§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
AN ORDINANCE AMENDING SECTION 121-1 AND ENACTING CHAPTER 123
ORDINANCE REGULATING PET WASTE

PAGE 2 of 2

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

§123-3. SECTIO N 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

RECORD OF COUNCIL VOTE ON FINAL PASSAGE

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<td>9. TORRES, JUAN</td>
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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.

JOSE JOEY TORRES

This ordinance when adopted must remain in the custody of the City Clerk. USE REVERSE SIDE FOR POSTPONEMENT AND RECONSIDERATION DATA