

[Amended by motion and public hearing continued on November 13, 2018]

**BERNARDSVILLE BOROUGH
ORDINANCE 2018-1784**

**AN ORDINANCE PROHIBITING DOGS AND OTHER PETS ON ALL CERTAIN
BOROUGH ATHLETIC FIELDS AND SUPPLEMENTING AND AMENDING
CHAPTER V OF THE BOROUGH CODE ENTITLED "ANIMAL CONTROL"**

STATEMENT OF PURPOSE: *To prohibit dogs and all other pets on all certain Borough athletic fields.*

WHEREAS, dogs and other pets can damage natural grass athletic fields, as well as the new turf fields at the upper polo grounds; and

WHEREAS, the governing body wishes to preserve and maintain those athletic fields for their intended use by teams and individuals; and

WHEREAS, subsection 5-9.1 of the Borough Code already prohibits dogs in certain parks during certain time period;

NOW THEREFORE, BE IT ORDAINED by the governing body of the Borough of Bernardsville in the County of Somerset, State of New Jersey, that Chapter V of the Borough Code Entitled "Animal Control" is supplemented and amended as follows:

Section 1. There is hereby added a new section 5-10 entitled "**DOGS AND OTHER PETS PROHIBITED AT ALL TIMES ON ALL CERTAIN BOROUGH ATHLETIC FIELDS**".

5-10.1 Dogs and Other Pets Prohibited on All Certain Borough Athletic Fields at All Times.

No dogs or other domestic animals (with the exception of service animals), whether leashed or unleashed, attended or unattended, shall be permitted on the playing surface of the following athletic fields owned by the Borough of Bernardsville:;

Kiwanis Baseball Fields (2) (Block 35, Lot 2)
Rosebowl Field (Block 97, Lot 1)

Claremont Field (Block 69, Lots 8, 9 and 29)
Polo Grounds Turf Field (Block 35, Lot 2)

This ordinance does not apply to areas other than the playing surface of athletic fields, such as surrounding spectator areas, and/or playgrounds.

5-10.2 Definitions.

For purpose of this Ordinance, "service animal" shall mean any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

5-10.3 Signs.

All of the Borough athletic fields covered by this ordinance shall be clearly posted as "No Pet" zones.

5-10.4 Penalties.

Any person who violates this section shall, upon conviction, be subject to the penalties set forth in section 1-5 of this Code.

Section 2. Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. This ordinance shall become effective immediately upon final passage and publication as required by law.

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

ATTEST:

Anthony Suriano, Borough Clerk

By: _____
Kevin Sooy, Mayor

Introduction: October 9, 2018

1st Publication: _____

Public Hearing and Amendment: November 13, 2018

Publication of Amendment: _____

Continued Public Hearing and Adoption: _____

Publication after Adoption: _____