

West Mead Township
Crawford County, Pennsylvania

Ordinance No. 1989 - /

AN ORDINANCE REGARDING THE CONTROL AND POSSESSION OF DOGS, AND MAKING IT UNLAWFUL TO PERMIT DOGS TO RUN AT LARGE, TO REMAIN IN THE OPEN AND TO HOWL, YELP OR BARK, OR TO CAUSE ANNOYANCE TO THE CITIZENS, RESIDENTS OR OTHER PERSONS IN THE TOWNSHIP OF WEST MEAD BY BARKING, YELPING, HOWLING, BITING, JUMPING ON, KNOCKING DOWN OR ATTACKING PERSONS OR OTHERWISE DAMAGING OR INJURING PROPERTY, PROVIDING ENFORCEMENT PROCEEDINGS AND REMEDIES AND PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

Whereas, the Board of Supervisors of West Mead Township has determined that an ordinance regulating the keeping of dogs is required in addition to the regulation contained in the Dog Law of Pennsylvania, Act of December 7, 1982, P.L. 784, 3 P.S. § 459 - 101, etc. in order to preserve the health, safety and welfare of the citizens of West Mead Township.

Whereas, the Township has the power under the Second Class Township Code to enact an ordinance providing for the regulation of persons who own and keep dogs.

Now Therefore, be it enacted and ordained by the Board of Supervisors of West Mead Township, Crawford County, Pennsylvania and it is hereby enacted and ordained by the authority of same, as follows:

Section 1. Title

This Ordinance shall be known and cited as the "West Mead Township Dog Ordinance".

Section 2. Definitions

The following words, terms and phrases, used herein, shall have the following meaning:

- a.) Owner. The word "owner" when applied to the proprietorship of a dog, shall include every person having a right of property in such dog, and every person who keeps or harbors such dog, or has it in his care, and every person who permits such dog to remain on or about any premises occupied by him.
- b.) Running at Large. The phrase "running at large" shall mean being upon any public highway, street, alley, park, or any other public land, or upon property of another person, other than the owner, and not being accompanied by and under the restraint or control of the owner, or any other person having custody of said dog.

- c.) Person. The word "Person" as used in this Ordinance shall mean any natural person, firm, association, company, partnership or corporation.
- d.) The phrase "to permit" as used in Section 3 shall include failure to restrain from the prohibited activity.
- e.) Singular words shall include the plural and masculine words shall include the feminine and neuter.

Section 3. Offenses

- a.) It shall be unlawful for the owner of any dog to permit such dog, whether licensed or not, to run at large in the Township of West Mead.
- b.) It shall be unlawful for the owner of any dog to permit such dog to remain in the open and to howl, yelp, or bark in a continuous and excessive manner for extended periods of time.
- c.) It shall be unlawful for the owner of any dog to permit said dog to repeatedly cause annoyance to the citizens, residents or other persons lawfully in the Township of West Mead by excessive barking, yelping, howling or other similar offensive noise for extended periods of time or by molesting passerbys and motorists.
- d.) It shall be unlawful for the owner of any dog to permit said dog to molest or injure any human being by biting, jumping on, knocking down or attacking said human being.
- e.) It shall be unlawful for the owner of any dog to permit such dog to damage or injure personal property, real estate, shrubs, hedges, flowers or any growing thing, or to permit such dog to repeatedly deposit excrement on property other than his own.

Section 4. Enforcement

- a.) Upon receiving a complaint or information that a dog is doing any of the acts prohibited by this Ordinance, the police of West Mead Township shall make investigation, and if the complaint or information is found to be true, a written notice shall be served upon the owner of the dog indicating:
 - i. The nature of the violation(s) and facts supporting same including the date(s), time(s) and location(s) of the violations.
 - ii. The section of this Ordinance violated by such conduct and the penalty.
 - iii. That the owner must take immediate action to properly control the dog or dogs and to prevent further acts which constitute a violation of any of the Sections of this Ordinance, and that

failure to do so may result in prosecutions of further violations.

- iv. That if the owner challenges the finding that a violation occurred, he may request the opportunity to be heard at the next regularly scheduled Township meeting provided he gives the Township reasonable prior notice of his request.
- b.) If, after 20 days following service of the notice referred to above, the owner has not taken action to prevent further violations and has not requested the opportunity to be heard by the Board, and if further violations are found to continue, the Township may institute proceedings before the District Justice having jurisdiction over West Mead Township for violation of this Ordinance.
- c.) In conjunction with any proceeding under this Ordinance, or upon complaint or information otherwise received, the police of West Mead Township shall investigate and take appropriate action to enforce all provisions of the Pennsylvania Dog Law, Act of December 7, 1982, P.L. 784, 3 P.S. § 459-101, *et.seq.* and amendments thereto in accordance with the provisions of said law.

Section 5. Penalty.

Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than \$25.00 nor more than \$600.00 and costs of prosecution, and in default of payment thereof, shall be sentenced to imprisonment for a period not exceeding 30 days. Each separate violation of the provisions of this Ordinance shall constitute a separate offense.

Section 6. Other Remedies.

In addition to any of the remedies provided above, any continual violations of this Ordinance shall be considered a nuisance and the Township Board of Supervisors may seek to abate said nuisance by instituting appropriate legal proceedings.

Section 7. Severability.

The provisions of this Ordinance shall be severable, and if any provisions hereof shall be held to be unconstitutional, invalid or illegal, by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as legislative intent that this Ordinance would have been enacted had such unconstitutional, invalid or illegal provisions not been included herein.

Section 8. Effective Date.

This Ordinance shall become effective five (5) days after enactment.

Ordained and Enacted as an Ordinance of West Mead Township, Crawford
County, Pennsylvania, this 8th day of February, 1987.

West Mead Township
Board of Supervisors

By: Samuel C. Hurd

By: John Gordon

By: Francis S. Wason

Attest:

By: Judy E. Mena
Secretary