

BOROUGH OF HO-HO-KUS

ORDINANCE NO. 2018-06

**AN ORDINANCE TO AMEND CHAPTER 10 OF THE CODE
“BOROUGH PERSONNEL” TO ESTABLISH THE POSITION OF
MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER**

BE IT ORDAINED, by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey, that Chapter 10 of the Code is amended to add a new Article, XV as follows:

ARTICLE XV

Municipal Humane Law Enforcement Officer

§10-72 Office Established. There is hereby created the Office of Municipal Humane Law Enforcement Officer for the Borough of Ho-Ho-Kus.

§10-73 Appointment and Term. The Mayor, upon recommendation of the Chief of Police, shall appoint, with the advice and consent of the Council, a Municipal Humane Law Enforcement Officer for a term of one (1) year commencing January 1 and terminating December 31 in each year or the unexpired portion thereof.

§10-74 Powers and Duties. The Municipal Humane Law Enforcement Officer shall exercise the following powers and duties, including but not limited to:

- (a) Enforcement of all Animal Welfare or Animal Cruelty Laws of the State and Ordinances of the Municipality;
- (b) Investigate and sign complaints concerning any violation of an Animal Welfare or Animal Cruelty Law of the State or Ordinance of the Municipality;
- (c) Act as an Officer for the detection, apprehension and arrest of offenders against the Animal Welfare and Animal Cruelty Laws of the State and Ordinances of the Municipality;
- (d) Comply with the provisions of Chapter 22 of Title 4 of the New Jersey Revised Statutes; and
- (e) Such other powers and duties required under ordinance or at law;

§10-75 – Firearm Authority. The Municipal Humane Law Enforcement Officer shall be authorized to possess, carry and use a firearm while enforcing the laws and ordinances enacted for the protection of animals, provided that such officer qualifies and maintains all certification and training requirements pursuant to law.

§10-76 Compensation. The Municipal Humane Law Enforcement Officer shall receive such compensation as may be fixed and determined by the Governing Body either in the Annual Salary Ordinance and Implementing Resolutions or by contract, as the case may be.

§10-77 Repealer

All other provisions of this Chapter which are not affected by this amendatory Ordinance are hereby ratified and confirmed and shall remain in full force and effect. However, all ordinances or parts of ordinances, which are inconsistent with the provisions of this amendatory Ordinance are hereby repealed to the extent of such inconsistency, including Article X Animal Cruelty Investigator, Sections 10-50 to 10-53.

§10-78 Severability

If any portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

§10-79 Effective Date

This ordinance shall take effect after final passage and publication as required by law.

On a motion by Councilman Iannelli, seconded by Councilman Fiato, Ordinance 2018-06 was adopted on May 22, 2018 by a roll call vote.

Ayes: Councilmen Troast, Shell, Fiato, and Iannelli

Absent: Councilmen Rorty and Crossley

Deborah L. Fehre
Interim Municipal Clerk