

Ordinance of the City of Paterson, N.J.

No. 9 1st Reading No. 05-083

No. 2 Public Hearing
(2nd Rdg. & Final Passage)

Division

TITLE: **AN ORDINANCE AMENDING SECTION
121-1 AND ENACTING CHAPTER 123
ORDINANCE REGULATING PET WASTE**

(DPW-Ord. Amending Chapter 121-1 & Enacting Chapter 123)
REVISED 11/10/05

Date NOVEMBER 29, 2005
Date to Mayor DECEMBER 5, 2005
Date Returned DECEMBER 7, 2005
Date Submitted to
Council OCTOBER 25, 2005.

Factual Contents Certified to By
[Signature] Title
Date 11/20/05

Approved As To Form and Legality
on Basis of Facts Set Forth
[Signature]
CORPORATION COUNSEL Date

COUNCILPERSON Introduced the Following Ordinance:

§123-13. Removal of feces

The restriction against defiling or defecating outlined in §121-12 shall not apply to that portion of the street lying between curblines which shall be used to curb such dog under the following conditions:

- A. The person who so curbs such dog shall immediately remove all feces deposited by such dog by any sanitary method approved by the Health Division.
- B. The feces removed from the aforementioned designated area shall be disposed of by the person owning, harboring, keeping or in charge of such dog in accordance with the provisions of this article. [by placing the feces in a waterproof container, properly sealed and placed in a garbage container, or disposed of in any other sanitary manner approved by the Health Division.]

CHAPTER 123 ORDINANCE REGULATING PET WASTE

§123-1. SECTION I. Purpose:

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

§123-2. 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

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municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

§123-3. 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.

§123-4. 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.

§123-5. SECTION V. Enforcement:

The provisions of this Article shall be enforced by the Police Department and The Local Board of Health of the City of Paterson.

§123-6. 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 not to exceed \$1,250.00.

§123-7. 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.

§123-8. SECTION VIII. 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.

SECONDED BY COUNCILPERSON JESSIE M. DIXON.....

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RECORD OF COUNCIL VOTE ON FINAL PASSAGE	AYE	NAY	ABSTAIN	ABSENT
1. AMES-GARNES, VERADENE				X
2. DAVIS, ANTHONY	X			
3. DIXON, JESSIE M.	X			
4. GOOW, ASLON	X			
5. MCKOY, WILLIAM C.	X			
6. MORRIS, KENNETH	X			
7. ROONEY, THOMAS C.	X			
8. ROSADO, JERRY LUIS	X			
9. TORRES, JUAN	X			

Adopted on first reading at a meeting of the Council of the City of Paterson, N.J., on OCTOBER 25, 2005..... Adopted on second and final reading after hearing on NOVEMBER 29, 2005.....

Approved JOEY TORRES, Mayor
 Reconsidered By Council _____ Date _____
 Over Rides Vote Aye Nay
KENNETH M. MORRIS, Council President
JANE F. WILLIAMS-WARREN, City Clerk
This Ordinance when adopted must remain in the custody of the City Clerk. Certified copies are available.
 Form 6 USE REVERSE SIDE FOR POSTPONEMENT AND RECONSIDERATION DATA