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New Jersey Assembly Bill 4920 (Conaway) Detailed Summary

Full bill may be read at https://pub.njleg.state.nj.us/Bills/2022/A5000/4920_11.PDF.

DEFINITIONS (Sec. 1 of bill)

- “Department” – NJ Department of Health (i.e., Health Dept.).
- “Inspector” – person performing an inspection for a municipality, local health authority, or the Health Dept.
- “Residential kennel” – a residential property owned or rented by a person on at which the person keeps, houses, or otherwise possesses 15-25 dogs.
- “Residential property” – any building and land used or held for use as a home or residence, including accessory buildings and outdoor areas located on the same premises and including apartment buildings, condominiums, cooperatives, townhouses, and any rental properties.

LICENSE REQUIREMENTS (Sec. 2)

- Those with more than 25 dogs on a residential property must be licensed as a kennel under [C.4:19-15.8](#):
 - “Kennel” means any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop (requires municipal licensing).
- Those with 15-25 dogs on a residential property must get a [new] residential kennel license and maintain it in compliance with municipal ordinance requirements (Sec. 3, below) and rules and regulations (Sec. 4, below).
- Residential kennel license holders must secure and renew a license and official registration tag for each dog kept at the residential kennel license owned by the licensee.

APPLICATIONS, INSPECTIONS (Sec. 3)

- Requires municipalities to enact new ordinances to require annual licensure of residential kennels.
- Those with 15-25 dogs on a residential property shall apply to the clerk/other town official for a residential kennel license.
- Annual license fee: \$250.
- License application shall describe premises, and:
 - Proof applicant is at least 18 years old.
 - Certification that applicant has no prior record of a conviction or been found civilly liable for animal cruelty violations and has no history of residential kennel license revocation.
 - Number of dogs to be kept at residence.
 - Name and address of owner.
 - License of number of each dog kept in residential kennel.
 - Certification that applicant is not operating a “kennel” (see Section 2, above).
 - Applicant’s attestation that residential kennel complies with municipal requirements and rules and regulations.
- Premises of the residential kennel are to include the entire area where the dogs are kept/housed.



- Permits municipalities to establish, by ordinance, requirements governing the operation of residential kennels, rules and regulations (Sec. 4, below), and the rules and regulations already established for “kennels”.
- Licenses shall state the information required to be listed on the license application.
- Licenses shall expire on June 30 annually.
- Licenses shall be subject to revocation by the municipality or on recommendation of the Dept. of Health or local health authority for failure to comply with requirements. Revocation to occur after licensee has been afforded a hearing.
- Local health authority to inspect applicant’s premises, and shall notify applicant of any violation of requirements. Applicant shall have 30 days to correct violations. If no violations noted or if violations are corrected within 30 days, local health authority shall issue written approval of compliance to licensing authority. If no local health authority exists, then Dept. of Health shall perform inspections and issue written approvals.
- Before issuing license, municipality shall obtain written approval of compliance.
- Applicants shall provide local health authority/Health Dept., and any officers full access to where dogs are kept and any required records.
- Inspectors may be accompanied by a county humane law enforcement officer, municipal humane law enforcement officer, a certified animal control officer contracted by a municipality, or any combination thereof that the inspector believes is necessary.
- At least annual inspections of residential kennels, in addition to inspections triggered by complaints. Inspections also permitted of any residential property in response to a complaint that an unlicensed residential kennel is being operated.
- If an unlicensed residential kennel is found, the local health authority/Health Dept. shall issue a notice of violation. Person shall correct violation within 90 days and apply for a residential kennel license or relocate any dog in excess of the number permitted to be kept without a license. If not in compliance after 90 days, local health authority or municipality may initiate court proceedings to correct violations and impose penalties, including seizure of dogs.

CARE & CONDITIONS (Sec. 4)

- Residential kennels to comply with rules and regulations for sanitary operation of kennels, pet shops, shelters, pounds, and residential kennels. (See [New Jersey Administrative Code Sec. 8:23A-1.3, et seq.](#))
- Licensee shall care for dogs in compliance with state cruelty statutes.
- Primary enclosures shall:
 - Enable adequate airflow and fresh air exchange, protection from the weather, and comply with statutory proper shelter requirements. ([New Jersey General Statutes Section 4:22-17.5](#))
 - Have surfaces that come in contact with dogs be constructed by materials that can be adequately cleaned and sanitized, protect dog’s feet and legs from injury, be of solid or wide-slatted flooring (not wire-strand or gridded flooring).
 - No stacking of primary enclosures permitted.
 - Be of sufficient size to allow one foot of headroom above the head of tallest dogs in enclosure, and (as measured from tip of nose to base of tail) provide at least 12 square feet of space for *each* dog up to 25 inches long, at least 20 square feet for *each* dog between 25-35 inches long, and at least 30 square feet for *each* dog 35 inches long or longer.
- Licensees shall only permit licensed veterinarians to perform any veterinary services, and shall maintain records thereof. Licensees shall ensure that licensed vet. administers medications and vaccinations necessary to ensure health of dogs, including medications that prevent intestinal parasite infestations and AVMA-recommended



vaccinations, including rabies vaccinations (dogs over four months) and those to prevent parvo and other canine diseases.

- If dogs are bred at residential kennel, licensee shall maintain records concerning births and litters. Licensee shall ensure that:
 - No female is bred to give birth to more than six litters in its lifetime; and
 - No offspring are removed from licensed residential kennel before its eight weeks of age (vet. visits exception).
- Dogs shall receive an annual oral dental exam and (if necessary) treatment; and licensees shall maintain records of dental exams and treatments.
- Fur and nails shall be groomed at least twice/year or as often as necessary to prevent matting and curling or overgrowth of nails. Licensee shall maintain records of each grooming and nail trim.
- Licensee shall also maintain records, to include:
 - Total number of dogs kept on residential property in year proceeding the effective date of the law and every year thereafter.
 - Method of acquisition of each dog, and any collar identification, cage card, and microchip information, matched to the dog's vet. records.
 - For the year proceeding the effective date of the law and every year thereafter, disposition of dogs, including number of dogs that died at the residential kennel and the causes of death for each; and the number of dogs sold, traded, bartered, brokered, or otherwise given away or no longer kept at residential kennel.
 - Vet. records, including a written medical program for each dog, signed by licensed vet., proof that each dogs has received at least one hands-on vet. exam each calendar year, and care records (including dates of administered medications and vaccinations) and any vet. procedures performed, including records of euthanizations and reasoning therefore.
 - For each year, number of litters whelped, number of live and still bon puppies in each litter, and testing of puppies for genetic conditions and results.
- All records shall be retained for three years, and in a manner that makes them available to the Health Dept., local health authority, or a municipal official authorized to inspect or enforce animal control and welfare.

PENALTIES (Sec. 5)

- Violations may result in civil penalties ranging from \$250 to \$500, including additional violations/penalties for uncorrected/continuations of violations.
- If a municipality, Health Dept., or local health authority finds that violations remain uncorrected for more than 90 days, municipality may also petition court to confiscate and forfeit all dogs on residential property or number of dogs necessary to bring number to less than 15. Municipality may also, after hearing, revoke a residential kennel license and prohibit the person from obtaining a residential kennel license or housing 15 or more dogs.

NEW REGULATIONS (Sec. 7)

- Requires Health Dept. to revise rules and regulations to include provisions governing the sanitary conduct and operation of residential kennels.

EFFECTIVE IMMEDIATELY UPON ENACTMENT (Sec. 8).