

Chapter 70A**PET WASTE, PROPER DISPOSAL****§ 70A-1. Purpose.****§ 70A-2. Definitions.****§ 70A-3. Requirement for disposal.****§ 70A-4. Exemptions.****§ 70A-5. Enforcement.****§ 70A-6. Violations and penalty.**

[HISTORY: Adopted by the Township Committee of the Township of Barnegat 4-18-05 as Ord. No. 2005-21. Amendments noted where applicable.]

Be it ordained by the Township Committee of the Township of Barnegat, in the County of Ocean and State of New Jersey, as follows.

§ 70A-1. Purpose.

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

§ 70A-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 non 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 — 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.

§ 70A-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.

§ 70A-4. Exemptions.

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

§ 70A-5. Enforcement.

The provisions of this chapter shall be enforced by the Police Department and the Board of Health of the Township of **Barnegat**.

§ 70A-6. 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 one hundred fifty dollars (\$150.).