

## **BOROUGH OF ROCKLEIGH**

### **ORDINANCE #2023-4**

#### **AN ORDINANCE TO ESTABLISH REQUIREMENTS FOR THE PROPER DISPOSAL OF PET SOLID WASTE AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF.**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Rockleigh, in the County of Bergen, and State of New Jersey as follows:

#### **Section 1. Purpose.**

This Ordinance is intended to establish requirements for the proper disposal of pet solid waste in the Borough for the protection of the public health, safety and welfare and to prescribe penalties for the failure to comply.

#### **Section 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.

##### **IMMEDIATE**

Shall mean that the pet solid waste is removed at once, without delay.

##### **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.

##### **PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

##### **PET**

A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

##### **PET SOLID WASTE**

Waste matter expelled from the bowels of the pet; excrement.

##### **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 3. 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 4. 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 5. Enforcement.**

This Ordinance shall be enforced by the Police Department providing police services to the Borough of Rockleigh and the Borough Board of Health.

**Section 6. Penalties.**

Any person who is convicted of violating any provision of this Ordinance shall be subject to such fine and general penalty as set forth in §1-5, General Penalty, of the Code of the Borough of Rockleigh, within the discretion of the Municipal Court Judge.

**Section 7. Severability.**

If any section, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such subject shall be rendered.

**Section 8. Inconsistent Ordinances Repealed.**

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

**Section 9. Effective Date.**

This Ordinance shall take effect after publication thereof and final passage as required by law.

  
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JAMES PONTONE, Mayor

  
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MARCELLA GIAMPICCOLO, RMC  
Borough Clerk

Introduced: March 6, 2023

Adopted: April 3, 2023

Approved: April 3, 2023