

TOWNSHIP OF TOMS RIVER  
County of Ocean, Toms River, New Jersey 08753



Reply To: HEALTH DEPT

Telephone: (732) 341-1000 Ext. 8400  
Fax Number: (732) 341-3586

July 19, 2019

**RULES & REGULATIONS OF THE GOOSE PATROL PROGRAM**

In accordance with Ordinance 4636-19, all canines participating in this program must be licensed and display the license and registration whenever performing patrol functions. The registration must be produced when requested by any Enforcement Authority.

The only location for Goose Control Program is the south side of Huddy Park. This is not an off-leash park. Huddy Park is located on Water Street, in downtown Toms River and bordered by Main Street/Route 166. There are 3 gates along Route 166 side of the park. **PLEASE NOTE:** The park is not entirely fenced in. It is the dog owners responsibility to ensure that the gates are closed and latched.

The Goose Patrol registrants will participate in goose control activities during regular park hours and when NO other activities or events are taking place.

A schedule of events will be posted on the Toms River Township website: [www.tomsrivertownship.com](http://www.tomsrivertownship.com) or registrants can call the Recreation Department at 732-341-1000 ext. 8415, Monday to Friday between 9:00 AM and 4:00 PM.

If, at any time, the Goose Control registrants are patrolling and citizens arrive to utilize the area, then the Goose Patrol activities cease and Goose Patrol Registrants MUST leave immediately.

Registrants are responsible for their own dog's well-being and behavior at all times. Goose Patrol Membership can be revoked for negative behavior while performing patrol functions

Registrants are required to sign a "Hold Harmless" agreement at the time of application. The Township of Toms River is not responsible for harm or damages sustained during this activity.

Registrants are required to ensure that their dogs are well behaved, controlled and curbed at all times. They must immediately clean up and remove their dog waste. Failure to do so will constitute grounds for revocation of registration.

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ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 516 (ANIMALS) OF THE TOWNSHIP CODE TO ESTABLISH A CANADA GEESE CONTROL PROGRAM

BE IT ORDAINED by the Township Council, Township of Toms River, Ocean County, New Jersey, as follows:

1. Chapter 516 (Animals) of the Township Code is hereby amended and supplemented to establish a new Article IV-A, entitled "Goose Control Program," to provide as follows:

ARTICLE IV-A  
Canada Geese Control Program

§516-40. Purpose and scope.

- A. An infestation of Canada Geese often creates unhealthy, unsanitary, and inutile conditions at Huddy Park and other recreational areas in the Township, which diminishes peoples' enjoyment of those facilities.
- B. Based on experiences in other municipalities, the Township Council has determined that this infestation can be controlled in a non-harmful way by permitting the non-commercial use of pet dogs to run at-large in affected facilities on a limited basis and at limited times.
- C. The purpose of this Article is to establish such a program at Huddy Park, with the potential for expansion to other Township parks and recreational facilities depending on the program's effectiveness.

§516-41. Permitted facilities; expansion.

- A. The geese control program established under this Article is permitted only at Huddy Park.
- B. The Business Administrator or his designee shall periodically evaluate the effectiveness of the program and report those findings to the Township Council. Based on those findings, the Township Council in the future may, by an amending ordinance, expand the program to other Township parks and recreational facilities.

§516-42. Policies and procedures.

- A. Notwithstanding any other contrary provision of the Township Code, dogs are permitted to run at-large in a facility designated pursuant the preceding subsection, subject to the restrictions set forth this Article.

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Alison Carlisle

- B. Dogs participating in the geese control program established under this Article must be properly licensed and vaccinated in accordance with Chapter 165 of the Township Code and state law. No dog that is declared, designated, or licensed as "potentially dangerous" pursuant to Chapter 165, Article III, or state law or court order may participate in this program.
- C. Participating dogs must be issued a separate registration by the Municipal Dog Licensing Agent. The Municipal Dog Licensing Agent shall process applications for the program and establish, maintain, and periodically update a registry of the participating dogs, a copy of which shall be provided to the Township Clerk, the Division of Animal Control, the Division of Code Enforcement, and the Police Department.
- D. Registrations will be issued on a first-come, first-served basis. Registrations are effective for one calendar year and must be renewed annually.
- E. The registration fee is \$20.00.
- F. A maximum of 30 dogs may be registered in the program.
- G. Only one registration per dog, per household is permitted. The registration is non-transferrable to another dog and non-assignable to another dog owner.
- H. The registration must be either displayed on the dog or the dog's custodian dog while participating in the program and must be produced when requested by an enforcing authority.
- I. Participating dogs must be behaved, controlled, and curbed at all times.

**§516-43. Permitted times.**

- A. The geese control program established under this Article may operate only during regular park hours, unless otherwise determined by the Business Administrator or his designee.
- B. The program shall not operate when the designated facility is reserved for or being used for a scheduled activity or event. A schedule of such events/activities shall be posted on the Township website.
- C. The program shall not operate when the designated facility is being used by the general public or is under construction, maintenance, or renovation.
- D. The Business Administrator or his designee may suspend operation of the program as circumstances dictate.
- E. Appropriate signage shall be conspicuously posted at designated facilities to notify participants of the status of the program.

§516-44. Additional rules and regulations.

The Business Administrator or his designee may promulgate additional rules and regulations to ensure the safe and efficient administration of this program. These rules and regulations shall be established in writing and provided to the appropriate Township officials and agencies and program registrants.

§516-45. Enforcement.

The Division of Animal Control, the Division of Code Enforcement, and the Police Department are charged with enforcing this Article.

§516-46. Violations and penalties.

- A. Any persons violating this Article, or any rules and regulations promulgated hereunder, shall be subject to revocation or suspension of their registration and, upon conviction thereof, the maximum fines and penalties established under N.J.S.A. 40:49-5 and N.J.S.A. 40:69A-29.
- B. The fines and penalties imposed hereunder are cumulative with any other violations of the Township Code.
  - 2. All other provisions of Chapter 516 remain in full force and effect.
  - 3. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.
  - 4. If any part of this ordinance is invalidated, pre-empted, or superseded by any state or federal law, regulation or judicial decision, that provision shall be severed and the remainder of the ordinance shall remain in full force and effect.
  - 5. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as required by law.

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|--------------------------------------|
| Approved: _____<br>Thomas F. Kelaher |
| Date: <u>JUNE 12 2019</u>            |
| Not Approved: _____                  |
| Thomas F. Kelaher                    |
| Date: _____                          |

|                   |                |
|-------------------|----------------|
| L-APPROVED        | <u>28</u>      |
| NOT APPROVED      | _____          |
| DATE              | <u>6/12/19</u> |
| COUNCIL PRESIDENT | _____          |

## TOMS RIVER TOWNSHIP NOTICE

ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 516 (ANIMALS) OF THE TOWNSHIP CODE TO ESTABLISH A CANADA GEESE CONTROL PROGRAM

PURPOSE: TO ESTABLISH A CANADA GEESE CONTROL PROGRAM IN THE TOWNSHIP OF TOMS RIVER

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on May 28, 2019 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on June 11, 2019 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

ALISON CARLISLE  
TOWNSHIP CLERK

APPROVED AS TO FORM:



KENNETH B. FITZSIMMONS  
TOWNSHIP ATTORNEY  
MUNICIPAL BUILDING  
33 WASHINGTON STREET  
TOMS RIVER, N.J. 08753

L-May 28, 2019-15 - NOTICE