

ORDINANCE NO. 107

Section 1. This Ordinance shall be known as the Animal Control Ordinance of East Vincent Township

Section 2. Definitions.

- (a) The word "Person" shall include state and local officers or employees, individuals, corporations, co-partnerships, and associations. Singular words shall include the plural. Masculine words shall include the feminine and neuter.
- (b) The word "Owner" when applied to the proprietorship of an animal shall include every person having a right of property in such animal, and every person who keeps or harbors such animal, or has it in his care, and every person who permits such animal to remain on or about any premises occupies by him.
- (c) The term "Kennel" shall mean any establishment wherein animals are kept for the purpose of breeding, boarding, sale or show purposes, and which is so constructed that animals cannot stray therefrom.
- (d) The term "Animal Control Officer" shall mean any person designated as such whose duty it shall be to control animals within the Township of East Vincent, pursuant to the terms hereinafter set forth.
- (e) The term "Excessive Noise" shall mean barking by a dog or the making of other noise by any animal, including dogs, which although intermittent, is generally continuous and sustained over a period of fifteen (15) minutes or more.

Section 3. Running at Large Prohibited.

It shall be unlawful for the owner, custodian or keeper of any animal licensed or unlicensed to allow such animal to run at large at any time, either upon any street, alley or public grounds in the Township of east Vincent or upon the property of another, other than the owner, custodian or keeper of such animal, unless accompanied and under the direct control of such owner, custodian or keeper.

Section 4. Seizure and Impounding of Animals Running at Large and Redemption.

- (a) It shall be the duty of every police officer, or any person so designated as the Animal Control Officer, under this Ordinance, to seize and detain any animal which is found running at large, either upon the public streets or highways, or upon the property of another other than the owner of such animal, and unaccompanied by the owner or keeper. It shall be the privilege of every Police Officer, or Animal Control Officer to kill any animal which is found running at large and is deemed by the officer after due

consideration, to constitute a threat to the public health and welfare.

- (b) The Police Officer or Animal Control Officer shall cause any animal bearing a proper license tag and so seized and detained to be properly kept and fed, and shall cause immediate notice, either personal or by certified mail to be given to the person whose name the license was procured, and his agent to claim such animal in accordance with the provisions hereinafter set forth. In the event that an unlicensed animal is seized and detained, there shall be no obligation hereunder to notify or determine the owner of said animal unless the name and address of the owner of the said animal is properly affixed to said animal.
- (c) The seized and detained animals may be redeemed by the owner or his agent for a \$15.00 penalty paid to the Township of East Vincent within ten (10) days of mailing of notice, and upon payment of \$10.00 per day charge plus any reasonable costs that are incurred by reason of detention paid to the facility, holding said animal. Adjustments in rates for the detention of an animal shall be determined from time to time by the Township of East Vincent, by resolution of the Township Board of Supervisors.

Section 5. Curbing of Animals; Excessive Noise Prohibited.

- (a) Owners will be responsible for the proper curbing of their animals, cleanliness of pounds and kennels and yards to prevent any nuisance or health hazard to adjacent property owners.
- (b) No animal shall be allowed to create excessive noise. Owners will be responsible for any noise disturbance caused by their animal.

Section 6. Female Dogs in Heat.

It shall be unlawful for the owner or keeper of any female dog to permit such female dog to go beyond the premises of such owner or keeper at any time she is in heat, unless such female dog is properly restrained by means of a collar and leash.

Section 7. Confinement.

- (a) It shall be unlawful for the owner or keeper of any animal to fail to keep such animal at all times either:
 - (1) Confined within the premises of the owner and or keeper.
 - (2) Firmly secured by means of a collar and chain or other device so that it cannot stray beyond the premises on which it is secured.

- (3) Under reasonable control of some person or when engaged in lawful hunting or field training accompanied by the owner or handler.
- (4) Confined within a pasture of the owner's with the fencing in good repair.
- (5) All grazing, pasture or exercise areas shall be fenced.

Section 8. Raising, Maintenance, or Breeding of Livestock or Poultry.

- (a) The raising maintenance, or breeding of livestock or poultry (excluding pets such as dogs, cats, rabbits, and the like and excluding horses for the personal recreational use of the occupants of the principal home) for private, non-commercial use only of a single family dwelling is permitted provided the following requirements are met:
 - (1) Minimum lot size shall not be less than five (5) acres.
 - (2) No structure used for housing of livestock or poultry or manure pile shall be located closer than one hundred (100) feet to any property line, nor two hundred (200) feet from any dwelling other than that of the owner.
- (b) Up to four (4) dogs and/or cats over six (6) months old may be kept as pets provided that any outside shelter or exercise area is enclosed, and meets the Pennsylvania State Cruelty Law standards for adequate shelter and located in the rear yard area at least ten (10) feet from any lot line and not less than fifty (50) feet from any dwelling other than that of the owner.
- (c) The keeping of a horse or horses, for private non-commercial recreation use only of a single family dwelling is permitted provided that the following requirements are met:
 - (1) A lot size of two (2) acres shall be the minimum for the keeping of one (1) animal; for each additional animal, one (1) additional acre of lot size will be required.
 - (2) No structure used to contain horses or a manure pile shall be located closer than one hundred (100) feet to any property line, nor two hundred (200) feet from any dwelling other than that of the owner.

Section 9. Fine and Imprisonment.

- (a) Any owner, custodian or keeper of any animal who shall violate the terms of this Ordinance may, 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 of such fine and costs, to imprisonment for not more than thirty (30) days,

provided such fine and costs may be in addition to any payments required to be made under the above Section 4(c) on redemption fees.

Section 10. Validity.

If any provision of this Ordinance shall, for any reason be held by any court to be illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

Section 11. Repeal.

All other Ordinances in conflict with this Ordinance are hereby repealed, including the Ordinance No. 78 of East Vincent Township known as the "Animal Control Ordinance."

ORDAINED and ENACTED this 1st day of April, 1992.

EAST VINCENT TOWNSHIP
BOARD OF SUPERVISORS

By: Everett H. Wilson
Everett H. Wilson, Chairman

By: John F. Slanga
John F. Slanga, Supervisor

Attest:

Florence S. Francis
Florence S. Francis, Secretary

By: Lawrence J. Schickram
Lawrence J. Schickram, Supervisor