

## **5-9 DISPOSAL OF PET SOLID WASTE.**

### **5-9.1 Purpose.**

The purpose of this section is to establish requirements for the proper disposal of **pet** solid waste in the Borough of Haworth, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply. This section is adopted in accordance with the New Jersey Municipal Stormwater Regulation Program, in order to implement the Best Management Practices required by the Tier A. Municipal Stormwater General Permit issued to the Borough of Haworth by the New Jersey Department of Environmental Protection. (Ord. No. 919 § 1)

### **5-9.2 Definitions.**

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section 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* shall mean 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* shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

*Pet* shall mean a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

*Pet solid waste* shall mean waste matter expelled from the bowels of the **pet**; excrement.

*Proper disposal* shall mean 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.

(Ord. No. 919 § 1)

### **5-9.3 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. (Ord. No. 919 § 1)

### **5-9.4 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. (Ord. No. 919 § 1)

### **5-9.5 Enforcement.**

The provisions of this section shall be enforced by the Haworth Police Department and the Haworth Board of Health. (Ord. No. 919 § 1)

### **5-9.6 Violations and Penalty.**

Any person(s) who is found to be in violation of the provisions of this section shall, upon conviction thereof, be punished for a first offense by a fine of not less than twenty-five (\$25.00) dollars nor more

than one hundred (\$100.00) dollars, as determined by the Municipal Court Judge. For a second or subsequent offense, a fine not less than fifty (\$50.00) dollars nor more than five hundred (\$500.00) dollars shall be imposed. A separate offense shall be deemed committed on each day during, or on which, a violation occurs or continues. (Ord. No. 919 § 1)