

## **5-20 DISPOSAL OF PET WASTE.**

### **5-20.1 Purpose.**

The Borough finds that the establishment of requirements for the proper disposal of pet solid waste is an important public concern to protect public health, safety and welfare of its residents. (Ord. No. 08-7 § 6-12.1)

### **5-20.2 Definitions.**

As used in this section:

**Immediate** shall mean that the pet solid waste is removed at once, without delay.

**Owner/Keeper** shall mean any person who shall possess, maintain, house or harbor any pet or otherwise have the custody of any pet, whether or not the owner of such pet.

**Person** shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**Pet** shall mean a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

**Pet Solid Waste** shall mean matter expelled from the bowels of the pet; excrement.

**Proper Disposal** shall mean 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.

(Ord. No. 08-7 § 6-12.2)

### **5-20.3 Defecation on Public or Private Property.**

No person owning or in discharge owing or in charge of a pet shall cause or allow such pet to soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place where people congregate or walk, or upon any public property whatsoever, or upon private property without the permission of the owner of said property. (Ord. No. 08-7 § 6-12.3)

### **5-20.4 Removal of Pet Solid Waste.**

Any person owning or in charge of any pet which soils, defiles, defecates on or commits any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place where people congregate or walk or upon any public property whatsoever, or upon any private property without the permission of the owner of said property shall immediately remove all pet solid waste disposed by any such pet by any sanitary method approved by the local health authority. (Ord. No. 08-7 § 6-12.4)

### **5-20.5 Sanitary Disposal of Pet Solid Waste.**

Sanitary methods for removing all pet solid waste approved by the local health authority are mechanical devices such as pooch scoops, small shovels, etc. All pet solid waste removed by the person owning, harboring, keeping or in charge of any such pet shall be disposed of in a sealed, nonabsorbent, leakproof container. (Ord. No. 08-7 § 6-12.5)

### **5-20.6 Exemptions.**

Any owner or keeper who requires the use of a disability assistance animal shall be exempted from any provisions of this section while such animal is being used for that purpose. (Ord. No. 08-7 § 6-12.6)

### **5-20.7 Enforcement.**

The provisions of this section shall be enforced by the Police Department and the Board of Health. (Ord. No. 08-7 § 6-12.7)

### **5-20.8 Violations and Penalties.**

a. Any person violating any provision of this section shall, upon conviction thereof, be liable to the penalty stated in Chapter I, Section 1-5, with a minimum penalty of twenty-five (\$25.00) dollars.

b. Any person who is convicted of violating the provisions of this section within one (1) year of the date of previous violation of the same section and who was fined for the previous violation shall be sentenced by the Court to an additional fine as a repeat offender. The additional fine imposed by the Court for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of this section, but shall be calculated separately from the fine imposed for the original violation of this section. Whenever such person shall have been officially notified or by service of a summons in a prosecution, or in any other official manner, that said person is committing a violation, each day's continuance of such violation after such notification shall constitute a separate offense, punishable by a like fine or penalty. (Ord. No. 08-7 § 6-12.8; New)

