

## ORDINANCE

### "AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER V OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED ANIMAL CONTROL"

05-05

#### **5-5 PET WASTE 5-5.1**

##### *Purpose.*

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

#### **5-5.2 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.

#### **5-5.3 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.

#### **5-5.4 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,

### **5-5.5 Enforcement.**

The provisions of this Article shall be enforced by the police department and the code enforcement officer of the Borough of Lakehurst.

### **5-5.6 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 as provided in the general penalties, not to exceed \$1,250.00

### **Severability.**

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.

### **Effective date.**

This ordinance shall take effect immediately upon final passage and publication as required by law.

Hon. Stephen F. Childers  
Mayor

### **LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN** that an Ordinance #05-05 entitled: "AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING CHAPTER XVI OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED "WATER AND SEWER" was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the seventeenth day of March, 2005,

Bernadette Dugan, RMC  
Municipal Clerk