

HILLSBOROUGH TOWNSHIP

ORDINANCE NO.2005-39

An Ordinance amending Chapter 300, Titled “Animals”, of the code of the Township of Hillsborough, by adding an Article III, Titled “Pet Waste”, Sections 300-11 through 300-18.

Be it Ordained by the Township Committee of the Township of Hillsborough, in the County of Somerset, and State of New Jersey as follows:

1. Chapter 300 of the Code of the Township of Hillsborough is amended by adding an Article III, titled “Pet Waste”, sections 300-11 through 300-18 as follows:

Chapter 300

ANIMALS

Article III

Pet Waste Ordinance

300-11. Purpose:

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

300-12. 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.

- 1a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- 2b. 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.
- 3c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- 4d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- 5e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement
- 6f. 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.

300-13. 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.

300-14. 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.

300-15. Enforcement:

The provisions of this Article shall be enforced by the Health Officer of the Township of Hillsborough.

300-16. Violations and Penalty:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to the provisions of this ordinance, after being duly notified, shall be subject to imprisonment in the Somerset County Jail or in any place provided by the Township of the detention of prisoners, for any term not exceeding ninety (90) days; or by a fine not exceeding One thousand two hundred and fifty dollars (\$1,250.00); or by a period of community service not exceeding ninety (90) days.

300-17. 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.

300-18. 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.

Introduced: 9/13/05

Published: 9/22/05

Public Hearing: 10/11/05

Adopted: 10/11/05

Published: 10/20/05

ATTEST:

**HILLSBOROUGH TOWNSHIP
COMMITTEE**

By: _____
Kevin P. Davis, Clerk/Administrator

By: _____
Robert C. Wagner, Jr., Mayor