

ORDINANCE # 2026-001  
AN ORDINANCE OF THE BOARD OF HEALTH OF THE BOROUGH OF  
WALLINGTON ENTITLED  
“AN ORDINANCE AMENDING BOROUGH SANITARY CODE SECTION 396,  
SANITATION”

BE IT ORDAINED, BY THE BOARD OF HEALTH OF THE BOROUGH OF  
WALLINGTON, BERGEN COUNTY, NEW JERSEY THAT:

**WHEREAS**, the Board of Health has determined that in the interest of preserving public health, there is a need to amend the Sanitary Code of the Borough of Wallington to ban all animals, other than service animals, from restaurants, supermarkets, grocery stores, delicatessens, bakeries and butcher shops within the Borough of Wallington; and

**NOW THEREFORE BE IT ORDAINED** by the Board of Health of the Borough of Wallington, County of Bergen, State of New Jersey, that a new article, entitled “Restrictions on Animals in Restaurants, Supermarkets, Grocery Stores, Delicatessens, Bakeries and Butcher Shops” shall be added to the Borough of Wallington’s Sanitation Code which shall read as follows:

1. No person shall bring into any restaurant, supermarket, grocery store, delicatessen, bakery or butcher any live animal, other than bona-fide service animals. People employed, or contracted by, a restaurant, supermarket, grocery store, delicatessen, bakery or butcher who bring live seafood into a restaurant, supermarket, grocery store, delicatessen, bakery or butcher for the purpose of sale shall be excluded from this provision.
2. No licensed restaurant, supermarket, grocery store, delicatessen, bakery or butcher, shall permit any person to bring any type of live animal into their

premises, other than bona-fide service animals and live seafood for sale to customers.

3. No person shall permit any animal to ride in any cart provided by a supermarket or grocery store, unless said person's disability requires same and said service animal is kept in an enclosed animal carrier. All service animals must be leashed or kept in enclosed animal carriers at all times while present in a supermarket.
4. For the purposes of this article, the term "bona-fide service animal" shall include any animal recognized as a service animal under Federal or New Jersey law, but shall not include emotional support animals.
5. Every licensed restaurant, supermarket, grocery store, delicatessen, bakery or butcher within the Borough of Wallington shall post a notice of no less than 8 ½ by 11 inches in size advising customers that "By Order of the Board of Health, no person may bring live animals into any restaurant, supermarket, grocery store, delicatessen, bakery or butcher within the Borough of Wallington, other than bona-fide service animals." The Wallington Board of Health shall produce a sample notice, which may be used by businesses within the Borough of Wallington for purposes of complying with this requirement.
6. Any person or entity who violates, or neglects to comply with, any provision of this article shall, upon a first conviction thereof, be liable to a penalty of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00). Any person or entity convicted of violating any

provision of this article for a second or subsequent offense shall be liable to a penalty of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each violation.

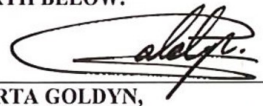
**IT IS FURTHER ORDAINED** that the remainder of the Sanitary Code of the Borough of Wallington shall remain in full force and effect.

**IT IS FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent herewith are hereby repealed; and

**IT IS FURTHER ORDAINED** that if any parts, sections, provisions, or the total of any of the above provisions are held to be invalid or unenforceable in any court, the findings or judgments of which court are applicable to the State of New Jersey, the balance and remainder of such provisions shall remain in full force and effect as an Ordinance of the Borough of Wallington's Sanitary Code and

THE PROVISIONS OF THIS ORDINANCE WILL BECOME EFFECTIVE AFTER PASSAGE AND PUBLICATION AS PRESCRIBED BY LAW.

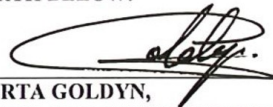
ORDINANCE NO. 2026-001  
FIRST READING / INTRODUCTION BY TITLE

| MEMBER    | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT | CERTIFIED AS A TRUE COPY OF<br>AN ORDINANCE INTRODUCED BY<br>THE BOARD OF HEALTH OF THE<br>BOROUGH OF WALLINGTON AT A<br>MEETING HELD ON THE DATE SET<br>FORTH BELOW.<br><br>MARTA GOLDYN,<br>BOARD OF HEALTH SECRETARY |
|-----------|--------|--------|-----|-----|---------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           |        |        |     |     |         |        |                                                                                                                                                                                                                                                                                                              |
| TOMKO     |        |        | X   |     |         |        |                                                                                                                                                                                                                                                                                                              |
| BARNAS    |        | X      | X   |     |         |        |                                                                                                                                                                                                                                                                                                              |
| PINTO     |        |        | X   |     |         |        |                                                                                                                                                                                                                                                                                                              |
| SANDOR    | X      |        | X   |     |         |        |                                                                                                                                                                                                                                                                                                              |
| MAJCHRZAK |        |        |     |     |         | X      |                                                                                                                                                                                                                                                                                                              |
|           |        |        |     |     |         |        |                                                                                                                                                                                                                                                                                                              |

ADOPTED THIS 15<sup>th</sup> DAY OF APRIL, 2026

  
DONNA TOMKO, CHAIRWOMAN

ORDINANCE NO. 2026-001  
SECOND READING / ADOPTION BY TITLE

| MEMBER    | MOTION | SECOND | AYE |  | NAY | ABSTAIN | ABSENT | CERTIFIED AS A TRUE COPY OF<br>AN ORDINANCE INTRODUCED BY<br>THE BOARD OF HEALTH OF THE<br>BOROUGH OF WALLINGTON AT A<br>MEETING HELD ON THE DATE SET<br>FORTH BELOW.<br><br><br>MARTA GOLDYN,<br>BOARD OF HEALTH SECRETARY |
|-----------|--------|--------|-----|--|-----|---------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           |        |        |     |  |     |         |        |                                                                                                                                                                                                                                                                                                                |
| TOMKO     |        |        | X   |  |     |         |        |                                                                                                                                                                                                                                                                                                                |
| BARNAS    |        |        | X   |  |     |         |        |                                                                                                                                                                                                                                                                                                                |
| PINTO     | X      |        | X   |  |     |         |        |                                                                                                                                                                                                                                                                                                                |
| SANDOR    |        | X      | X   |  |     |         |        |                                                                                                                                                                                                                                                                                                                |
| MAJCHRZAK |        |        | X   |  |     |         |        |                                                                                                                                                                                                                                                                                                                |
|           |        |        |     |  |     |         |        |                                                                                                                                                                                                                                                                                                                |

ADOPTED THIS 20<sup>th</sup> DAY OF MAY, 2026

  
DONNA TOMKO, CHAIRWOMAN