

## PET WASTE

**Section 7.** There is hereby created a new section 5-8 of the Borough Code entitled

“Pet Waste” which reads as follows:

### **5-8 PET WASTE.**

**5-8.1 Purpose.** An ordinance to establish requirements for the proper disposal of pet solid waste in Bernardsville Borough, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**5-8.2 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. Owners/Keepers - 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.

**5-8.3 Requirements 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.

**5-8.4 Exemptions.** Any owner or keep 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.

**5-8.5 Enforcement.** The provisions of this Article shall be enforced by the Code Enforcement Officer, the Sanitarian and the Police Department of Bernardsville Borough.

**5-8.6 Violations and Penalty.** Any person who violates any provision of this section shall be liable, upon conviction, to the penalties stated in Chapter I, section 1-5.