

TOWNSHIP OF WATERFORD

ORDINANCE NO. 2021- 7

ORDINANCE OF THE TOWNSHIP OF WATERFORD AMENDING CHAPTER 94 OF THE TOWNSHIP CODE CAPTIONED “ANIMALS”

WHEREAS, the Township of Waterford previously adopted Ordinance 2019-5 to Amend Chapter 94 of the Township Code captioned “Animals” to include a new Article VII captioned “Management of Cat Colonies”; and

WHEREAS, upon further review of that Ordinance it has been determined that certain Amendments should be made to more humanely address the issue.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Waterford, County of Camden, State of New Jersey, as follows:

Section 1: Chapter 94 of the Township Code captioned “Animals” Article VII captioned “Management of Cat Colonies” shall be amended with a revised Article VII captioned “Management of Cat Colonies” as follows:

94 – 53 Definitions:

Community Cat

Any free roaming feral cat that may be cared for by one or more residents of the immediate areas and which has no discernible form of ownership identification.

Community Cat Caregiver

A person who may provide care including food, water, shelter or medical care to a community cat. A community cat caregiver shall be considered to be the owner, custodian, harbinger, controller or keeper of a community cat.

Community Cat Colony

A group of cats that congregate, more or less, together as a unit.

Domesticated Cat

A cat that is socialized to humans and is appropriate as a companion for humans.

Ear tipping

The removal of the ¼ inch tip of a community cat's left ear, performed while the cat is under anesthesia by a licensed veterinarian and designed to be an indication that the community cat has been sterilized and vaccinated for rabies.

Feral Cat

A cat that:

- a. Is born in the wild or is the offspring of an owned or feral cat and is not socialized; or
- b. Is a formerly owned cat that has been abandoned and is no longer socialized
- c. Any non-feral cat that congregates with a colony shall be deemed to be a part of the colony

Nuisance

Disturbing of the peace by a) habitually or continually howling, crying or screaming, or b) the habitual and significant destruction, desecration or soiling of property against the wishes of the owner of the property

TNR

Trap, neuter, return

TNR Program

A program pursuant to which feral and stray cats are trapped, neutered or spayed, vaccinated against rabies and returned to the location where they congregate

94-54. Purpose and Implementation

- A. Purpose: to permit implementation of a Community Cat Program (CCP) in Waterford Township, New Jersey for the purpose of reducing the population of feral and free roaming cats, benefitting public health, improving the quality of life for residents and ensuring the humane treatment of community cats.
- B. Implementation: The Township's Animal Control contractor (Animal Services), Police Department or other representative as designated by the Township shall administer and implement the programs set forth in this chapter in accordance with applicable guidelines and standards as set forth in the state and local statutes.

94-55. General Regulations for Community Cats

- A. The Township establishes the following community cats' requirements:
 1. Community cats may be cared for on the private property of the caregiver or upon the property of another with the permission of the owner or property manager.
 2. All community cat caregivers shall make reasonable efforts to have all free-roaming cats within their care sterilized, vaccinated against rabies and ear tipped at their cost for easy identification. Community cat caregivers shall have thirty (30) days from the time

they render care to a community cat to arrange for sterilization, rabies vaccination and ear tipping or to be placed on a waiting list if no appointment can be scheduled within thirty (30) days.

3. All community cat caregivers are required to make reasonable efforts to provide certain necessities to each community cat under his/her care on a regular/ongoing basis, including but not limited to proper nutrition, adequate quantities of visibly clean and fresh water and medical care as needed. If medical care is unavailable or too expensive, the community cat caregiver must not allow the cat to suffer. Feeding is permitted during daylight hours only. Food must be offered to cats in a container and shall not be dumped on the ground. Any food remaining after cats have eaten must be removed before dark. Feeding areas must be maintained in a clean and sanitary condition.

4. Community cat caregivers shall make reasonable attempts to remove young kittens from the field for domestication

B. Community cats meeting the requirements of this section are exempt from any licensing, stray and at-large provisions of this article

C. Animal Services or the Police Department shall have the right to remove or authorize the removal of any free-roaming cat or community cat because of immediate public health or safety concern. In such case, a reasonable attempt shall be made to notify the caregiver.

D. No community cat shall be released at any governmentally owned or managed park, natural area, area deemed as environmentally sensitive land or on any easement adjacent to such lands without approval from the Township or its representatives.

E. Trapping of community cats by those who are not community cat caregivers, as defined above, or an animal control officer employed by the Township, or members of law enforcement, is prohibited unless the person trapping the cats is doing so for the purpose of providing medical attention for a sick or injured cat or for the purpose of TNR. Persons who trap free-roaming cats for the purpose of TNR must comply with the provisions of this ordinance to be considered a "community cat caregiver".

F. Nuisance abatement and resolution.

1. A community cat that a) habitually howls, squawks or causes other objectionable noise resulting in a serious annoyance to a reasonable person shall be deemed to be committing an act in violation of this section; or b) disturbs the peace by habitually or repeatedly destroying, desecrating or soiling public or private property shall constitute a public nuisance. This provision shall not apply to community cats or caregivers in compliance with Section 94-55.

2. Animal Services and/or the Waterford Township Police Department shall investigate an alleged violation of this section upon the receipt of a Sworn Affidavit of

complaint in a form provided by Animal Services and signed by the individual making the complaint and who resides where the violation occurred or in close vicinity of the alleged violation. For the enforcement of Subsection F(2) herein, the affidavit shall specify the address or location of the alleged violation, the nature, time and date(s) of the act, the name and address of the Caregiver, if known, and a description of the animal, if known.

3. Animal Services and/or the Waterford Township Police Department, upon receipt of the sworn Affidavit of Complaint, shall issue a citation to the Caregiver of any animal alleged to be in violation of the subsection.

94-56. Domesticated Cats

The owner of an unneutered domesticated cat shall not permit the cat to roam off the owner's property unsupervised.

94-57. Enforcement

- A. The Township through its Enforcement Agencies or Animal Control shall have the following rights:
 - a. The right to seize or remove cats from a colony that have not been vaccinated against rabies and which are demonstrating signs of disease.
 - b. The right to seize/remove a cat from a colony that is creating a nuisance as defined above and the Caregiver has been given fifteen (15) days to remove and relocate the cat and has failed to do so.

94-58. Violations and Penalties

Any person(s) who is found to be in violation of the provisions of this ordinance shall, upon conviction thereof, be subject to the following:

- A. Warning
- B. 2nd offense: \$250.00
- C. Each subsequent offense: \$500.00

Section 2. All Ordinances or parts of Ordinances that are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 3. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a Court of competent jurisdiction, such order of

judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Ordinance.

Section 4. This Ordinance shall only take effect after final adoption and publication as required by law and approval by the New Jersey Pinelands Commission.

Dawn M. Liedtka
Dawn Liedtka, RMC / CMR Clerk

Andrew Wade
Andrew Wade, Mayor

Intro: July 14, 2021
 Public Hearing: July 28, 2021
 Adopted: 7/28, 2021

UPON INTRODUCTION ON 07-14-2021					
	GIANGIULIO	ROMOLINI	WILSON	YEATMAN	WADE
YES		X	X	X	X
ABSTAIN					
NO					
ABSENT	X				
UPON ADOPTION ON 7-28-2021					
	GIANGIULIO	ROMOLINI	WILSON	YEATMAN	WADE
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					

CERTIFICATION

I, Dawn Liedtka, Clerk of the Township of Waterford, Camden County, New Jersey, do hereby certify the foregoing to be true and exact copy of the Ordinance which was finally adopted by the Mayor and Township Committee of the Township of Waterford at a Meeting held on 28th day of July, 2021.

Dawn M. Liedtka
Dawn Liedtka, RMC / CMR Clerk