

# BOROUGH OF HAMBURG

## Pet Waste

### Ordinance No. 15-2023

#### **SECTION I. Purpose:**

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

#### **SECTION II. 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.

#### **SECTION III. 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.

#### **SECTION IV. 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.

**SECTION V. Enforcement:**

The provisions of this Article shall be enforced by the **Animal Control Officer** of the Borough of Hamburg.

**SECTION VI. Violations and Penalty:**

For violation of any provision of this ordinance the maximum penalty shall be as provided in Chapter 1, Article III, Section 1-17, and 1-18, of the Code of the Borough of Hamburg.

**SECTION VII. Repealer:**

Any ordinance or part thereof inconsistent with any provision of this ordinance is hereby repealed.

**SECTION VIII. 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.

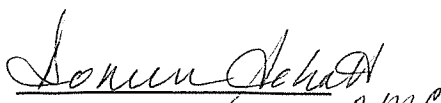
**SECTION IX. Effective date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ALL OF WHICH IS ADOPTED this 6<sup>th</sup> day of September, 2023, by the Borough of Hamburg.

**CERTIFICATION**

NOTICE is hereby given that the above ordinance was introduced and passed on first reading of a meeting of the Mayor and Council of the Borough of Hamburg, held on August 7, 2023 at 7 pm and will be considered for a final passage at a regular meeting of the Mayor and Council to be held on September 6, 2023 at 7 pm or as soon thereafter as same can be considered, in the Municipal Building, 16 Walkill Avenue, Hamburg, New Jersey at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. A copy of said Ordinance is on file in the Office of the Borough Clerk, Municipal Building, 16 Walkill Avenue, Hamburg, New Jersey and is available for public inspection during regular business hours. During the week prior and up to the time of public hearing, copies of said Ordinance will be available to the members of the general public who request the same.

  
Doreen Schott, RMC *RMC*

Municipal Clerk

STATEMENT

The above ordinance was duly adopted by a roll call vote at the September 6, 2023 Regular Meeting of the Hamburg Mayor and Council.

Roll Call:

Ayes: Burd, Oehler, Endres, Law, Haig, Sena

Nays: none

Abstain: none

Absent: none

  
Doreen Schott, RMC *emc*