

ORDINANCE 331-24

AN ORDINANCE OF THE TOWNSHIP OF UPPER FREEHOLD AMENDING CHAPTER 17 SOLID WASTE MANAGEMENT, OF THE MUNICIPAL CODE OF THE TOWNSHIP OF UPPER FREEHOLD.

BE IT HEREBY ORDAINED by the Township Committee of the Township of Upper Freehold that Chapter 17, of the Municipal Code of the Township of Upper Freehold is hereby amended, with the following Section 17-6 entitled Pet Waste added as follows:

SECTION 1. Chapter 17 is amended as follows:

§ 17-6 PET WASTE.

§ 17-6.1 Purpose.

An ordinance to establish requirements for the proper disposal of pet solid waste in the Township of Upper Freehold, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 17-6.2 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 Chapter 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.

§ 17-6.3 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.

§ 17-6.4 Exemptions.

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

§ 17-6.5 Enforcement.

The provisions of this Article shall be enforced by the Township of Upper Freehold Code Enforcement Officer.

§ 17-6.6 Violations and Penalty.

Any person who violates or fails to comply with any provision of this section or any rule or regulation promulgated pursuant thereto by resolution of the Township Committee to the penalty stated in Chapter 1, Section 1-5.

SECTION 2. REPEALER.

The remainder of all other sections and subsections of the aforementioned ordinances not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES.

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. 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 5. 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.

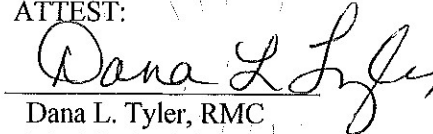
Approved on First Reading: February 1, 2024

Approved, Passed & Adopted: April 11, 2024

DATED: April 11, 2024


Dr. Robert A. Frascella, Mayor

ATTEST:


Dana L. Tyler, RMC
Municipal Clerk/Administrator