

**TOWNSHIP OF LEBANON  
COUNTY OF HUNTERDON**

**ORDINANCE NO. 2017-03**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 125, ARTICLE II CONCERNING THE LICENSING OF KENNELS OF THE  
CODE OF THE TOWNSHIP OF LEBANON**

**WHEREAS**, N.J.A.C. 8:23A-1.1 *et seq.* sets forth certain sanitation and operational requirements for kennels, pet shops, animal shelters, and pounds; and

**WHEREAS**, the Township of Lebanon issues licenses for kennels and requires inspections be conducted by the Hunterdon County Board of Health to ensure compliance with N.J.A.C. 8:23A-1.1 *et seq.*; and

**WHEREAS**, the Township of Lebanon does not require pet shops, animal shelters, or pounds to be licensed; and

**WHEREAS**, by memo dated April 12, 2017, the County Board of Health has requested that the Township review its licensing ordinance for compliance with N.J.A.C. 8:23A-1.1 *et seq.* and advises that it will be inspecting such facilities in June and July of each year;

**WHEREAS**, in order to ensure consistency with applicable law and the above-referenced memo, the Township Committee has determined that it is in the best interest of the Township to amend Section 125-9 of the Township's ordinances.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Township Committee of the Township of Lebanon, in the County of Hunterdon and State of New Jersey, that the following provisions of the Code of the Township of Lebanon are amended as follows:

**SECTION 1.** Chapter 125, Article II of the Code of the Township of Lebanon entitled "Kennels" is hereby deleted in its entirety and replaced with the following:

Article II: Kennels, Pet Shops, Animal Shelters, and Pounds

§125-9 Application for license; fee; safe control required"

A. DEFINITIONS

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. This definition shall not include

persons or entities breeding dogs for show, breeding dogs to be kept as pets, or breeding dogs to give away without charge.

#### PET SHOP

Any person engaged in the ordinary course of business in the sale of dogs for profit.

#### POUND

An establishment for the confinement of dogs seized either under the provisions of this article or otherwise.

#### SHELTER

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

B. Any person who keeps or operates or proposes to establish a kennel, pet shop, shelter or pound shall apply to the official of the Township of Lebanon designated to license dogs in the Township for a license entitling him/her to keep or operate such establishment.

C. The application shall describe the premises where the establishment is to be located or 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 Hunterdon County Board of Health, showing compliance with the local and state rules and regulations governing the locale and sanitation of such establishment.

D. The annual license fees for kennels and pet shops shall be as established in Chapter 205, Article II, Fee Schedule. No fee shall be charged for a shelter or pound. Said license shall expire on the 31st day of July of each year and shall be subject to revocation by the Township on recommendations of the Hunterdon County Board of Health for failing to comply with the applicable local and state rules and regulations governing the locale and sanitation of such establishment.

E. Prior to the issuance of a license under this Section or a final Certificate of Occupancy for a new kennel, pet shop, shelter, or pound, the Hunterdon County Board of Health must conduct a pre-operational inspection and issue written approval showing compliance with the local and state rules and regulations governing the locale and sanitation of such establishment.

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

**SECTION 2.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 4.** This Ordinance shall take effect upon final passage and publication according to law.

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Marc Laul, Mayor

ATTEST:

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Karen J. Sandorse, RMC/CMC/CMR  
Township Clerk

Date of Introduction and First Reading:

Date of Second Reading and final adoption:

I certify that the foregoing Ordinance is a true and accurate copy of an Ordinance adopted by the Lebanon Township Committee on \_\_\_\_\_, 2017.

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Karen J. Sandorse, RMC/CMC/CMR  
Township Clerk