

Ordinance #4-7 – Pet Waste

SECTION I. Purpose:

An ordinance to establish requirements for the proper disposal of pet solid waste in the **Borough of Victory Gardens**, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

4-7.1 SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed once, without delay.
- b. Owner/Keeper - any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste - matter expelled from the bowels of the pet; excrement.
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector, or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

4-7.2 SECTION III. Requirement for Disposal:

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, now owned or possessed by that person.

4-7.3 SECTION IV. Exemptions:

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

4-7.4 SECTION V. Enforcement:

The provisions of this Article shall be enforced by the **[Police Department and the Local Board of Health]** of the **Borough of Victory Gardens**.

4-7.5 SECTION VI. Violations and Penalty:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$ 100.00.

4-7.6 SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

4-7.7 SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ALL OF WHICH IS ADOPTED this 27th day of September, 2005, by the
Borough of Victory Gardens.

BOROUGH OF VICTORY GARDENS

Nanette Courtine
Nanette Courtine, Mayor

ATTEST:

Deborah Evans

Deborah Evans, Borough Clerk

INTRODUCED:

I hereby certify that the above is a true copy of the ordinance passed by
the Mayor and Council of the Borough of Victory Gardens, Morris County, at a
regular meeting held on the day of Sept. 27, 2005.

Deborah Evans
Deborah Evans, Borough Clerk

ADOPTED:

9/27/05

Introduced: 8/23/05