­­­Model Pet Waste Ordinance

Prepared on 9/30/2020

Text in brackets and italicized should be reviewed and tailored by the permit holder.

**Sec. XXX – Animal Waste**

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Animal:* A dog, cat or other animal kept for amusement or companionship.

*Owner/Custodian:* Any person who harbors, feeds, boards, possesses, keeps or has custody of an animal.

*Immediately:* at once, without delay.

*Soil/defile:* to make unclean from excrement

*Waste:* solid matter expelled from the bowels of the pet; excrement

(a) No owner or custodian of any animal shall cause or allow such animal to soil, defile or defecate on any public property or upon any street, sidewalk, public way, play area *[or common grounds owned jointly by the members of a homeowners' or condominium association]*, *[or upon private property other than that of the owner],* unless such owner immediately removes and disposes of all feces deposited by such animal in a sanitary manner.

(b) It is unlawful for any person owning, keeping or harboring an animal to cause or permit said animal to be on any public [*or private*] property, [*if private property included add: not owned or possessed by such person*] without having in his/her immediate possession a device for the removal of feces and depository for the transmission of excrement to a proper receptacle located on the property owned or possessed by such person.

(c) It is unlawful for any person in control of, causing or permitting any animal to be on any public [*or private*] property, [*if private property included add: not owned or possessed by such person*] to fail to remove feces left by such animal and dispose of it properly as described in section (d).

(d) Proper disposal of animal waste shall be limited to burial where lawfully permitted, flushing in the toilet, bagging for disposal in the owner or keeper's waste receptacle, and bagging for disposal in a waste receptacle [*designated for animal waste]* in a public park or park area.

(e) Disposal of animal waste in storm drains is prohibited.

(f) Disposal of animal waste in public compost is prohibited.

(g) The provisions of this section shall not apply to the ownership or use of any properly identified service animals, animals when used for police activities, or tracking animals when used by or with the permission of the appropriate authorities.

(h) Any *[peace officer]*, *[animal control officer]*, *[park ranger]*, *[any duly authorized assistant]*, *[any duly authorized agent]*, *[or any person authorized by the animal control officer]* should be responsible for issuing the citations.

*[(i) Any person violating any provision of this ordinance may be subject to a forfeiture of not less than $\_\_\_ nor more than $\_\_\_. ]*

*[(j) Other relevant ordinances for animal care and waste disposal are listed below:*

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