

AN ORDINANCE CONCERNING THE COLLECTION OF GARBAGE AND ASHES

BE IT ORDAINED by the Township Committee of the Township of Winfield.

SECTION 1. That it shall be unlawful for the occupant of any dwelling house, store, or other building, to place or cause or suffer to be placed on any public street or other place, any garbage or other waste, containing water, unless such garbage or other waste has been thoroughly and securely wrapped up in a substantial paper, and deposited in a suitable receptacle as hereinafter provided.

SECTION 2. All waste paper, excelsior, rags, old clothes, bedding or other rubbish or refuse of like nature; cardboard boxes, hedge or brush trimmings which will scatter if loose, shall not be placed in any public street or place for collection unless the same is fastened together securely by tying or otherwise.

SECTION 3. All ashes, stones, cans, bottles, broken brick, or other refuse not suitable for burning shall be deposited in a suitable receptacle, other than the receptacle provided for the wet, offensive garbage and other refuse.

SECTION 4. The said receptacles and aforementioned refuse shall be placed by the occupant of said dwelling house, store, or other building at a point not more than three (3) feet from the curb line on the day of collection and shall be removed by said householder or occupant within a reasonable time after collection.

SECTION 5. For the purpose of this Ordinance, the following words and terms shall be deemed and taken to have the meaning herein given to them:

- (a) "Suitable receptacle" shall be taken to mean a metal container, the weight of which said container, together with its contents, shall not exceed (50) pounds in weight and said container is to be equipped with a metal cover.
- (b) "Substantial paper" means an amount of paper sufficient to enclose the garbage or other waste.
- (c) "Day of collection" means whatever day or days the Township Committee publicly notifies the citizens.
- (d) "Within a reasonable time after collection" means a period of time not exceeding twenty-four hours in duration.

SECTION 6. Any person who shall violate any of the foregoing provisions of this ordinance shall upon conviction thereof pay a penalty not exceeding the sum of Ten (\$10.00) dollars nor less than Two (\$2.00) dollars for each offense.

SECTION 7. Any persons who shall take or disturb the contents of said receptacle, other than those authorized thereto, shall upon conviction thereof, pay a penalty not exceeding the sum of Ten (\$10.00) dollars nor less than Two (\$2.00) dollars for each offense.

SECTION 8. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed and this ordinance shall take effect immediately upon its final passage and publication as required by law.

ADOPTED March 27, 1944

Chairman Township Committee

ATTEST:

W. J. Luccardi
Township Clerk

Certified by me this 28th,
day of March 1944.

AN ORDINANCE CONCERNING DOGS, CATS, AND OTHER DOMESTICATED ANIMALS

BE IT ORDAINED by the Township Committee of the Township of Winfield:

SECTION 1. DEFINITIONS The words hereinafter defined shall have the meaning herein indicated for the purposes of this ordinance as follows:

- (a) "Dog" shall mean any dog, bitch or spayed bitch.
- (b) "Cat" shall mean any cat.
- (c) "Dog of Licensing Age" shall mean any dog which has attained the age of seven months or which possesses a set of permanent teeth.
- (d) "Pound" shall mean an establishment for the confinement of dogs seized either under the provisions of this ordinance or otherwise.
- (e) "Owner" when applied to the proprietorship of a dog shall mean and include every person having a right of property in such dog, cat or other domesticated animal and every person who has such animals in his keeping.
- (f) The word "Person" shall mean an individual, firm, partnership, corporation or association of persons.
- (g) The words "and" and "or" may be used interchangeably, and either of the two may be applicable, whichever is more conducive towards the effectuating of this ordinance.
- (h) Personal pronouns shall mean either the singular or the plural, whichever is applicable and conducive towards the effectuating of this ordinance.
- (i) The masculine, feminine or the neuter gender shall be implied, whichever is appropriate and conducive for the effectuating of this ordinance.
- (j) "Township" shall mean Township of Winfield.

SECTION 2. No person shall keep or harbor any dog within the Township of Winfield without first obtaining a license therefor, to be issued by the Clerk of the Township upon application by the owner and payment of the prescribed fee, and no person shall keep or harbor any dog in said Township except in compliance with the provisions of this ordinance.

SECTION 3. Any person who shall own, keep or harbor a dog of licensing age shall in the month of January, One Thousand Nine Hundred and Forty-four, and annually thereafter, apply for and procure from the Clerk of the Township a license and official metal registration tag for each such dog so owned, kept, or harbored, and shall place upon each such dog a collar or harness with the registration tag securely fastened thereto.

SECTION 4. The person applying for the license and registration tag shall pay a fee of One Dollar (\$1.00) for each dog, and also the sum of Twenty-five cents (\$0.25) for the registration tag of each dog; and for each annual renewal, the fee for the license and for the registration tag shall be the same as for the original license and tag; and said licenses, registration tags, and renewals thereof shall expire on the last day of January in each year.

Dogs used as guides for blind persons and commonly known as "seeing eye" dogs shall be licensed and registered as other dogs hereinabove provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefor.

SECTION 5. The owner of any newly-acquired dog of licensing age or of any dog which attains the licensing age, shall make application for license and registration tag for such dog within ten days after such acquisition or age attainment.

SECTION 6. The application shall state the breed, sex, age, color, and markings of the dog for which license and registration are sought, and whether it is of a long or short haired variety; also the name, street and post-office address of the owner and the person who shall keep or harbor such dog. The information on said application and the registration number issued for the dog shall be preserved for a period of three years by the Clerk of the Township. In addition he shall forward similar information to the State Department of Health each month, on forms furnished by the said department. Registration numbers shall be issued in the order of the applications.

SECTION 7. Any person who shall bring or cause to be brought into the Township of Winfield any dog licensed in another State for the current year, and bearing a registration tag, and shall keep the same or permit the same to be kept within the Township for a period of more than ninety days, shall immediately apply for a license and registration tag for each dog, unless such dog be licensed in the Township previously.

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

SECTION 8. No person, except an officer in the performance of his duties, shall remove a registration tag from the collar of any dog without the consent of the owner nor shall any person attach a registration tag to a dog for which it was not issued.

SECTION 9. The Poundmaster of the Township or such other person as the Township Committee may designate for that purpose shall promptly after February first, One Thousand Nine Hundred and Forty-four, and annually thereafter cause a canvass to be made of all dogs owned, kept or harbored within the limits of the Township and shall report to the Clerk of the Township, the Board of Health of the Township, and to the State Department of Health the result thereof, setting forth in separate columns the names and addresses of persons owning, keeping or harboring such dogs, the number of licensed dogs owned, kept or harbored by each of said persons together with the registration numbers of each of said dogs, and the number of unlicensed dogs owned, kept or harbored by each of said persons, together with a complete description of each of said unlicensed dogs.

SECTION 10. The Township Committee shall have power to appoint a Poundmaster whose duty it shall be to enforce the provisions of this ordinance. The Township Committee shall also have power to appoint one or more persons to be known as dog catchers, who may impound unlicensed dogs running at large in violation of the provisions of this ordinance.

SECTION 11. The Poundmaster of the Township shall take into custody and impound or cause to be taken into custody and impounded, and thereafter destroyed or disposed of as provided in this section:

- (a) Any dog, cat, or domesticated animal off the premises of the owner, and not securely confined and controlled by an adequate leash not more than 6 feet long by a person over the age of 12 years.
- (b) Any dog off the premises of the owner or of the person keeping or harboring said dog which said official or his agent or agents have reason to believe is a stray dog;
- (c) Any dog off the premises of the owner or of the person keeping or harboring said dog without a current registration tag on his collar;
- (d) Any female dog in season off the premises of the owner or of the person keeping or harboring said dog.

If any dog so seized wears a collar or harness having inscribed thereon or attached thereto the name and address of any person or a registration tag, or the owner or the person keeping or harboring said dog is known, the Poundmaster shall forthwith serve on the person whose address is given on the collar, or on the owner or the person keeping or harboring said dog, if known, a notice in writing stating that the dog has been seized and will be liable to be disposed of or destroyed if not claimed within seven days after the service of the notice.

A notice under this section may be served either by delivering it to the person on whom it is to be served, or by leaving it at the person's usual, or last known place of abode, or at the address given on the collar, or by forwarding it by post in a prepaid letter addressed to that person at his usual or last place of abode, or to the address given on the collar.

When any dog so seized has been detained for seven days after notice, when notice can be given as above set forth, or has been detained for seven days after seizure, when notice has not been and cannot be given as above set forth or has been and if the owner or person keeping or harboring said dog has not claimed said dog and paid all expenses incurred by reason of its detention, including maintenance not exceeding Fifty Cents (\$0.50) per day, and if the dog be unlicensed at the time of the seizure and the owner or person keeping or harboring said dog has not produced a license and registration tag for said dog, the Poundmaster may cause the dog to be destroyed in manner causing as little pain as possible.

SECTION 12. Any officer or agent authorized or empowered to perform any duty under this ordinance is hereby authorized to go upon any premises to seize for impounding any dog or dogs which he may lawfully seize and impound when such officer is in immediate pursuit of such dog or dogs, except upon the premises of the owner of the dog if said owner is present and forbids the same.

SECTION 13. No person shall keep, harbor or maintain any dog which habitually barks or cries between the hours of ten (10) P.M. and six (6) A.M.

SECTION 14. No person owning, keeping or harboring any dog shall suffer or permit it to run at large upon the public streets or in any public park, or in any public building, or in any other public place within the Township of Winfield.

SECTION 15. No person owning, keeping or harboring any dog shall suffer or permit it to be upon the public streets or in any of the public places of the Township of Winfield or upon the premises other than those of the owner of such dog unless such dog is accompanied by a person over the age of twelve (12) years and is securely confined and controlled by an adequate leash not more than six (6) feet long.

SECTION 16. The Township Committee may designate any times during which dogs off the premises of the owner shall be muzzled, such designation to be by publication in a newspaper in which legal notices of the Township may be published and after such publication no person owning, keeping or harboring a dog shall permit it upon a public highway, public place or outside the premises occupied by the owner, during the period designated, unless such dog wears a muzzle securely fastened over its jaws in such a manner that it cannot bite.

SECTION 17. No person owning, keeping or harboring a dog shall permit or suffer it to do any injury, or to do any damage to any lawn, shrubbery, flowers, grounds or property.

SECTION 18. Every section of this ordinance or subdivision or separate part thereof, shall be considered a separate provision to the intent that if any portion shall be declared ineffectual, it shall not affect the remaining parts of this ordinance.

SECTION 19. Any person who violates or refuses to comply with any part of any of the following sections, namely 2,3,5,7,8,13, or 20 of this ordinance, or with the rules and regulations promulgated by the State Department of Health governing the sanitary conduct and operation of pounds, and prevent the spread of rabies and other diseases of dogs shall be liable to a penalty of not less than \$5.00 nor more than \$50.00 for each offense, to be recovered by and in the name of the Township. A person who refuses or neglects to pay forthwith the amount of a judgment rendered against him and the costs and charges incident thereto shall be committed by the court to the county jail for a period not exceeding 10 days in the case of a first conviction, and in the case of a conviction for a second, subsequent or continuing violation, for a period not exceeding 30 days.

Any person who violates or refuses to comply with any part of any of the following sections, namely 14, 15, 16, and 17 of this ordinance, or with the rules and regulations shall be subject to a fine not exceeding \$50.00 or to imprisonment for a period not exceeding 30 days, or to both, in the discretion of the court.

SECTION 20. No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this ordinance.

SECTION 21. All ordinances and parts of ordinances inconsistent herewith are hereby repealed, and this ordinance shall take effect as of March 27, 1944, after publication in the manner provided by law.

James F. Buckle
Chairman, Township Committee

ATTEST:

Guy Riccardi
Township Clerk.