



MONTCLAIR STATE UNIVERSITY

Subject: Pets and Pet Waste

Effective Date: November, 2005

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Approved by: Bradley Demo, Assistant Director of Environmental Health and Safety__

I. Purpose:

A regulation regarding pets and the proper disposal of pet solid waste at Montclair State University, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

II. Definitions:

For the purpose of this regulation, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this regulation 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.

- a. Emotional Support Animals-An animal that is required by an individual with a disability and provides emotional support or alleviates one or more of the identified symptoms or effects of the person's disability. An ESA may provide companionship and help with depression, anxiety and certain phobias but does not have special training to perform tasks for a person with a disability. ESAs are also commonly known as companion or therapeutic animals. ESAs are not service animals.
- 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 (including but not limited to a University student; visiting faculty member or other visitor; guest; professional member of the University's academic, administrative, or teaching staff; or other University officer, agent, or employee), corporation, company, partnership, firm, association, or political subdivision of this State whose conduct on University property is subject to regulation by the University.

- d. Pet - a domesticated animal kept for amusement or companionship rather than utility.
- e. Immediate- shall mean that the pet solid waste is removed at once, without delay.
- f. University- Montclair State University.
- g. Pet solid waste- waste matter expelled from the bowels of the pet; excrement.
- h. Proper disposal- placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the University or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.
- i. Service animal-Any dog specifically trained to do work or perform task(s) for the benefit of and directly related to an individual's disability, including those retired from such service. Animals whose sole function is to provide comfort or emotional support are not service animals. A miniature horse may also be a service animal where reasonable if: 1) housebroken; 2) under the control of the handler; 3) in a facility that can accommodate its type, size and weight; and 4) its presence will not compromise the legitimate safety requirements necessary for the operation of the facility.
- j. University property- Lands and buildings owned or controlled by Montclair State University.

III. Prohibited Conduct:

No person shall possess, maintain, house or harbor any pet or otherwise have custody of any pet on University property.

IV. Requirement for Disposal:

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on University property.

V. Exemptions to Prohibition:

Service animals and emotional support animals (ESAs) are permitted on University property in accordance with applicable federal and state laws. This Policy is adopted to provide guidance to employees and students in order to protect the rights of persons with disabilities, to ensure the protection of persons from animals, and to require the proper care for animals while on campus.

VI. Violations:

- a. Any University student who is found to be in violation of this regulation shall be subject to disciplinary action in accordance with the University's Code of Student Conduct.
- b. Any University officer, staff member, employee, or agent who is found to be in violation of this regulation shall be subject to dismissal, removal, reduction of salary, suspension, demotion, or other disciplinary action in accordance with applicable New Jersey statutes and relevant contracts or agreements.
- c. Any other person who has entered into a contract or agreement with the University to provide equipment, materials, supplies, or services on University property, and who is found to be in violation of this regulation, shall be subject to sanctions in accordance with the contract or agreement.
- d. Any visitor, guest, or other person who is not identified under V.a, V.b, or V.c above, and who is found to be in violation of this regulation, is subject to ejection from University property and, if the person refuses to leave after being asked to leave, to prosecution for criminal trespass under N.J.S.A. 2C:18-3.