

Borough of Berlin, NJ
Friday, July 20, 2018

Chapter 89. Animals

Article VI. Pet Waste

[Adopted 4-7-2005 by Ord. No. 2005-5]

§ 89-27. Purpose.

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

§ 89-28. Definitions.

For the purpose of this article, 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.

IMMEDIATE

Shall mean that the pet solid waste is removed at once, without delay.

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.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

PET

A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

PET SOLID WASTE

Waste matter expelled from the bowels of the pet; excrement.

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.

§ 89-29. 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.

§ 89-30. Exemptions.

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this article while such animal is being used for that purpose.

§ 89-31. Enforcement.

This article shall be enforced by the Police Department and/or other municipal officials of the Borough of Berlin.

§ 89-32. Violations and penalties.

Any person, entity or corporation who shall violate any of the provisions of this article shall, upon conviction thereof, before the Municipal Court of the Borough of Berlin, be subject to a fine not exceeding \$500 or imprisonment in the county jail for a term not exceeding 90 days, or both, in the discretion of the Municipal Court Judge before whom such defendant shall be convicted. A separate offense may be deemed committed on each day that a violation occurs or continues.