

**TOWNSHIP OF PEMBERTON**  
**ORDINANCE NO. 16-2005**

**ORDINANCE TO AMEND THE ORDINANCES**  
**OF THE TOWNSHIP OF PEMBERTON, COUNTY**  
**OF BURLINGTON, STATE OF NEW JERSEY**  
**AND SPECIFICALLY BY ADDING CHAPTER 143**  
**TO BE ENTITLED PET WASTE**

**BE IT ORDAINED**, by the Township of Pemberton, in the Township of Pemberton, County of Burlington and State of New Jersey, as follows:

**SECTION I. INTRODUCTION.**

**WHEREAS**, as a requirement of the Pemberton Township Municipal Stormwater General Permit, it is necessary to adopt and enforce a variety of Ordinances dealing with the proper disposal of specific waste; and

**WHEREAS**, one of those requirements is to adopt and enforce an Ordinance for the proper disposal of pet solid waste; and

**WHEREAS**, Pemberton Township intends to amend this Ordinance to comply with any Pinelands Commission requirements, if and when made available.

**NOW, THEREFORE**, the Township Council of the Township of Pemberton hereby amends the Code of the Township of Pemberton by adding a new Chapter designated as Chapter 143 entitled "Pet Waste" as follows:

**Section 143-1. Purpose:**

This is an Ordinance to establish requirements for the proper disposal of pet solid waste in the Township of Pemberton, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**Section 143-2. 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 143-3. 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 143-4. 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 143-5. Enforcement:**

The provisions of this Article shall be enforced by the Police Department, the Local Board of Health, and Code Enforcement Office of Pemberton Township.

**Section 143-6. Violations and Penalty:**

Any person found to be in violation of this ordinance shall be issued a written warning for a first offense. Second and subsequent offenses shall be subject to the penalties provided for in the general penalty provisions of the Pemberton Township Code.

**SECTION II.**

All Ordinances, or parts of Ordinances, inconsistent with the provisions hereof, are repealed insofar as said inconsistency exists.

**SECTION III.**

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 IV.**

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

**PEMBERTON TOWNSHIP COUNCIL**

**TOWNSHIP OF PEMBERTON  
NOTICE OF PUBLIC HEARING  
ORDINANCE NO. 16-2005**

**ORDINANCE TO AMEND THE ORDINANCES  
OF THE TOWNSHIP OF PEMBERTON, COUNTY  
OF BURLINGTON, STATE OF NEW JERSEY  
AND SPECIFICALLY BY ADDING CHAPTER 143  
TO BE ENTITLED PET WASTE**

Public notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the governing body of Pemberton Township at a meeting held on September 15, 2005, and will be considered for final passage after a public hearing at a meeting of the said governing body to be held on October 6, 2005, at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road, New Lisbon, New Jersey, at 7:30 p.m. prevailing time, at which time any interested member of the public may comment on said Ordinance. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

ATTEST:

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MARY ANN YOUNG, TOWNSHIP CLERK

**TOWNSHIP OF PEMBERTON  
NOTICE OF FINAL PASSAGE  
ORDINANCE NO. 16-2005**

**ORDINANCE TO AMEND THE ORDINANCES  
OF THE TOWNSHIP OF PEMBERTON, COUNTY  
OF BURLINGTON, STATE OF NEW JERSEY  
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TO BE ENTITLED PET WASTE**

Notice is hereby given that Ordinance No. 16-2005 as entitled above has been finally adopted on final reading by the governing body of Pemberton Township after a public hearing, at a meeting held on October 6, 2005. Said Ordinance shall take effect in accordance with law.

ATTEST:

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MARY ANN YOUNG, CMC, TOWNSHIP CLERK

ACKNOWLEDGEMENT OF APPROVAL BY MAYOR \_\_\_\_\_

Robert McCullough

DATE \_\_\_\_\_

ATTEST:

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MARY ANN YOUNG, CMC, TOWNSHIP CLERK