

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

ORDINANCE 2025-16

**ORDINANCE SUPPLEMENTING CHAPTER 115: "ANIMALS" OF THE
BOROUGH'S REVISED GENERAL ORDINANCES TO INCLUDE NEW
ARTICLE IX: "PET WASTE" TO COMPORT WITH NJDEP
STORMWATER REGULATIONS AND MODEL ORDINANCE.**

BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, as follows:

SECTION 1. Chapter 115: "Animals" of the Revised General Ordinances of the Borough of Bradley Beach is hereby supplement with *new* Article IX: "Pet Waste" as follows:

**CHAPTER 115
ANIMALS
* * *
ARTICLE IX
PET WASTE**

§ 115-22 Purpose.

This Article shall establish requirements for the proper disposal of pet solid waste in the Borough of Bradley Beach to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 115-23 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. **Immediate** – shall mean that the pet solid waste is removed at once, without delay.
- B. **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.
- C. **Person** – means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- D. **Pet** - means a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

- E. **Pet solid waste** – ~~waste matter expelled from the bowels of the pet; excrement~~ means feces from any domesticated animal.
- F. **Proper disposal** – means 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.

§ 115-24 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.

§ 115-25 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.

- A. 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.
- B. Any owner or keeper who demonstrates by clear and convincing evidence that a disability or other physical or mental limitation prevented his or her compliance with this section shall be exempt from the provisions of this section.

§ 115-26 Enforcement.

The provisions of this Article shall be enforced by the Bradley Beach Police Department and/or the Code Enforcement Official of the Borough.

§ 115-27 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 not to exceed \$50.00 for a first offense; \$100.00 for a second offense; \$250.00 for a third offense; and up to \$1,000.00 for a fourth or subsequent offense.

SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

SO ORDAINED as aforesaid.

Erica Kostyz

Erica Kostyz, RMC, CMR
Municipal Clerk

Alan Gubitosi

Alan Gubitosi
Mayor

Introduced: May 6, 2025

Date of Hearing and Adoption: May 20, 2025