

**BOROUGH OF CAPE MAY POINT
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 19-2024

**AN ORDINANCE AMENDING CHAPTER 54 (“ANIMALS”)
OF THE CODE OF THE BOROUGH OF CAPE MAY**

BE IT ORDAINED by the Board of Commissioners of the Borough of Cape May Point that existing Chapter 54, Article III is hereby repealed and replaced with a new Article III entitled PET WASTE REGULATIONS as follows:

SECTION I

ARTICLE III PET WASTE REGULATIONS

54-14. PURPOSE

An ordinance to establish requirements for the proper disposal of pet solid waste in the Borough of Cape May Point to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

54-15. 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 consistent 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. “Owner/Keeper” means 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.
- B. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- C. “Pet” means any domesticated animal kept for companionship.

D. "Pet solid waste" means feces from any domesticated animal.

E. "Proper disposal" means placement in a designated waste receptacle, or other suitable 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.

54-16. REGULATED ACTIVITIES

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.

54-17. EXEMPTIONS

Any owner or keeper who requires the use of a disability assistance animal for disabilities such as vision or hearing loss, or other physical disabilities, shall be exempt from the provisions of this section while such animal is being used for that purpose. This exemption is not applicable to pets that are exclusively emotional support animals.

54-18. ENFORCEMENT

This ordinance shall be enforced by the Police Department and/or Code Enforcement Officer of the Borough of Cape May,

54-19. VIOLATIONS AND PENALTIES

Any person who violates any provision of this Article shall be liable, upon conviction, to the penalty stated in Chapter 1, Section 1-5.

SECTION 2 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 3 Should any provision of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

SECTION 4 This ordinance shall take effect twenty (20) days after final passage, according to law.

Final Adoption Vote	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

Catherine Busch, Commissioner

Robert Moffatt, Mayor

Anita vanHeeswyk, Commissioner

ATTEST:

Elaine L. Wallace, Borough Clerk

FIRST READING: Nov. 14, 2024
PUBLICATION: Nov. 27, 2024
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