

## **BOROUGH OF NEW PROVIDENCE**

ORDINANCE 2024-15

### **“AN ORDINANCE ESTABLISHING REQUIREMENTS FOR THE DISPOSAL OF PET SOLID WASTE”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of New Providence, County of Union, State of New Jersey, that Chapter 333 Article XXVI Section 333-168 titled “Collection of Animal Feces; Disposal” be deleted and replaced with the following:

#### **Section 333-168. Pet Waste**

##### **SECTION I. Purpose:**

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

##### **SECTION II. 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 consistent 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. “Owner/Keeper” means 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.
- B. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- C. “Pet” means any domesticated animal kept for companionship.
- D. “Pet solid waste” means feces from any domesticated animal.
- E. “Proper disposal” means placement in a designated waste receptacle, or other suitable 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 III. Regulated Activities:**

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 IV. Exemptions:**

Any owner or keeper who requires the use of a disability assistance animal for disabilities such as vision or hearing loss, or other physical disabilities, shall be exempt from the provisions of this section while such animal is being used for that purpose. This exemption is not applicable to pets that are exclusively emotional support animals.

### **SECTION V. Enforcement:**

This ordinance shall be enforced by the Police Department, the Borough Administrator, the Public Works Manager or the Zoning Officer.

### **SECTION VI. Violations and Penalties:**

Any person(s) found to be in violation of the provisions of this ordinance shall be subject to the following penalties:

1. For the first offence, one warning shall be issued.
2. After the first warning, a fine for a second violation not to exceed \$250.00.
3. For each subsequent violation, a fine not to exceed \$500.00 per violation.

### **SECTION VII. Severability:**

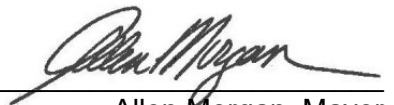
Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

### **SECTION VIII. Effective Date:**

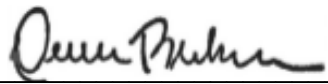
This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced: October 8, 2024  
Public Hearing: October 22, 2024  
Adopted: October 22, 2024

BOROUGH OF NEW PROVIDENCE  
COUNTY OF UNION  
STATE OF NEW JERSEY

  
Allen Morgan, Mayor

Attest:

  
Denise Brinkofski, Borough Clerk