

**ORDINANCE NO. 2023-21**

**AN ORDINANCE OF THE TOWNSHIP OF PLUMSTED, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 4 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF PLUMSTED, ENTITLED “ANIMAL CONTROL”**

**BE IT ORDAINED** by the Township Committee of the Township of Plumsted, County of Ocean and State of New Jersey, as follows:

**SECTION 1.** That Chapter 4 of the General Ordinances of the Township of Plumsted entitled “Animal Control,” is hereby amended and supplemented so as to delete Subsection 4-19 entitled “Nuisances prohibited; curbing of dogs; responsibility of owner” in its entirety and replace it with a new Subsection 4-19 entitled “Pet Waste,” which shall read as follows:

**§ 4-19. Pet Waste.**

- a. Purpose. An ordinance to establish requirements for the proper disposal of pet solid waste in the Township of Plumsted, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.
- b. 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 Subsection 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.
  1. IMMEDIATE – shall mean that the pet solid waste is removed at once, without delay.
  2. 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.
  3. PERSON – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
  3. PET – a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
  4. PET SOLID WASTE – waste matter expelled from the bowels of the pet; excrement.
  5. 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.
- c. 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.

- d. Exemptions. Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this subsection while such animal is being used for that purpose.
- e. Enforcement. The provisions of this subsection shall be enforced by the Police Department, Municipal Humane Law Enforcement Officer or the Code Enforcement Officer of the Township of Plumsted.
- f. Violations and Penalties. 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 one hundred (\$100) dollars.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4.** Since this ordinance is legislative in nature, there shall be the codification of same in the General Ordinance Book of the Township of Plumsted.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

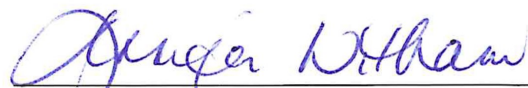
NAME	CUOZZO	GRILLETTO	HAMMERSTONE	MARINARI	BOWEN
AYES	11/2/23 12/7/23	11/2/23 12/7/23	11/2/23 12/7/23	12/7/23	11/2/23 12/7/23
ABSTAIN					
NAYS					
ABSENT				11/2/23	

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Plumsted held on the **2nd** day of **November, 2023** and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the **7<sup>th</sup>** day of **December, 2023** at 7:00 PM, at the Municipal Building, 121 Evergreen Road, New Egypt, NJ 08533, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

Pursuant to N.J.S.A. 40:49-2, as amended, further notice is hereby given that the purpose of the forgoing ordinance is to protect public health, safety and welfare by establishing requirements for the proper disposal of pet solid waste and to provide penalties for violation of the same.

Members of the general public may obtain a copy of the ordinance without cost during normal business hours from the Municipal Clerk's Office, 121 Evergreen Road, New Egypt, New Jersey.

  
**JENNIFER WITHAM, RMC, CMR**  
**MUNICIPAL CLERK**