

BOROUGH OF FRANKLIN

ORDINANCE No. 11-2023

AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY MODIFYING SECTION 86-17 REGARDING PET WASTE AND WILDLIFE FEEDING

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that the Franklin Borough Code is amended as follows:

SECTION I. Section 86-17 of the Code is hereby replaced as follows:

§ 86-17. Defecation.

A. Defecation on private property. No person owning or in charge of any domestic animal shall cause or allow such animal to soil, defile, defecate upon or commit any nuisance upon any private property, without the permission of the owner of the property. Any person owning or in charge of a domestic animal which soils, defiles, defecates or commits any such nuisance shall immediately remove all feces deposited by such animal in a sanitary manner.

B. Defecation on public property. No person owning or in charge of any domestic animal shall allow such animal to soil, defile, defecate upon or commit any nuisance on any place where people congregate or walk, or upon any public property. Any person owning or in charge of a domestic animal which soils, defiles, defecates or commits any such nuisance shall immediately remove all feces deposited by such animal in a sanitary manner.

C. Defecation on owner's property. No person shall permit the accumulation of domestic animal feces or urine upon his/her own property, or property occupied by him/her, to the extent that the odor may be noticeable to any adjoining property owners.

D. Disposal of defecation. 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. 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

E. Exceptions to violation. The provisions of this section shall not apply to dogs used as guides for persons who are blind, commonly known as "Seeing Eye" dogs, dogs used to assist persons with a handicap, commonly known as "service dogs," or dogs used to assist persons who are deaf, commonly known as "hearing ear dogs."

SECTION II. Section 86-18 of the Code is hereby created as follows:

§ 86-18. Wildlife Feeding Prohibited.

No person shall feed, in any public park or on any other property owned or operated by the Borough of Franklin, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

SECTION III

The Current § 86-18 and § 86-19 are hereby relocated to § 86-19 and § 86-20, respectively.

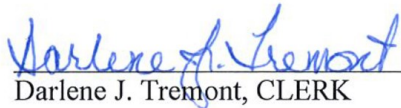
All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION IV

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

ATTEST:

BOROUGH OF FRANKLIN



Darlene J. Tremont, CLERK

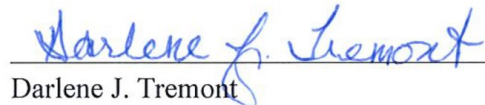


BY: John M. Sowden IV, MAYOR

DATED: September 26, 2023

NOTICE


NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on September 12, 2023, at 7:00 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on September 26, 2023, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey 07416, at which time all persons interested may appear for or against the passage of said Ordinance.



Darlene J. Tremont
Municipal Clerk

CERTIFICATION

I, Darlene J. Tremont, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 26th day of September, 2023.



Darlene J. Tremont, Clerk
Borough of Franklin



John M. Sowden IV, Mayor

Introduced: September 12, 2023

Adopted: September 26, 2023