

# ORDINANCE

No. 24-031  
Date to Mayor MAY 14 2024  
Date Returned \_\_\_\_\_  
Date Resubmitted to Council \_\_\_\_\_

1<sup>st</sup> Reading APR 18 2024  
Public Hearing MAY 09 2024  
2<sup>nd</sup> Reading & Passage MAY 09 2024  
Withdrawn Lost

Approved as to Form and Legality

Factual content certified by

WES BRIDGES, ESQ., CITY ATTORNEY

SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

Councilman /woman [Signatures] presents the following Ordinance:

## AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING PET WASTE AND TO AMEND CHAPTER 21 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the City of Trenton, as a Tier A municipality with respect to Stormwater Quality Management, is required by the New Jersey Department of Environmental Protection ("NJDEP") to periodically adopt certain model ordinances; and

WHEREAS, the City is required to adopt NJDEP's model ordinance regarding pet waste; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Trenton, in the County of Mercer, as follows:

Section 1. Chapter 21 ("Animals"), Article II ("Removal of Waste"), comprised of Sections 21-17, 21-18, 21-19 and 21-20, shall be repealed in its entirety and replaced with the following:

### Article II – Pet Waste

#### § 21-17 Purpose

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

#### § 21-18 Definitions

**PET**  
Any domesticated animal kept for companionship.

**PET SOLID WASTE**  
Feces from any domesticated animal.

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## § 21-19 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.

## § 21-20 Exemptions

Any owner or keeper who requires the use of a disability assistance animal for disabilities such as vision and/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.

## § 21-21 Enforcement

The inclusion of this provision within this chapter shall not be considered to vest exclusive jurisdiction to the Department of Health in terms of enforcement of this provision; violations of this article may be enforced by other City officials, including the uniformed members of the Police Department.

## § 21-22 Violations and Penalties

Violations of this Article shall be punishable as provided in Chapter 1, Article III, General Penalty.

**Section 2.** The remainder of the codified sections in Chapter 21 ("Animals") shall be renumbered as follows:

### **Article III – Keeping of Birds and Animals**

- § 21-23 Keeping of birds and animals regulated.
- § 21-24 Exceptions.
- § 21-25 Sanitary requirements.
- § 21-26 License required; inspections; suspension of license.
- § 21-27 Nuisances declared.
- § 21-28 License fees.
- § 21-29 Limitation on number of animals.
- § 21-30 Administrative hearing.
- § 21-31 Violations and penalties.

### **Article IV – Feeding of Wildlife**

- § 21-32 Purpose.
- § 21-33 Definitions.
- § 21-34 Regulated Activities.
- § 21-35 Exemptions
- § 21-36 Enforcement
- § 21-37 Violations and penalties.

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## Article V – Humane Treatment

- § 21-38 Reporting animals hit by motor vehicles.
- § 21-39 Tethering.
- § 21-40 Leaving animals outdoors.
- § 21-41 Collars.
- § 21-42 Prohibited activities and treatment.
- § 21-43 Outdoor animal enclosures.
- § 21-44 Enforcement.
- § 21-45 Notice of seizure and impoundment.
- § 21-46 Violations and Penalties

**Section 3. Repealer.** Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Trenton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

**Section 4. Severability.** If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

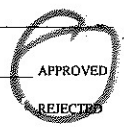
**Section 5. Effective date.** This ordinance shall take effect upon its passage and publication and as otherwise provided for by law.

INTRODUCTION:	MOTION: <i>Feliciano</i>				SECOND: <i>Edwards</i>				ORD. AUTHORED BY:	ADOPTION				MOTION: <i>Feliciano</i>				SECOND: <i>Frisby</i>								
	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION				INTRODUCTION				ADOPTION				
	AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB	
EDWARDS	✓				✓				GONZALEZ	✓				✓				FELICIANO	✓				✓			
IGUEROA TETTENBURG	✓				✓				HARRISON	✓				✓												
RISBY	✓				✓				WILLIAMS	✓				✓												
IV - NO VOTE	AB - ABSENT																									

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on APR 18 2024

Adopted on second reading after the public hearing on MAY 09 2024

*[Signature]*  
 AYE  
 Mayor  
 NAY



Reconsidered by Council – Override Vote

*[Signature]*  
 President of Council

*[Signature]*  
 City Clerk