

ORDINANCE
Ordinance #1-2005
BOROUGH OF NORTH HALEDON
BOARD OF HEALTH

AN ORDINANCE RESCINDING CHAPTER 190
OF THE CODE OF THE BOROUGH OF NORTH HALEDON ENTITLED
“DOGS” AND CREATING NEW CHAPTER 190 ENTITLED “PET WASTE”

Be it ordained by the Governing Body of the Borough of North Haledon as follows:

1. Chapter 190 of the Code of the Borough of North Haledon entitled “Dogs” is hereby deleted, repealed and rescinded.
2. New Chapter 190 of the Code of the Borough of North Haledon entitled “Pet Waste” is hereby adopted which shall provide as follows:

SECTION I. Purpose:

An ordinance to establish requirements for the proper disposal of pet solid waste in Borough of North Haledon, 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 - 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 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 Police Department and the Local Board of Health and the property maintenance officer of Borough of North Haledon.

SECTION VI. Violations and Penalty:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine no less than \$25.00 and not to exceed \$100.

SECTION VII. 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 VIII. Effective Date:


This ordinance shall become effective upon passage and publication, as provided by law.

NOTICE

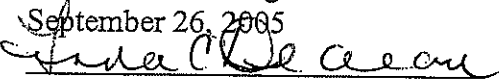
Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the North Haledon Board of Health on September 26, 2005, and will be considered for final passage after public hearing at the Regular Meeting of the North Haledon Board of Health to be held on October 24, 2005, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ, at 7:30pm or shortly thereafter at which time anyone interested therein or affected thereafter will be given an opportunity to be heard.

NOTICE


Notice is hereby given that the above ordinance passed its second and final reading at the regular meeting of the North Haledon Board of Health, which was held on October 24, 2005, at the North Haledon Municipal Building, 103 Overlook Avenue, North Haledon, and hereby declared a passed ordinance.



William Faasse, President
Passes second and final reading
October 24, 2005

Passed first reading
September 26, 2005


Linda C. Dearani, Secretary



Linda C. Dearani, Secretary