

**Code of the Township of Berlin**  
**Chapter 55**  
**Article III: Dog and Cat Waste**

**55-6. Regulations**

**A. Purpose:**

To establish requirements for the proper disposal of pet solid waste in Berlin Township, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**B. 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 Article 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 directory.

- a. Immediate - shall mean that the pet solid waste is removed at once, without delay.
- b. 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.
- c. Person - any individual, corporation, company, partnership, firm, association or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - 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.
- f. 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. It shall not include burial, disbursal (unless such burial or disbursal is upon the property of the person doing the burial or disbursal), placement in a storm drain or placing unwrapped feces in a trash can.

**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. No person shall permit the accumulation of animal feces upon his property or property occupied by him to the extent that the odor may be noticeable to any adjoining property owner.

**D. Exemptions:**

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

**E. Enforcement:**

The provisions of this Article shall be enforced by Berlin Township Police Department and/or The Berlin Township Board of Health.

**F. Violations and Penalty:**

Any person found to be in violation of the provisions of this Article shall be subject to a fine of not to exceed twenty-five dollars (\$25.) for the first offense. For a second or subsequent offense the fine shall not exceed one hundred dollars (\$100.).

**G. Severability:**

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