

**TOWNSHIP OF FLORENCE
ORDINANCE 2019-14**

**An Ordinance of the Township of Florence Amending Chapter 91
Land Development of the Code of the Township of Florence to
establish requirements for electronic pet containment fences and
amending Chapter 2 Fees.**

WHEREAS, Chapter 91 Land Development of the Code of The Township of Florence includes provisions related to fences, and

WHEREAS, Chapter 2 Fees of the Code of The Township of Florence includes provisions related to fees for certain permits including zoning permits, and

WHEREAS, electronic pet containment systems are becoming more common and are intended to act as non-visible fences that are meant to preclude pets from leaving a property or entering areas of a property where their owner wishes them to be excluded, and

WHEREAS, the Township Council has determined it is necessary and appropriate to amend a certain provision of the code to establish a process and criteria for review and approval of the location of electronic pet containment fences in the township.

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Florence that:

Section 1. Chapter 91-92 of the Code of the Township of Florence is hereby amended to read as follows:

F. Regulations for Electronic Pet Containment Fences & Systems

(1) Definitions:

Buried Electronic Pet Containment Fences - for the purposes of this chapter, Buried Electronic Pet Containment Fences shall be defined as a means by which a signal is transmitted to a pet-worn device which produces a noise, pulse, or shock to the pet when nearing the location of a buried wire or other transmitting material which acts as a predefined invisible border location of a property. **NOTE:** The pet-worn device is a conditioning tool intended to deliver unpleasant consequences to getting too near the predefined invisible border.

Centralized Electronic Pet Containment Systems - for the purposes of this chapter, Centralized Electronic Pet Containment Systems shall be defined as a means by which a radio signal is transmitted a user-defined radius through the air from a device located in or on a building or residence to a pet-worn device which produces a noise, pulse, or shock to the pet when nearing the limits of the radio signal. NOTE: The pet-worn device is a conditioning tool intended to deliver unpleasant consequences to getting too near the predefined outer limits of the radio signal range.

(2) Pet containment fences and systems using buried wires or proximity transmitters shall be permitted by this chapter as specified herein.

(3) Buried electronic pet containment fences.

1. A zoning permit, and any other permits as may be necessary by the township code, state, county or federal regulations, is required before any buried electronic pet containment fences can be installed in accordance with the provisions of this code.

2. Wiring and materials used as a means of transmitting electronic signals or pulses shall:

a. Not be located any closer to the primary street frontage of a property than the existing front setback of the principal structure or in a case where the front yard is greater than twenty-five feet in depth, the point of containment is permitted to be installed at the twenty-five feet setback from the front property line.

b. Not be located any closer to a secondary street frontage of a property than six feet from the municipal, county or state right-of-way, or a minimum of six feet from the edge of a pedestrian sidewalk; whichever is farthest from the roadway.

c. Not be located any closer to adjacent property lines than three feet when no physical fence or barrier is present along such adjacent property line.

d. Be permitted to be installed at a point no closer than two feet from the edge of an active municipal alley.

(4) Centralized electronic pet containment systems.

1. No zoning permit is required for centralized pet containment systems.

2. The configuration of transmitting devices and the signal strength shall be such that the device shall:

a. Not allow a pet to get any closer to the primary street frontage of a property than the existing front setback of the principal structure or in a case where the

front yard is greater than twenty-five feet in depth, the point of containment is permitted to be installed at the twenty-five feet setback from the front property line.

b. Not allow the pet to get any closer to a secondary street frontage of a property than six feet from the municipal, county or state right-of-way, or a minimum of six feet from the edge of a pedestrian sidewalk; whichever is farthest from the roadway.

c. Not allow the pet to get any closer to adjacent property lines than three feet when no physical fence or barrier is present along such adjacent property line.

d. Not allow the pet to get any closer than a point no closer than two feet from the edge of an active municipal alley.

(5) Any property that utilizes an electronic pet containment fence or system must display informational signage along the perimeter of the property at the location where the barrier is designed to halt the movement of the pet being contained. Such signage must be legible, durable, and readily identifiable to pedestrians passing near the property where the pet is contained. The sign must be a minimum of seventy square inches in area. The sign lettering must be of contrasting color as compared to the background color. The number of signs installed must be sufficient so there is no more than twenty-five feet between a point along the frontage and the nearest sign.

G. Upon discovery of an alleged violation of this section, the Zoning Officer shall serve written notice, either by personal service or certified mail, return receipt requested, to the owner of the fence and/or the owner or lessee of the property where the fence is located, ordering the fence to be brought into conformity with provisions of this chapter, or its removal, within 30 days of the date of the notice. The notice shall include notification that if the fence is not brought into conformity or removed within such time, a summons and/or complaint will be issued.

H. Any buried electronic pet containment fences and centralized electronic pet containment systems, as defined in this Chapter, that lawfully existed prior to the effective date of Ordinance No. 2019-14 are hereby permitted as a grandfathered use. Any subsequent change to those electronic pet containment fences or centralized electronic pet containment systems will void the grandfather provision and require the owner and/or lessee of the subject property to comply with the provisions of this Chapter.

Section 2. Schedule A of Chapter 2 of the Code of the Township of Florence is hereby amended to add a provision for Zoning permits to read as follows:

Item

Fee

Electronic pet containment zoning permits

No Fee

Section 3. If a court of competent jurisdiction shall declare any section, paragraph, subsection, clause or provision of this Ordinance invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 4. All ordinances or parts of ordinances of the Township of Florence heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect immediately upon adoption. Notice of adoption shall be published as provided by law.

JERRY SANDUSKY
Council President

NANCY L. ERLSTON, RMC
Township Clerk

TOWNSHIP OF FLORENCE
NOTICE OF PENDING ORDINANCE

Ordinance No. 2019-14

**An Ordinance of the Township of Florence Amending Chapter 91
Land Development of the Code of the Township of Florence to
establish requirements for electronic pet containment fences and
amending Chapter 2 Fees.**

Take Notice that the Ordinance identified above which amends Chapter 91 of the Florence Township Code to amend the provisions of Section 91-92 to establish a process and criteria for review and approval of the location of electronic pet containment fences in the township and Chapter 2 Fees of the Code of The Township of Florence to include provisions related to fees for certain permits including zoning permits.

The Ordinance has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, held on May 15, 2019. It will be considered for final passage after public hearing to be held on June 5, 2019, at 8:00 P.M. in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

Copies of the full ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. Copies may be obtained on request and a copy is posted on the municipal bulletin board in the Municipal Complex at 711 Broad Street, Florence, New Jersey.

Nancy Erlston, RMC
Township Clerk