

**PLEASE TAKE NOTICE** that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 18<sup>th</sup> day of October, 2023. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on 8<sup>th</sup> day of November, 2023, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey or via a virtual meeting of the governing body held on such date at which time all interested parties will be heard.

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Ella M. Ruta, Municipal Clerk

**ORDINANCE #2023-15**

**AN ORDINANCE OF THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING CHAPTER 22, ENVIRONMENTAL REGULATIONS, OF THE TOWNSHIP CODE TO ESTABLISH NJDEP-MANDATED REGULATIONS FOR PET WASTE**

**WHEREAS**, as part of the MS4 Tier A permit stormwater requirements, the New Jersey Department of Environmental Protection (NJDEP) requires municipalities to adopt NJDEP-mandated regulations for pet waste; and

**WHEREAS**, the Township Engineer and Township Attorney have reviewed the model ordinance provided by NJDEP and recommend adoption; and

**WHEREAS**, the Township Committee desires to adopt the NJDEP model ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, as follows:

**SECTION 1.** Chapter 22, Environmental Regulations, of the Township Code is hereby amended to establish § 22-4, Pet Waste, to read as follows:

**§ 22-4 Pet Waste.**

**§ 22-4.1 Purpose.**

The purpose of this ordinance is to establish requirements for the proper disposal of pet solid waste in the Township of Union, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**§ 22-4.2 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 ordinance 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.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.

- b. 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.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement.
- f. 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.

**§ 22-4.3 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.

**§ 22-4.4 Exemptions.**

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this ordinance while such animal is being used for that purpose.

**§ 22-4.5 Enforcement.**

The provisions of this ordinance shall be enforced by Animal Control Officer and Board of Health of the Township of Union.

**§ 22-4.6 Violations and Penalties.**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$50 for a first offense, and fine of \$75 for a second and each subsequent offense.

**SECTION 2.** Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

**SECTION 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** This Ordinance shall take effect upon its final passage, approval, and publication, as required by law.

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Ella Ruta, Municipal Clerk

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David DeGiralamo, Mayor