

## SEC. 1 Definitions

(1) ANIMAL SHELTER.—The term ‘animal shelter’ means a public or private facility that provides temporary or permanent shelter to stray, abandoned, abused, or owner-surrendered animals under contract with Mount Olive Township.

(2) LICENSED VETERINARIAN.—The term ‘licensed veterinarian’ means a veterinarian licensed to practice veterinary medicine in this State.

(3) RESCUE ORGANIZATION.—The term ‘rescue organization’ means an organization that is—  
(a) An organization described in section 501(c)(3) of the Internal Revenue Code and exempt from taxation under 501(a) of that Code; and,  
(b) An animal rescue organization, animal adoption organization, or organization formed for the prevention of cruelty to animals.

(4) ANIMAL CONTROL.—The term ‘animal control’ means the Mount Olive Animal Control Division, its employees, and its contractors.

(5) IRREMEDIAL SUFFERING.—The term ‘irremediable suffering’ means an animal who has a poor or grave prognosis for being able to live without severe, unremitting physical pain even with comprehensive, prompt, and necessary veterinary care, as certified in writing by a licensed veterinarian.

(6) CAT. —The term ‘cat’ means a member of the species *Felis catus*.

(7) COMMUNITY CAT.—The term ‘community cat’ means a free-roaming cat.

(8) EAR-TIPPING.—The term ‘ear-tipping’ means the removal of the ¼ inch tip of a community cat’s left ear, performed while the cat is under anesthesia in compliance with any applicable federal or state law and under the supervision of a licensed veterinarian.

(9) COMMUNITY CAT CARETAKER.—The term ‘community cat caretaker’ means a person who provides care to one or more community cats. However, community cat caregivers are not the owner, harbinger, controller, or keeper of a community cat.

(10) COMMUNITY CAT PROGRAM.—The term ‘community cat program’ means the nonlethal process of humanely trapping, sterilizing, vaccinating for rabies, ear-tipping, and releasing community cats to their habitats.

SEC. 2(a) Not less than two business days before the euthanasia of any animal, animal control shall:

(1) Notify by verifiable written or electronic communication any rescue organization that has previously requested to be notified before animals are euthanized;

(2) Unless there is evidence of neglect or animal cruelty as certified in writing by a licensed veterinarian, notify by telephone or verifiable written or electronic communication the owner who surrendered the

animal and inform that person that the animal is scheduled to be killed;

(3) Notify by telephone or verifiable written or electronic communication the finder who surrendered the stray animal and inform that person that the animal is scheduled to be killed;

(4) Inquire of all shelters in Morris County, as well as all shelters in contiguous counties, if they have room to accept the animal;

(5) Make a public plea for a foster home;

(6) Give those notified under Subsections (g)(1), (2), (3), (4), and (5) possession of the animal to avoid the animal's death if they request it.

(b) As part of its contract, animal control shall prohibit the animal shelter from euthanizing any animal without animal control making the notifications required by Sec. 2(a).

SEC. 3 Not less than two business days before the euthanasia of any animal, animal control shall also promote the animal for adoption by, at a minimum, posting the animal as available for adoption on a website page specifically created for adoption of animals from Mount Olive Township.

SEC. 4(a) As part of its contract, animal control shall prohibit the animal shelter from euthanizing any animal simply because the holding periods required by state law have expired. Before an animal is euthanized, animal control must certify that all of the following conditions have been met before the animal shelter may do so:

(1) There are no empty cages, kennels, or other living environments in the shelter;

(2) There is no additional room to set up temporary cages, kennels, or living environments in the shelter;

(3) The animal cannot share a cage or kennel with another animal;

(4) Animal control has made the animal available for public adoption and promoted the animal on a website page specifically created for adoption of animals from Mount Olive Township;

(5) Animal control has made a public plea for foster homes and a foster home is not available;

(6) The notifications required in Section 2 have been made and neither a rescue group, the former owner, or the finder is willing to accept the animal; and,

(7) The animal is not a community cat pursuant to Sec. 5.

(b) The determination that all conditions of subsection (a) have been met shall be made in writing, signed by animal control and be made available for free public inspection for no less than three years.

SEC. 5 Special Provisions for Community Cats

(a) Animal control shall put a community cat through the community cat program instead of euthanasia unless reclaimed, transferred to a rescue group, or adopted, with the following exception:

(1) Further veterinary care is required, in which case the cat will be returned once it no longer needs care.

(b) Animal control shall release ear-tipped cats on site unless further veterinary care is required, in which case the cat will be returned once it is provided and no longer needs care.

(c) An ear-tipped community cat impounded by animal control or the animal shelter shall be returned by animal control to the location where trapped, adopted, or transferred to a rescue group after sterilization unless further veterinary care is required in which case that care is provided until it no longer needs care.

(d) A community cat caretaker may reclaim a community cat if impounded at the animal shelter or from animal control without fee if sterilized or for purposes of placing the cat in a community cat program.

(e) Trapping of a community cat by animal control is only permitted for purposes of a community cat program, providing needed veterinary care, adoption, transfer to a rescue group, or reunification with its owner.

(f) Leash laws, stray laws, licensing laws, and limitations on the number of cats owned, kept, held, or harbored shall not apply to community cat caretakers.

SEC. 6(a) As part of its contract, animal control shall require the animal shelter to provide all animals during the entirety of their shelter stay with fresh food; fresh water; environmental enrichment to promote their psychological well-being such as socialization, toys and treats, and exercise as needed, but not less than once daily; except as follows:

(1) Dogs exhibiting vicious behavior towards people or adjudged to be dangerous by a court of competent jurisdiction may but are not required to be exercised.

(b) Notwithstanding Subsection (a), animal control shall work with a licensed veterinarian to develop and, in its contract, require the animal shelter to follow a care protocol for animals with special needs such as, but not limited to, nursing mothers, unweaned animals, sick or injured animals, extremely frightened animals, geriatric animals, or animals needing therapeutic exercise.

(c) As part of its contract, animal control shall require the animal shelter to provide animals prompt and necessary cleaning of their cages, kennels, or other living environments no less than two times per day, to ensure environments that are welcoming to the public, hygienic for both the public and animals, and to prevent disease. This cleaning shall be conducted in accordance with a protocol developed in coordination with a licensed veterinarian, and shall require that animals be temporarily removed from their cages, kennels, or other living environments during the process of cleaning, to prevent them from being exposed to water from hoses or sprays, cleaning solutions, detergents, solvents, and/or chemicals.

(d) As part of its contract, animal control shall require the animal shelter to provide animals prompt and necessary veterinary care, sufficient to alleviate any pain caused by disease or injury, to prevent a condition from worsening, and to allow them to leave the shelter in reasonable condition including but not limited to preventative vaccinations, cage rest, fluid therapy, pain management, and/or antibiotics.

SEC. 7(a) Animal control shall have animals spayed or neutered before adoption and as part of its contract, animal control shall require that the animal shelter not sell or give away to a new owner any dog, cat, or rabbit that has not been spayed or neutered, except as follows:

(1) If a licensed veterinarian certifies that the dog, cat, or rabbit is too young, too old, or too sick or injured to be spayed or neutered, or that it would otherwise be detrimental to the health of the dog, cat, or rabbit to be spayed or neutered. The dog, cat, or rabbit shall be spayed or neutered within 14 business days of being healthy enough to be spayed or neutered as certified by a licensed veterinarian.

(2) If the animal is going to a rescue group provided that the rescue group stipulates that the animal will be spayed or neutered before being placed in a permanent adoptive home or, in the case of a community cat, before release back to its habitat.

SEC. 8(a) Animal control shall ensure that all animals are checked as soon as possible, but no more than 24 hours, after impoundment for all currently available methods of identification, including microchips, identification tags, and licenses.

(b) Animal control shall maintain continuously updated lists of animals reported lost and found, and shall regularly, but no less than once daily, check these lists and animals in the animal shelter for matches, and shall also post a photograph of and information on each stray animal impounded on the internet with sufficient detail to allow the animal to be recognized and claimed by its owner.

(c) If a possible owner is identified, animal control shall undertake due diligence to notify the owner or caretaker of the whereabouts of the animal and any procedures available for the lawful recovery of the animal. These efforts shall include, but are not limited to, notifying the possible owner by telephone, mail, and personal service to the last known address.

(d) Animal control shall post a photograph and information on each animal impounded by the animal shelter on the internet to facilitate adoptions.

(e) Animal control shall not ban, bar, limit or otherwise obstruct the adoption or transfer of any animal based on the animal's breed, breed mix, species, age, color, appearance, or size.

SEC. 9 Animal control shall be required to ensure that it and any animal shelter it contracts with maintains a live release rate of at least 90% during the calendar year. Said rate shall be calculated with the number of live animals being returned to owners, adopted, released to rescue groups, and placed through the community cat program being the numerator; and the numerator plus the number of animals who died, were euthanized, lost, and stolen being the denominator.

SEC. 10 Animal control shall not enter into contracts to provide animal control services to any town, city, county, municipality, or other entity unless the animal shelter that services that town, city, county, municipality, or other entity meets all the minimum standards provided by the ordinance.

SEC. 11 Any person may compel an animal shelter to follow the mandates of this Act through a legal action for declaratory or injunctive relief, or any other appropriate remedy at law which will compel compliance.