

## NJ's Tethering Restriction and Proper Outdoor Shelter Law:

Title 4 revised, and signed into law, on August 7th, 2017

**Adverse Environmental Conditions:** It is unlawful to expose any dog, domestic companion animal, or service animal to adverse environmental conditions for more than 30 minutes, unless the animal has continuous access to proper shelter as set forth below. The act also specifies tethering requirements and what constitutes "adverse environmental conditions." The law advises on corrective actions to be taken before issuing punitive summonses to the pet owner. (C.4:22-17.1 Definitions relative to care, tethering of certain animals)

✚ Adverse Environmental Conditions means any of the following:

- 32 degrees Fahrenheit or below, or 90 degrees Fahrenheit or above;
- Exposure to direct sunlight, hot pavement, or any other hot surfaces that would pose a risk to the health or safety of the animal; Cold weather or precipitation-related environmental conditions, including, but not limited to, wind, rain, snow, ice, sleet, or hail

**Prohibited Tethering and Restraints:** (C.4:22-17.3 Unlawful to cruelly restrain a dog)

✚ It is illegal to tether a dog in any of the following manners:

- With a tether on which more than one dog is restrained,
- With a tether less than 15 feet in length or which doesn't permit the dog to walk at least 15' in a direction\*
- With a tether that permits the dog to reach another dog or an object or location that poses a risk of entanglement, strangulation, drowning, or other harm to the health or safety of the dog,\*
- In a manner that exposes the dog to adverse environmental conditions for more than 30 minutes,
- With the use of a choke collar, prong collar, head harness, a chain with metal links that are more than one quarter of an inch thick, or a tether, collar, or harness to which a weight is attached
- In a manner that prevents the dog's access to sanitary and liquid water when tethered for more than 30 minutes
- If the dog is a nursing female, or is less than four months old
- Outdoors between the hours of 11p.m. and 5a.m. (*shall not take effect until 18 months after enactment*)\*

\*Note: does not apply if person in position to care for animal is present with the animal at all times, or can see the animal at all times. This law does not apply to transport, shows, or if indoors.

**Proper Outdoor Shelter Requirements:** (C.4:22-17.5 Proper shelter for certain animals)

✚ Proper shelter must at all times:

- Be adequately ventilated so animal remains dry and maintains a normal body temperature, UPRIGHT position.
- Allow animal access to clean, potable water, and exposure to natural or artificial light per a regular cycle of day and night, Be soundly constructed, in good repair, no sharp points or edges, maintained from waste and debris,
- Provide sufficient space for animal to easily turn around in a full circle and lie down on its side with limbs outstretched, and when the animal is in a normal sitting position, the top of the animal's head cannot touch the shelter ceiling. Must be reasonably away from flood areas, be cleared of snow, precipitation, and debris.
- MUST HAVE A FLOOR, insulation to maintain normal body temperature, and if under 32 degrees, a windbreak.

✚ **Proper shelter DOES NOT include** a crawl space, under a vehicle, a structure made with pressure treated wood containing arsenic or chromium, or with a wire, chain link type construction, or one made from materials that can easily denigrate from the elements. Even if shelter requirements are met, if the size, type, condition or type of animal puts the animal in danger of the elements, and normal body temperature cannot be maintained, it can be ordered to be taken inside.

***While animal control officers (ACOs) and humane police (HLEOs) are primarily tasked with enforcement, state law gives authority to any local law enforcement official to enforce these provisions of Title 4 in the event ACOs or HLEOs are not available!***

DISCLAIMER: This is not a legal document and solely intended to provide NJ residents a 'quick reference' summary of the new law. Please refer to the statute and state legislative website for the full text of the law at [http://www.njleg.state.nj.us/2016/Bills/PL17/189\\_PDF](http://www.njleg.state.nj.us/2016/Bills/PL17/189_PDF)



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