

ORDINANCE NO. 2005-14  
AN ORDINANCE OF THE CITY OF BEVERLY ESTABLISHING PROPER  
DISPOSAL OF PET WASTE

WHEREAS, the Common Council of the City of Beverly desires to establish requirements for the proper disposal of pet solid waste in the City of Beverly, so as to protect public health, safety and welfare and to prescribe penalties for failure to comply.

**SECTION 1:** 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. The word "shall" is always mandatory and not merely directory.

**Definitions:**

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.
4. Pet-a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
5. Pet solid waste-waste manner expelled from the bowels of the pet; excrement
6. 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 II: 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.

**SECTION III: 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.

**SECTION IV. Enforcement:** The provisions of this Article shall be enforced by the Police Department of the City of Beverly.

**SECTION V. Violations and Penalty.** Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine for the first offense of \$50.00, for the second offense, \$100.0 and for third and subsequent offenses a sum not to exceed \$500.00 for each day that the violation continues.


**SECTION VI. 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.

THE COMMON COUNCIL OF THE CITY OF BEVERLY ADOPTED THE ABOVE ORDINANCE ON FIRST READING AT A REGULAR MEETING HELD ON MARCH 8, 2005. A PUBLIC HEARING WILL BE HELD ON MARCH 22, 2005 AT 7:00PM IN COUNCIL CHAMBERS OF THE BEVERLY CITY MUNICIPAL BUILDING AT 446 BROAD STREET, BEVERLY NJ.

BARBARA A. SHEIPE RMC  
CLERK/ADMINISTRATOR

I hereby certify that the foregoing  
is a true copy of a Resolution/Ordinance  
duly adopted by the Governing Body  
of the City of Beverly, County of  
Burlington, State of New Jersey, at  
a meeting held 3/23/05

  
Signature of Official