

**ORDINANCE # 2024-08**

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 85, ANIMALS, TO ESTABLISH ARTICLE VI, "PET WASTE"**

**WHEREAS**, on December 1, 2022, the New Jersey Department of Environmental Protection issued a Final Stormwater Discharge Master General Permit Renewal (Permit Number NJ0141852) in accordance with N.J.A.C. 7:14A; and as part of the above referenced permit renewal the Township of Allamuchy was reassigned to Tier A under N.J.A.C. 7:14a-25.3(a)1; and the requirements of the above referenced permit for municipalities assigned to Tier A includes a requirement to adopt certain community-wide ordinances; and the Township is required to adopt and enforce an ordinance that requires pet owners or their keepers 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. Information on the Pet Waste Ordinance, the website address where it can be located, and the benefits of proper disposal of pet solid waste shall be distributed with pet licenses; and the NJDEP has created a model Pet Waste ordinance for adoption by municipalities to comply with the permit requirements; and the Township Council seeks to adopt the model Pet Waste in order to satisfy the conditions of the NJDEP MS4 permit.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Township of Allamuchy, Country of Warren, State of New Jersey as follows:

**Section I**

Chapter 85, Animals, of the General Legislation is hereby amended by adding thereto a new Article VI entitled "Pet Waste", to meet the requirements of the NJPDES MS4 Permit.

**§85-36 Purpose.**

To establish requirements for the proper disposal of pet solid waste in Allamuchy Township to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

**§85-37 Definitions.**

For the purpose of this Article, the following terms, phrases, words, and their derivations, shall have the meanings stated herein unless their use in the text of this Code 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.

**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**

Any domesticated animal kept for companionship.

**PET SOLID WASTE**

Feces from any domesticated animal.

**PROPER DISPOSAL**

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.

**§85-38 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.

**§85-39 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.

**§85-40 Enforcement.**

This Article shall be enforced by the New Jersey State Police and/or the Township Health Official

or designee, the Animal Control Officer, or the Superintendent/Supervisor of the Department of Public Works.

**§85-41 Violations and Penalties.**

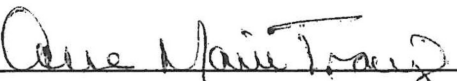
Any person(s) who is found to be in violation of the provisions of this ordinance shall, upon conviction, be liable to the general penalty in Chapter 1, Article II, General Penalty, of the Township Code.

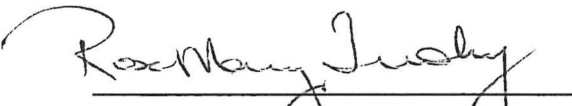
**Section II**

1. All ordinances or part of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.
2. If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.
3. This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

ATTEST:

TOWNSHIP OF ALLAMUCHY

  
ANNE MARIE TRACY, Municipal Clerk

  
ROSEMARY TUOHY, Mayor

**NOTICE**

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Allamuchy Township Mayor and Council held on March 27, 2024 and will be considered for final reading and adoption at the meeting of the Allamuchy Township Mayor and Council to be held on April 24, 2024 at 6:30 p.m. at the Municipal Building, 292 Alphano Road, Allamuchy, New Jersey at which time and place all interested parties may appear for or against the passage of said Ordinance.

  
ANNE MARIE TRACY, Municipal Clerk

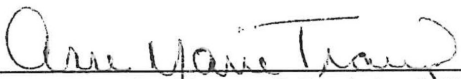
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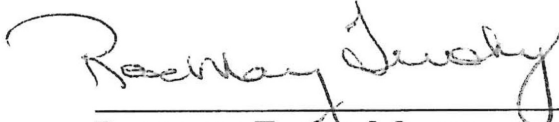
**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 85,  
ANIMALS, TO ESTABLISH ARTICLE VI, "PET WASTE"**

Take notice, the foregoing Ordinance was introduced and passed on first reading by the Township Council of the Township of Allamuchy on March 27, 2024 at a meeting of said Council held at Allamuchy Town Hall, Allamuchy, New Jersey and was given further consideration and finally passed at a meeting of the Allamuchy Township Council held April 24, 2024 at Allamuchy Town Hall, Allamuchy, N.J.

This Ordinance shall take effect twenty days after final passage and publication in accordance with law.

ATTEST:

  
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Anne Marie Tracy, Municipal Clerk

  
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Rosemary Tuohy, Mayor