

TOWNSHIP OF NORTH BERGEN
HUDSON COUNTY, NEW JERSEY

AN ORDINANCE TO ESTABLISH CONTROL OF
PET WASTE FOR THE TOWNSHIP OF NORTH BERGEN

WHEREAS, the Township of North Bergen has been issued a General Stormwater Permit by the New Jersey Department of Environmental Protection Agency, which requires the establishment and adoption of pet waste ordinance for the Township; and

WHEREAS, the Ordinance shall provide the proper disposal of pet solid waste; and

WHEREAS, the Board of Commissioners wishes to adopt said Ordinance as required by the stormwater permit and applicable laws and regulations.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NORTH BERGEN that:

SECTION I. Purpose:

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

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 at 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 – 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.

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, not owned or possessed by that person.

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.

SECTION V. Enforcement:

The provisions of this Article shall be enforced by the Police Department and the Health Department of The Township of North Bergen.

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.

SECTION VII. Separability :

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.

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.

Introduced: September 14, 2005

Published: Sept. 17, 2005 & Oct. 3, 2005

Adopted: Sept. 28, 2005

Attest: Carol Ann Fontana
Township Clerk

<u>Commissioner Cabrera</u>	<u>Absent</u>
<u>Commissioner Ferraro</u>	<u>Yes</u>
<u>Commissioner Gargiulo</u>	<u>Yes</u>
<u>Commissioner Pascual</u>	<u>Yes</u>
<u>Mayor Sacco</u>	<u>Yes</u>