirements.

A. No new kennel license shall be issued for any kennel on premises at which dogs are to be kept, harbored, maintained, exhibited or displayed, which premises are less than four hundred (400) feet from any residential district; provided, however, that the provisions of this subsection shall not prevent the issuance of renewals of kennel licenses to persons holding such licenses on the effective date of this ordinance.

B. No kennel license shall be issued or renewed by the Township of Fairfield unless the premises wherein the dog or dogs are to be kept, harbored, maintained, exhibited or displayed comply with all the requirements of the rules and regulations of the State Board of Health and unless in the judgment of the Fairfield Board of Health, said premises are so located and constructed that dogs can be kept, raised or maintained in a sanitary manner without creating a nuisance and without disturbing the public peace and welfare.

14. Violation and penalties.

Any person who violates or fails or refuses to comply with these regulations and the rules and regulations promulgated by the State Department of Health pursuant to the provisions of N.J.S.A.4:19-15.14, as amended and supplemented, shall be liable to a penalty of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense, to be recovered by and in the name of the Township.

15. This ordinance shall take effect immediately upon its passage and publication according to law.

Muriel M. Shore  
Muriel M. Shore, Mayor

Attest:

Joseph Catenaro  
Joseph Catenaro, Municipal Clerk

NOTICE

"NOTICE is hereby given that the foregoing Ordinance was introduced and passed upon First Reading at a Meeting of the Mayor and Council of the Township of Fairfield on August 28, 1995. Said Ordinance shall have a Second Reading and Public Hearing and be considered for final adoption at a Meeting of said Governing Body to be held on September 25, 1995 starting at 7 p.m. in the Township Municipal Building, 230 Fairfield Rd., Fairfield, N.J.

Patricia E. Fahy  
Deputy Municipal Clerk"