

TOWNSHIP OF WANTAGE

ORDINANCE # __06__-2019

An Ordinance to Amend Chapter V Licensing of Dogs

BE IT ORDAINED by the Mayor and Committee of the Township of Wantage that Chapter V Licensing of Dogs shall be amended as follows:

SECTION 1.

WHEREAS, the presence of multiple birds on a property may result in excessive noise traveling from the property to adjoining properties; and

WHEREAS, the Mayor and Committee of the Township of Wantage believe that it is necessary to enact legislation to provide protection to adjoining property owners in the interest of protecting the public's enjoyment of their properties with the public's general welfare; and

WHEREAS, it is not the intention of the Mayor and Committee of the Township of Wantage to cause harm or closure to any rehabilitation, sanctuary and/or rescue operations for any bird or birds, whether domestic, wild or exotic in nature which may now exist or may be established in the future in the Township pursuant to all appropriate governmental approvals;

NOW, THEREFORE, BE IT ORDAINED, the following shall be added to the Municipal Ordinances of the Township of Wantage as §5-5.

§5-5.1

It shall be unlawful for any person to knowingly keep or harbor any bird or birds which by causing frequent or long-continued noise disturbs the comfort or repose of any persons in the vicinity is hereby declared to be a public nuisance. Frequent or long-continued does not mean making unreasonably loud noise on infrequent occasions, but means making unreasonably loud noise sufficiently often so as to be unreasonably disturbing to other persons in the neighborhood. A bird or birds are considered to be in violation of this section when three (3) complaints have been verified by a certified animal control officer within a four-week period. The provisions of this Section shall not apply to any bird or birds which are maintained on a property which is subject to the Right-to-Farm Act, N.J.S.A. 4:1C-1, et seq.

SECTION 2.

All other parts, portions and provisions of Chapter V of the Township of Wantage Code, be and the same, are hereby ratified and confirmed, except where inconsistent with the terms thereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

SECTION 3.

If any section, paragraph, sub-section, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 4.

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

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon final passage and publication according to law.

, Mayor
Township of Wantage

ATTEST:

Michael L. Restel, CPWM, Township Administrator/
Acting Clerk

NOTICE is given that this ordinance amendment was introduced and passed upon first reading at a meeting of the Mayor and Township Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on _____, 2019. It will be further considered for final passage with the proposed ordinance after public hearing at a meeting of the Mayor and Township Committee to be held in the Wantage Township Municipal Building, 888 Route 23, Wantage, New Jersey 07461, on _____, 2019, at 7:00 o'clock P.M., and copies of the ordinance will be made available at the Administrator's office in the Municipal Building to members of the general public.

Michael L. Restel, CPWM