

O: 2013-04

**ORDINANCE OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
AMENDING CHAPTER 172, ANIMALS, OF THE CODE OF  
THE TOWN OF PHILLIPSBURG**

**BE IT ORDAINED** by the Town Council of the Town of Phillipsburg, County of Warren and State of New Jersey, that Chapter 172, Animals, of the Code of the Town of Phillipsburg shall be amended as follows:

**Section 1**

Section 172-1 *Permits Required* is hereby amended to replace “Board of Health” with “Zoning Officer or Animal Control Officer”.

Section 172-2 – *Application of a Permit* is hereby amended to replace “Board of Health” with “Zoning Officer or Animal Control Officer”.

Section 172-3 – *Fee; Transfer of Realty of Permit; Expiration of Permit* is hereby deleted in its entirety and replaced as follows:

A license fee of \$50.00 shall be paid for each permit issued. Such permit shall not be transferable. And each such permit shall expire on December 31 of each year unless sooner revoked by the Zoning Officer or Animal Control Officer.

Section 172-8 – *Land Required* is hereby deleted in its entirety and replaced as follows:

Crowing roosters, cattle, goats or swine shall only be kept upon a farm or tract of land containing at least 3 acres; and, upon parcels of land less than 3 acres, no more than 5 fowl, or 2 other animals, except cats or dogs, shall be kept by any one applicant at any one location. Crowing roosters are expressly prohibited upon parcels of land less than 3 acres.

Section 172-10 – *Manure* is hereby amended to replace “Health Officer” or “Board of Health” with Zoning Officer or ACO.

Section 172-11 – *Revocation or Extension of Permit* is amended to replace “Board of Health” with “Town Council”.

Section 172-12.1 – *Enforcement* is hereby created to read as follows:

In addition to the Town Zoning Officer and Animal Control Officer, the Town Inspections Department shall have the authority and jurisdiction to enforce violations of this Chapter.

Section 172-20 – *Kennels, Pet Shops, Shelters and Pounds; Licensing* is hereby amended as follows:

- (b) Is amended to replace “Health Officer of the Board of Health” with “Zoning Officer or Animal Control Officer”;
- (c) Is amended to replace “Department of Health” with “Zoning Officer or Animal Control Officer”;

Section 172-25, *Canvassing* is hereby amended to delete “Board of Health”.

Section 172-27 – *Duties of Animal Control Officer; Impounding and Dispossession of Dogs* is hereby amended as follows:

- (d)(2) Is amended to increase the cost to \$25.00 per day;
- (f) Is amended to replace “Local Board of Health” with “Town”;

Section 172-34, *Dogs, Nuisances* is hereby amended as follows:

- (c) Is amended to replace from the last sentence the following:  
“Board of Health” with “Animal Control Officer”.

## **Section 2 - Severability**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

## **Section 3 - Repealer**

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

## **Section 4 - Effective Date**

This Ordinance shall take effect as required by law.

**ATTEST:**

**TOWN OF PHILLIPSBURG**

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VICTORIA L. KLEINER,  
Acting Municipal Clerk

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HARRY L. WYANT  
Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Acting Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their February 19, 2013, 2013 meeting.

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VICTORIA L. KLEINER,  
Acting Municipal Clerk