

**MONTAGUE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2023-19

**AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE AMENDING AND
SUPPLEMENTING CHAPTER 34 OF THE TOWNSHIP ADMINISTRATIVE CODE,
ENTITLED “DOGS”, TO ADD A PROVISION REGARDING PET WASTE**

BE IT ORDAINED, by the Township Committee of the Township of Montague, in the County of Sussex, State of New Jersey that Chapter 34 of the Code of the Township entitled “Dogs” is hereby amended at Section 34-1, “definitions”, and supplemented with the creation of a new Section 34-14, entitled “Requirements for Disposal of Pet Waste”, as follows:

SECTION 1.

§ 34-1. 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.

ANIMAL CONTROL OFFICER

A certified municipal Animal Control Officer, or in the absence of such an officer, the chief law enforcement officer of the municipality or his or her designee.

DOG OF LICENSING AGE

Any dog which has attained the age of seven months, or which possesses a set of permanent teeth.

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. When applied to the proprietorship of a dog, includes every person having a right of property in such dog and every person who has such dog in his keeping.

IMMEDIATE

In reference to pet solid waste, shall mean removal at once, without delay.

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.

SECTION 2.

§ 34-14. Requirement for Disposal of Pet Waste.

A. Purpose.

The following code provisions establish requirements for the proper disposal of pet solid waste in the Township of Montague, so as to protect public health, safety, and welfare, and to prescribe penalties for failure to comply.

B. 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.

C. 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.

D. Enforcement.

The provisions of this Section shall be enforced by the Animal Control Officer Public Works Department, Code Enforcement, State Police, and/or other Municipal Officials of the Township of Montague.

E. Penalties.

Any person(s) who is found to be in violation of the provisions of this Section shall be subject to a fine not to exceed \$1000.

SECTION 3.

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 4.

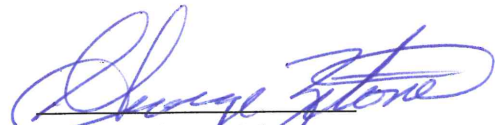
Effective Date: This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Introduced: November 14, 2023

Adopted: November 28, 2023

ATTEST:


Dana Klinger, RMC, CMR


George Zitone, Mayor

| RECORD OF COMMITTEE VOTES – ORDINANCE 2023-19 | | | | |
|--|--------------------|---------------------|-----------------------|----------------------|
| <u>COMMITTEE MEMBER</u> | <u>AYES</u> | <u>NAYES</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
| RICHARD INNELLA | X | | | |
| JOSEPH KRUMPFER | X | | | |
| JAMES LEDONNE | X | | | |
| FRED MERUSI | X | | | |
| MAYOR GEORGE ZITONE | X | | | |