

ORDINANCE 2026-010

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, “CODE OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)” IN CHAPTER 6, WHICH PERTAINS TO ANIMALS

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend the regulations relating to animals in Chapter 6 of the Borough Code.

SECTION I

§6-1 through §6-3.2 are repealed and replaced as follows.

§6-1 DEFINITIONS.

As used in this Chapter, the following terms shall have the meanings indicated.

ANIMAL CONTROL AGENCY

Any agency or person, including an Animal Control Officer, authorized by law to implement animal control laws and provide animal care and control on behalf of the Borough.

ANIMAL WELFARE ORGANIZATION

Any charitable organization whose purpose includes the promotion of animal welfare and that has been granted 501(c)(3) nonprofit status by the Internal Revenue Service.

CARETAKER

Any person who regularly provides food and water to a feral cat colony.

EARTIP or EAR-MARKED

A method of identifying a feral or stray cat by a notched or tipped left ear as performed by a licensed veterinarian.

FERAL CAT

A cat that is not socialized to humans and is not an owned cat.

FERAL CAT COLONY

A group of feral or stray cats that congregate, more or less, together as a unit and share a common food source.

FOSTER HOME

A household in which a cat or kitten is temporarily placed for the purpose of providing indoor shelter, care and, if necessary, socialization before permanent placement in an adoptive home.

FOWL

Any chicken, hen, turkey, goose, duck, emu, ostrich, or any other fowl or poultry customarily found on a farm, and pigeons.

LIVESTOCK

Any animal customarily found on a farm or typically raised for use and sale, including, but not limited to swine, pigs, hogs, sheep, bull, cow, calf, heifer, llama, goat, horse, or pony.

NUISANCE

Conduct by any animal that disturbs the peace, including habitually or continually howling, barking, crowing, or making loud noises, or habitually and significantly destroying property.

OWNED CAT

A cat that is a companion to a person, is regularly fed and sheltered in the same person's habitation, and carries visible indicia of ownership, such as a collar or tag.

SHELTER

A structure that provides feral and stray cats with protection from cold, rain, and other weather-related elements.

SPONSOR

Any Animal Welfare Organization that agrees to comply with the requirements of sponsorship set forth in this Chapter.

STRAY CAT

A cat that is socialized to humans and is not an owned cat.

TNR

The method of managing feral and stray cats known as "trap-neuter-return."

TNR PROGRAM

A program pursuant to which feral and stray cats are trapped, sterilized, vaccinated against rabies, ear tipped, returned to the location where they were captured, and provided with long-term care by a Caretaker in accordance with this Chapter.

§6-2 DOGS.

§6-2.1 General Regulations; Control of Dogs.

- a. Running at large. No person owning, keeping, or harboring any dog shall suffer or permit it to run at large upon the public streets, in any other public park, in any public building, or in any other public place within the borough.
- b. Dogs on beach. No person owning, keeping or harboring any dog shall permit it on leash, or otherwise, to run upon the beach bordering the Atlantic Ocean between May 30 and September 15.
- c. Nuisance. Persons who own, harbor, walk, or control a dog that creates a nuisance shall be in violation of this Chapter.
- d. Defecation on Property of Others or Public Property. No person owning, harboring, keeping, walking, or in charge of any dog shall cause, permit, or allow such dog to soil, defile, defecate on, or commit any nuisance on any common thoroughfare, street, sidewalk, passageway, road, play area, park, or any place where people congregate or walk, or upon any beaches or beach fronts, or upon any private property without the permission of the owner of the private property.
 1. It shall be a complete defense to violations of paragraph d of this subsection that a person shall have immediately removed such defecation and disposed of it in a sanitary manner.
 2. Disposition in a sanitary manner shall include taking the feces home for disposition or wrapping the feces in a waterproof wrapping and placing it in the dog owner's home trash can or a municipal can. It shall not include burial of the feces or placement of the feces in a storm sewer.
 3. No persons shall permit the accumulation of animal feces upon his property or

property occupied by him to the extent that the odor may be noticeable to any adjoining property owner.

§6-2.2 Animal Control Officer Appointed.

- a. The Board of Commissioners shall have power to appoint an agency or one or more persons to be the Animal Control Officer who may seize and impound dogs running at large in violation of the provisions of this Chapter.
- b. No person shall hinder, molest or interfere with anyone authorized to perform any duty under this Chapter, and anyone so authorized may go on any premises in pursuit of any dog running at large, except upon the premises of the owner of a dog if the owner is present and forbids same.

§6-2.3 Dog Licensing.

- a. All dogs kept or maintained by their owners in the Borough shall be licensed and registered if over seven months of age.
- b. Dog licenses shall be issued by the Municipal Clerk in accordance with State statutes and upon payment of the following fees for each dog:

Municipal License Fee	\$6.80
NJ Registration Fee	\$1
NJ Pilot Clinic Fund	\$0.20
NJ Pet Population Control	\$3 (non-spayed/non-neutered only)

§6-2.4 Expiration of License.

The license and registration tag provided for in Subsection 3 hereof expires on December 31 in each year. The fee for the renewals thereof shall be the same as for the original license and tag.

§6-2.5 Newly Acquired Dogs.

Any person who shall bring or cause to be brought into the Borough any unlicensed dog and shall keep the same or permit the same to be kept within the Borough for a period of more than ten days shall immediately apply for a license and registration tag for each such dog in accordance with Subsection 3 hereof.

§6-2.6 Seeing-Eye Dogs; Exception.

The provisions of this Chapter shall not apply to “seeing-eye” dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place. Notwithstanding the foregoing, Section 6-2.1a shall apply to “seeing-eye” dogs.

§6-6 Violation; Penalty.

- a. For violation of any provision of this Chapter, the penalty upon conviction, shall be a fine of \$50 for each and every subsequent violation. In the event is convicted of more than two violations of this Chapter in a twelve-month period, the fine shall be \$250.
- b. Except as otherwise provided, every day in which a violation of any provision of this Chapter exists shall constitute a separate violation.

SECTION II

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

SECTION III

If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

Effective date.

This ordinance shall take effect after final adoption and publication as required by law.

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, held on Monday, March 16, 2026, at 4:30p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Monday, March 16, 2026, at 4:30 p.m. at the Borough Hall, 7606 Long Beach Blvd., Harvey Cedars, NJ 08008, at which time and place any person desiring to be heard will be given an opportunity to be so heard.

Christine Lisiewski, RMC
Municipal Clerk

CERTIFICATION

I, CHRISTINE LISIEWSKI, RMC, Municipal Clerk for the Borough of Harvey Cedars do hereby certify that the foregoing Ordinance 2026-010 was duly adopted by the Board of Commissioners at their meeting held on Monday, March 16, 2026, at 4:30 p.m.

Christine Lisiewski, RMC
Municipal Clerk

First Reading: March 16, 2026
Publication:
Second Reading: April 20, 2026
Final Publication:
Effective: