

City Clerk File No. Ord. 16.167

Agenda No. 3.C 1st Reading

Agenda No. 4.C 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.167

TITLE: **ORDINANCE AMENDING CHAPTER 90 (ANIMALS) ARTICLE III (DOGS)
OF THE JERSEY CITY CODE TO BAN DOGS IN CERTAIN PARKS**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

- A. The following amendments to Chapter 90 (Animals), Article III (Dogs) are hereby adopted.

ARTICLE III Dogs

§90-12. Definitions.

As used herein, the following terms shall have meanings indicated:

AT LARGE- Off the premises of the owner and not under the control of the owner, or the owner's agent or servant, by leash.

DANGEROUS DOG - Any dog:

- A. Which, unprovoked, chases or approaches a person or a domestic animal in a threatening manner;
- B. Which has propensity to attack or cause injury unprovoked or threaten humans or domestic animals;
- C. Which possesses physical characteristics when unprovoked will inflict harm or create a reasonable apprehension of such harm in a person;
- D. Which is owned or kept primarily or in part for the purpose of dog fighting or is trained for dog fighting; or
- E. Not licensed according to law.

DOG- Any dog, bitch or spayed bitch.

DOG OF LICENSING AGE- Any dog which has attained the age of seven months or which possesses a set of permanent teeth.

SERVICE DOG - Any guide dog, signal dog, or other dog individually trained to do work or perform tasks for the benefit of a person with a disability, including but not limited to guiding people with impaired vision, alerting people with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or retrieving dropped items, that qualifies for access to public accommodations under State or Federal law.

**ORDINANCE AMENDING CHAPTER 90 (ANIMALS) ARTICLE III (DOGS)
OF THE JERSEY CITY CODE TO BAN DOGS IN CERTAIN PARKS**

SERVICE DOG TRAINER - Any person who is employed by an organization generally recognized as reputable and competent to provide service dog training, and who is actually involved in the training process.

OWNER - Every person having a right of property in a dog and every person who has such in his or her keeping.

PARK - Any property dedicated for recreational use by the public that also appears on the City's Recreation and Open Space Inventory under Chapter 239-18C.

PROPER ENCLOSURE OF A VICIOUS OR DANGEROUS DOG - While on the owner's property, a vicious or dangerous dog shall be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping from the enclosure. Such pen or structure shall have secure sides and a secure top and shall also provide protection from the elements for the dog.

PUBLIC PLACE - Includes every sidewalk, gutter, street, park or any other place within the city which is accessible to the general public.

VICIOUS DOG - Any dog which, unprovoked, bites or causes physical injury to a human or a domestic animal.

§90-12.1 Prohibition against Dogs in Certain Parks.

All dogs, whether leashed or unleashed, shall be strictly prohibited from the following Parks:

- a) First Street Park; and
- b) Paulus Hook Park

Only a Service Dog accompanied by its owner or a Service Dog Trainer shall be permitted in First Street Park or Paulus Hook Park and be exempt from the within prohibition. The restriction does not apply to dogs on leashes on public sidewalks.

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: New material is underlined; deleted matter in {brackets}.
For purposes of advertising only, new matter is indicated by **boldface**
and repealed matter by *italic*.

JM/he
10/13/16

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 16.167
TITLE: 3.C OCT 26, 2016 4.C **NOV 09 2016**

Ordinance amending Chapter 90 (Animals) Article III (Dogs)
of the Jersey City Code to ban dogs in certain parks. (Allows
service dogs in parks)

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 26 2016 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING NOV 09 2016 9-0											
Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALZER
JASON BURG

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY NOV 09 2016											
Councilperson <u>OSBORNE</u> moved to amend* Ordinance, seconded by Councilperson <u>RIVERA</u> & adopted 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF FINAL COUNCIL VOTE NOV 09 2016 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **OCT 26 2016**
NOV 09 2016
Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on **NOV 09 2016**

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):
Sect. 16.167 The restriction does not apply to dogs on leashes on public sidewalks.

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date **NOV 09 2016**

APPROVED:

Steven M. Fulon, Mayor

Date **NOV 10 2016**
Date to Mayor **NOV 10 2016**