

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

ORDINANCE No. 18-07

**AN ORDINANCE ESTABLISHING THE
POSITION OF MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER**

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that ARTICLE XII of the Code of the Township of Washington (the "Township") entitled "Department of Public Safety" be and is hereby amended by adding the following provisions thereto:

1. **"§5-79. Municipal Humane Law Enforcement Officer.**

A. Within the Department of Public Safety, there shall be not less than one (1) Municipal Humane Law Enforcement Officer who shall be appointed by the Mayor upon the recommendation of the Chief of Police and with the approval of the Director of Public Safety.

B. The Municipal Humane Law Enforcement Officer shall have the power and authority within the Township to act as a municipal humane law enforcement officer to:

- (1) enforce all animal welfare and animal cruelty laws of the State of New Jersey and ordinances of the Township;
- (2) investigate and sign complaints concerning any violation of an animal welfare or animal cruelty law of the State of New Jersey or ordinance of the Township; and
- (3) act as an officer for the detection, apprehension, and arrest of offenders against the animal welfare and animal cruelty laws of the State of New Jersey and ordinances of the Township.

C. The Municipal Humane Law Enforcement Officer shall:

- (1) abide by the provisions of chapter 22 of Title 4 of the Revised Statutes and all other applicable laws and regulations;

- (2) satisfactorily complete the training course developed pursuant to subsection a. of section 11 of P.L.2005, c.372 (C.4:22-11.11), subject to the provisions of subsection c. of section 11 of P.L.2005, c.372 (C.4:22-11.11) as applicable, as soon as practicable, but no later than one year after the date on which the officer's designation is approved by the Chief of Police;
- (3) refer all complaints for violations of the provisions of subsection c. of R.S.4:22-17 to the county prosecutor for investigation and prosecution, or any other appropriate legal action, except that such Municipal Humane Law Enforcement Officer may take any action necessary, within the authority granted pursuant to chapter 22 of Title 4 of the Revised Statutes, to respond to an emergency situation;
- (4) provide notice to the county animal cruelty prosecutor designated pursuant to paragraph (1) of subsection a. of section 28 of P.L.2017, c.331 (C.4:22-14.4) within five businesses days after the receipt of any complaint of a violation of any provision of article 2 [C.4:22-15 et seq.] of chapter 22 of Title 4 of the Revised Statutes, regardless of whether the violation is referred to the county prosecutor pursuant to paragraph (3) of this subsection. The notice shall contain, at minimum, a brief description of the offense alleged; and
- (5) submit, by October 1 of each year, a report to the animal cruelty prosecutor designated pursuant to subsection a. of section 28 of P.L.2017, c.331 (C.4:22-14.4), which shall include, for the most recently concluded State fiscal year, the number of complaints received for each offense under article 2 [C.4:22-15 et seq.] of chapter 22 of Title 4 of the Revised Statutes and the number of cases referred to the county prosecutor, and may contain any policy recommendations or concerns of the municipal humane law enforcement officer related to animal cruelty law enforcement in the municipality."

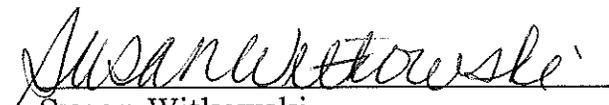
2. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid such decision shall not affect the remaining portions of this Ordinance.

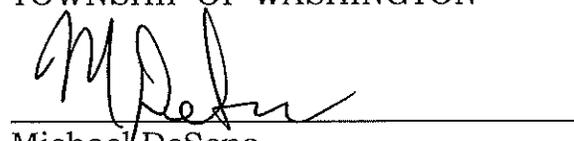
3. All Ordinances or any provisions of any ordinance inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.

4. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON


Susan Witkowski,
Township Clerk


Michael DeSena
Council President

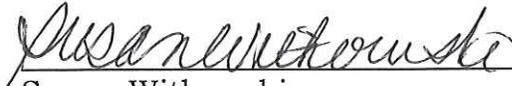
First Reading of Township Ordinance No. 18-07

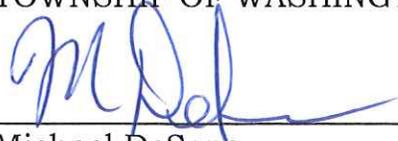
Introduction Date: May 21, 2018

MOTION		SECOND		COUNCIL	AYES	NAYES	ABSTAIN	ABSENT
Bruno		Bruno		Bruno	X			
Cascio	X	Cascio		Cascio	X			
Cumming		Cumming		Cumming	X			
DeSena		DeSena		DeSena	X			
Ullman		Ullman	X	Ullman	X			

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON


Susan Witkowski,
Township Clerk


Michael DeSena
Council President

Second Reading of Township Ordinance No. 18-07

Adoption Date: June 6, 2018

MOTION		SECOND		COUNCIL	AYES	NAYES	ABSTAIN	ABSENT
Bruno	X	Bruno		Bruno	X			
Cascio		Cascio	X	Cascio	X			
Cumming		Cumming		Cumming	X			
DeSena		DeSena		DeSena	X			
Ullman		Ullman		Ullman	X			