

§ 5-2.3 **Pet Waste.**

[1975 Code § 60-4, 114-4; Ord. No. 60-4; Ord. No. 023-77; Ord. No. 017-80; Ord. No. 11-2006]

a.

Purpose. The purpose of this subsection is to establish requirements for the proper disposal of pet solid waste, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

b.

Definitions and Word Usage. For the purpose of this subsection, the following items, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this subsection clearly demonstrates a different meaning. When not inconsistent 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.

IMMEDIATE

Shall mean that the pet solid waste is removed at once, without delay.

OWNER/KEEPER

Shall mean 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.

PERSON

Shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

PET

Shall mean a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

PET SOLID WASTE

Shall mean waste matter expelled from the bowels of the pet; excrement.

PROPER DISPOSAL

Shall mean placement in a designated waste receptacle (pooper-scoop), 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.

c.

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.

d.

Exemptions. Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this subsection while such animal is being used for that purpose.

e.

Enforcement. The provisions of this subsection shall be enforced by the Allentown Police Department and the local Board of Health or upon written complaint by the complaining witness filed in Municipal Court.

f.

Violations and Penalties. Any person violating any of the provisions of this subsection shall, upon conviction thereof, be liable to the penalty stated in Chapter 1, Section 1-5.

