

City Clerk File No. Ord. 16-138
Agenda No. 3.0 1st Reading
Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16-138

TITLE: **ORDINANCE AMENDING CHAPTER 90 (ANIMALS), ARTICLE IV (EXOTIC, NON-GAME, AND POTENTIALLY DANGEROUS WILDLIFE), PROHIBITING PERFORMANCES OF ANY EXOTIC ANIMAL ON ANY PUBLIC OR PRIVATE PROPERTY WITHIN THE CITY OF JERSEY CITY**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

- A. The following amendments to Chapter 90 (Animals), Article IV (Exotic, Non-Game, and Potentially Dangerous Wildlife) are hereby adopted.

ARTICLE IV
Exotic, Non-Game, and Potentially Dangerous Wildlife

§90-24. Exotic animal acts, rides, performances, and traveling exhibitions prohibited

- A. The purpose of this ordinance is to protect exotic animals from cruel and inhumane treatment, and to protect the public from dangers inherent in traveling exhibitions and acts featuring exotic animals.
- B. It shall be unlawful for any person to cause or provide a performance of any exotic animal on any public or private property within the City of Jersey City.

§90-25. For purposes of this Article, the following terms shall have the following meanings:

As used herein, the following terms shall have meanings indicated:

EXOTIC ANIMAL - The definition of such covered animals shall be that found in N.J.A.C. 7:25.

PERFORMANCE - means any public showing, presentation, display, exposition, fair, act, circus, ride, trade show, petting zoo, carnival, parade, race, exhibition, or similar undertaking in which animals are required to perform tricks, fight, give rides, or participate as accompaniments for the entertainment, amusement, or benefit of an audience.

§90-26. Exemptions.

The following are exempt from the prohibition:

- A. Exhibitions at a non-mobile, permanent institution or facility accredited by the Association of Zoos and Aquariums or the Global Federation of Animal Sanctuaries.

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- B. Outreach programs for educational or conservation purposes by a facility accredited by the Association of Zoos and Aquariums or the Global Federation of Animal Sanctuaries, if the animal used for such purposes is not kept in a mobile or traveling housing facility for more than 12 hours a day.
- C. University, college, laboratory, or other research facilities registered by the United States Secretary of Agriculture.
- D. Any exemptions approved in writing by the City's Animal Control officer for religious and/or cultural ceremonies.

§90-27. Implementation and Enforcement.

Section §90-24 shall be implemented and enforced by Jersey City Department of Health and Human Services with the support of other City departments as appropriate.

§90-28. Violations and Penalties.

Any person who violates the provisions of this Article shall be punished as provided in Chapter 1, General Provisions, §1-25.

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.
- E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new, therefore, underlining has been omitted.

SS/he
8/11/16