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TOWN OF MORRISTOWN

ORDINANCE O - 44 - 04

AN ORDINANCE AMENDING CHAPTER 95 OF THE CODE OF THE TOWN OF MORRISTOWN, ENTITLED, "ANIMAL CONTROL"

WHEREAS, as part of the New Jersey Pollutant Discharge Elimination System (NJDPDES) Municipal Stormwater Regulation Program, municipalities are required to adopt various ordinances to protect and improve the water quality; and

WHEREAS, included among the requirements of that program is the adoption of an ordinance establishing requirements for the proper disposal of pet solid waste so as to protect public health, safety and welfare.

NOW THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Morristown, being the governing body thereof as follows:

SECTION I. Chapter 95 of the Code of the Town of Morristown, entitled "Animal Control," is hereby amended as follows:

1. Section 95-7 Removal of Dog Feces is hereby deleted.
2. Section 95-16 is hereby amended to read as follows:

96-16 Proper Disposal of Pet Waste

A. Definitions.

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.

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.

B. Requirement for disposal.

1. 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.

2. 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.

3. The former Section 95-16 Violations and Penalties shall be renumbered 96-17.

SECTION II. Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION III. Repealer. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

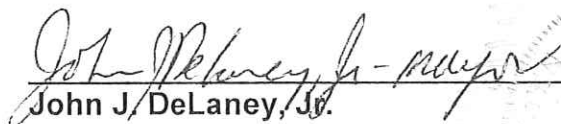
SECTION IV. Effective Date. This ordinance shall take effect upon passage and publication as required by law.

ATTEST:

ADOPTED:



Matthew K. Stechauner,
Town Clerk



John J. DeLaney, Jr.
Mayor

