

3-7.1 Damaging Lawns Prohibited. No persons owning, keeping or harboring a dog, animal or reptile shall permit any damage or injury to any lawn, shrubbery, flowers, grounds or property of another or on public streets or sidewalks of the borough which in any manner might be detrimental to the public health, safety and welfare of the general public of the borough and others. Further, no person shall suffer or permit any dog, cat or other animal or reptile to defecate or deposit any droppings and fecal matter on any such private or public property hereinbefore mentioned under penalty hereinafter provided, and such persons owning, keeping or harboring any dog, animal or reptile shall take immediate steps and efforts to clean and remove such droppings and fecal matter without delay so as to prevent such action from becoming a public nuisance detrimental to the health, safety and welfare of the general public.

3-7.2 Removal of Deposits. The soiling action shall be deemed prevented if the owner of the animal shall promptly clean all such droppings and fecal matter by causing same to be gathered in a suitable bag, wrapper or other container and disposed of in a safe and sanitary manner and such action shall be taken promptly within a reasonable time.

3-7.3 Animals on Public Property: Penalty. It shall be unlawful for any person to bring any animal, reptile or bird in or upon any public playground, park, or recreation area of the borough, and any person so doing, or any owner of such animal, reptile or bird shall be subject to the penalties provided elsewhere in this chapter.

3-7.4 Use of Equipment. It shall be unlawful for any person to walk a dog or dogs upon any public or private property in the borough unless the person or persons walking the dog or dogs have with them appropriate equipment to pick up and remove any fecal matter left by defecation by any dog or dogs.

Failure to so carry the appropriate equipment shall subject such persons in violation thereof to those penalties which are recited in section 3-8 of the Revised Ordinances of the Borough of Cliffside Park.

3-7.5 Limitation on Number of Dogs. No more than three dogs of licensing age shall be owned, kept, maintained, sheltered or harbored at any time in any residence or dwelling or on its grounds or in any business establishment or on its grounds. This restriction shall not apply to properly licensed pet shops, kennels, shelters and pounds.

3-7.6 Limitation on Number of Cats. No more than three cats of licensing age shall be owned, kept, maintained, sheltered or harbored at any time in any residence or dwelling or on its grounds or in any business establishment or on its grounds. This restriction shall not apply to properly licensed pet shops, kennels, shelters and pounds.

3-7.7 Limitation on Total Number of Animals. No more than a total of five animals of any kind, excluding fish, shall be owned, kept, maintained or harbored at any time in any residence or dwelling or on its grounds or in any business establishment or on its grounds. This restriction shall not apply to properly licensed pet shops, kennels, shelters and pounds.

3-7.8 Severability. If any subsection, clause, sentence or other part of this section or the application thereof to any person or circumstance shall for any reason be adjudged by a court of competent jurisdiction to be invalid such judgment shall not affect, impair or invalidate the remainder of the section.

3-7.9 Effective Date. This section shall take effect immediately upon passage and publication as required by law.

3-8 PENALTY.

3-8.1 Maximum Penalty. For violation of any provision of this chapter, any other chapter of this revision, or any other ordinance of the borough where no specific penalty is provided regarding the sec-

tion violated, the maximum penalty, upon conviction, shall be a fine not exceeding one thousand (\$1,000.00) dollars, or imprisonment for a period not exceeding 90 days, or both.

3-8.2 Separate Violations. Except as otherwise provided, every day in which a violation of any provision of this chapter or any other ordinance of the borough exists shall constitute a separate violation.

3-8.3 Application. The maximum penalty stated in this section is not intended to state an appropriate penalty for every violation. Any lesser penalty, including a nominal penalty or no penalty at all, may be appropriate for a particular case or violation.

3-8.4 Minimum Penalty. The borough council may prescribe that, for the violation of any particular code provision or ordinance, at least a minimum penalty shall be imposed which shall consist of a fine which may be fixed at an amount not exceeding one hundred (\$100.00) dollars. (N.J.S.A. 40:49-5)