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### AN ORDINANCE OF THE BOROUGH OF POMPTON LAKES AMENDING CHAPTER 197-33 OF THE BOROUGH CODE, ENTITLED "CARE, CUSTODY AND CONTROL OF DOGS"

**WHEREAS**, the Mayor and Council of the Borough of Pompton Lakes desire to amend Ordinance 197-33, regarding the disposal of pet waste, in order to comply with recent legislation which formalizes the manner in which municipalities must deal with storm water issues.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that Chapter 197-33 of the Borough Code is amended as follows:

#### 197-33. Pet Waste.

##### SECTION I. Purpose:

An Ordinance to establish requirements for the proper disposal of pet solid waste in the Borough of Pompton Lakes, 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 which such animal is being used for that purpose.

##### SECTION V. Enforcement

Emanuel Einstein Library  
Local Organizations  
Places of Interest  
Pompton Lakes Downtown Revitalization (Adobe PDF)  
Pompton Lakes Master Plan - Last Ver. 2007 (PDF)  
Open Space & Recreation Plan - Adopted 11/20/2012  
Passaic County Consolidated Plan 2013 to 2017  
On-line Tax Payment

This ordinance shall be enforced by the Pompton Lakes Police Department.

**SECTION VI. 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 not to exceed \$100.

**SECTION VII.**

If any Article of this Ordinance or its application to any person or circumstances shall be adjudged invalid, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

This Ordinance is not meant to repeal any provisions of the Revised code of the Borough of Pompton Lakes other than those designated herein, but to add to its requirements, and all Ordinances or parts thereof inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency only.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

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