

O: 2014-14

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY
AMENDING CHAPTER 422 OF THE CODE OF THE
TOWN OF PHILLIPSBURG ENTITLED *PARKS* TO
AMEND SECTION 422-17, *ANIMALS PROHIBITED*, AND
TO ADD A NEW SECTION 422-17.1 ENTITLED
*DELAWARE RIVER PARK RULES AND REGULATIONS***

BE IT ORDAINED by the Town Council of the Town of Phillipsburg as follows:

Section A

Section 422-17(A) of the Code of the Town of Phillipsburg is hereby amended by deleting §422-17(A) in its entirety and replacing in its place and stead the following:

§422-17(A). No person shall cause or permit any animal owned by, in the custody of or under the control of that individual to be in any park, playground, recreation areas or other Town-owned property, whether on a leash or otherwise; provided however, that the provisions of this section shall not apply to dogs in the Delaware River Park provided that said dogs are being controlled and handled in accordance with the provisions governing the Delaware River Park set forth in 422-17.1, et seq..

Chapter 422, *Parks*, is hereby amended by adding a new Chapter 422-17.1 entitled Delaware River Park Rules and Regulations as follows”

§422-17.1 Delaware River Park Rules and Regulations.

A. The provisions of this §422-17.1 shall govern and control the presence of dogs in the Delaware River Park.

B. Rules and Regulations.

1. Dogs are permitted in the Delaware River Park between the hours of 8:00a.m. to sunset.
2. All dogs must display a valid dog license as well as a Phillipsburg Dog Park pass, which pass can be obtained from the Office of the Town Clerk. Passes are non-transferable. In order to obtain a pass, the dog must hold current vaccinations and be validly registered within the Town where the owner resides. The cost of the application is ten dollars (\$10) for Town residents and twenty dollars (\$20) for all non-Town residents, per annum. The applicant must also execute a Release of Liability form available from the Office of the Town Clerk.
3. There is a limit of two (2) dogs per adult in the park. All dogs must be accompanied by an adult eighteen (18) years or older. All children must

be accompanied by an adult and no children under the age of ten (10) are permitted in the gated area. Owners or handlers are responsible for the actions of their dogs.

4. All dogs must be kept leashed unless inside the gated area. There is a limit of ten (10) dogs inside the gated area reserved for large dogs and a limit of five (5) dogs inside the gated area reserved for small dogs (defined as dogs weighing 25 pounds or less). No dogs weighing more than 25 pounds are permitted in the gated area reserved for small dogs.
5. No puppies under the age of four (4) months are permitted in the park.
6. No spiked, pronged or choke collars are permitted and the owner or handlers must remove the dog from the park at the first sign of aggression.
7. Dogs in heat are not permitted in the park.
8. Rawhide or other dog food products are prohibited inside the gated area.
9. Food and beverages for human consumption is prohibited inside the gated area.
10. Owners or handlers are required to clean up after and properly dispose of their dog's waste.
11. Smoking is prohibited in the park and the park may be closed at any time without prior notice at the discretion of the Town.

Section B

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section C.

If any section, subsection, paragraph, phrase or sentence of this ordinance is, for any reason, declared to be unconstitutional or invalid, such section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section D.

This ordinance shall take effect immediately upon final publication as provided by law.

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 of the Town of Phillipsburg at their May 20, 2014 Meeting.

Victoria L. Kleiner, Acting Municipal Clerk

FIRST READING (May 20, 2014)

MOTION

Councilman Stettner introduced ordinance for first reading and moved that the ordinance be properly advertised. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Tersigni, Fey, Lynn, Piazza, Stettner

NAYS: None

SECOND READING (June 3, 2014)

MOTION

Councilman Stettner introduced ordinance for second reading and there being no errors, corrections or objections, Councilman Stettner moved that the ordinance be adopted according to law. The motion was seconded by Councilman Fey.

VOTE: YEAS: Tersigni, Fey, Lynn, Piazza, Stettner

NAYS: None