

**BOROUGH OF SADDLE RIVER
ORDINANCE NO. 19-972-C**

**AN ORDINANCE TO AMEND CHAPTER 79
ENTITLED ANIMALS**

BE IT ORDAINED by the Mayor and Council of the Borough of Saddle River that Section 79-2 “Noise” shall be deleted in its entirety and replaced as follows:

§ 79-2 Nuisance Restrictions.

A. No person shall own, keep, harbor or permit any dog to annoy neighbors or other persons living within the immediate vicinity of the Borough of Saddle River by loud, frequent or habitual continuous barking, howling or yelping for a period of more than 20 continuous minutes between the hours of 7:00 a.m. and 10:00 p.m. or for a period of more than 15 continuous minutes between the hours of 10:00 p.m. and 7:00 a.m. “Continuous” is defined as uninterrupted, unbroken not intermittent or occasional, so persistently repeated at short intervals as to constitute virtually an unbroken series. No dog owner shall permit his dog to trespass upon the property of any other persons in the Borough of Saddle River nor suffer or permit his dog to damage shrubbery, flowers, gardens or any other property of any kind or character belonging to any neighbor or other person in the Borough of Saddle River.

B. In any proceeding before the Municipal Court upon a complaint duly made and filed under this Chapter, if the Court shall find that the dog in question has committed the prohibited acts alleged in the complaint, then there shall be a presumption that the defendant owner, possessor or harborer has suffered or permitted said dog to commit the prohibited acts alleged in the complaint, and it shall not be necessary that the complainant prove the defendant’s knowledge, intention or scienter.

Except as provided for herein, all other provisions of the Ordinance shall remain in full force and effect.

If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

This Ordinance shall take effect immediately upon final passage and publication as required by law.

Approved:

Albert J. Kurpis, Mayor

Attest:

Joy Convertini, Borough Clerk