

ORDINANCE NO. 36 - 2005

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE
GENERAL ORDINANCE OF THE BOROUGH OF SPRING LAKE, COUNTY
OF MONMOUTH, STATE OF NEW JERSEY CREATING NEW SECTION 2 IN
CHAPTER XIX , REGULATING DOG WASTE REMOVAL.**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE
BOROUGH OF SPRING LAKE, IN THE COUNTY OF MONMOUTH, AS
FOLLOWS:**

SECTION 1. CHAPTER 19, SECTION 2.

**AN ORDINANCE TO AMEND THE REQUIREMENTS REGULATING DOGS
IN THE BOROUGH OF SPRING LAKE.**

SECTION 2. CHAPTER 19, SECTION 2.1 **SOILING AND DEFACATING**

No person owning, walking or otherwise having custody or possession of any dog shall cause, suffer or permit such dog to soil, defile, defecate on, or commit any nuisance on any curb, street, sidewalk, park playground, school land, or upon any private property without the permission of the owner of the private property obtained in the last instance.

Any person owning, walking or otherwise having custody or possession of any dog which soils, defecates on, or commits any nuisance on any curb, street, sidewalk, park, playground, school land, or upon any private property without the permission of the owner of said private property obtained in the last instance, shall immediately remove all feces deposited by any such dog, which removal shall be in a sanitary manner by shovel or placed in a container and promptly disposed of in a sanitary manner.

SECTION 3. CHAPTER 19, SECTION 2.2, **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 4. CHAPTER 19, SECTION 2.3, **ENFORCEMENT**

The provisions of this Article shall be enforced by the Police Department and the local Board of Health of the Borough of Spring Lake.

SECTION 5. CHAPTER 19, SECTION 2.4, PENALTIES

Any person who shall violate any provisions of this Ordinance, and including all the provisions of the Ordinance adopted on April 11, 1955 and as amended and supplemented, shall, upon conviction thereof, be subject to a fine of not more than Two Hundred (\$200.00) Dollars or a jail sentence of not more than ten (10) days or both in the discretion of the Judge of the Municipal Court before whom the Complaint is heard.

SECTION 6 SEVERABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and in the finding or holding of any such portion of the Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 7 EFFECTIVE DATE

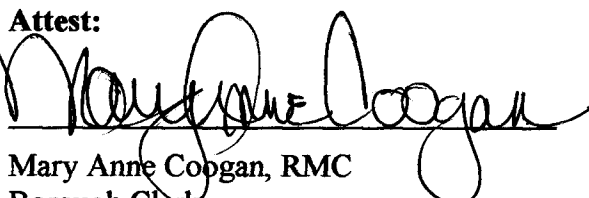
This Ordinance shall be in full force and effect immediately upon its final passage and publication as required by law.

INTRODUCED AND PASSED ON FIRST READING ON SEPTEMBER 20, 2005.

PASSED ON SECOND AND FINAL READING AND ADOPTED AND APPROVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF SPRING LAKE ON OCTOBER 4, 2005.

APPROVED: 
THOMAS J. BYRNE, MAYOR

Attest:


Mary Anne Coogan, RMC
Borough Clerk