

ORDINANCE NO. 110

AN ORDINANCE OF THE TOWNSHIP OF DAUGHERTY, BEAVER COUNTY, PENNSYLVANIA REGULATING AND CONTROLLING THE KEEPING OF DOGS WITHIN SAID TOWNSHIP, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ORDINANCE NO. 106.

WHEREAS, the Supervisors of the Township of Daugherty, Beaver County, believe that the proper regulation and control of pet animals kept within the limits will promote the health, safety and general welfare of the citizens of the Township.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Daugherty in the County of Beaver, as follows:

SECTION 1: As used in this Ordinance, the following terms have the meanings indicated unless a different meaning clearly appears from the context:

Owner - Any person having the custody or control of any dog or who permits a dog to remain on his or her property.

SECTION 2: It shall be unlawful for the owner of any dog to permit said animal to run at large, at any time, within the Township of Daugherty. For the purpose of this section, any dog not restrained by leash or by other suitable means of control, when said dog is not upon the premises of the owner thereof, shall be considered to be running at large.

SECTION 3: It shall be unlawful to keep at any place within the Township any dangerous or vicious dog or any dog with a contagious or infectious disease, when said dog by reason of its disposition or state of health constitutes a clear and present danger to the health, safety and welfare of any person or persons.

SECTION 4: It shall be unlawful for any owner to walk or exercise any dog, not upon the premises of the owner thereof unless the said dog is restrained by a leash held by the owner or persons designated by the owner who shall be capable of properly restraining the movements of said dog. No dog shall be walked or exercised other than upon the premises of the owner thereof unless the owner or person accompanying the said dog shall carry and use suitable facilities for gathering up any and all matter excreted by the said dog during the course of said walk or exercise and said

owner or person shall be responsible for promptly removing said material and placing it in the container carried for that purpose, and failure to do so shall constitute a violation of this ordinance.

SECTION 5: It shall be unlawful for any person to keep, own, harbor, maintain or possess any dog that barks and/or makes noise repeatedly that disturbs the quiet of the neighborhood and is a continuous annoyance to the residents of that neighborhood.

Any dog that barks, howls, yelps or bays or makes repeated noise that disturbs the quiet of the neighborhood for more than one hour on two or more days during a seven day period shall be deemed to be in violation of this Section.

This section shall not apply to any dog located on a farm while it is being used on that farm for agricultural purposes.

SECTION 6: Any dog found running at large in the Township or disturbing the peace as set forth in Section 5 hereof, or infected with a contagious disease is hereby declared to be a public nuisance. Any dog found running at large upon public or private property, or upon any street in the Township may be seized or taken by any Township police office, by any humane society officer, or by any other person as authorized by the Supervisors and impounded in a facility designated by the Township. If the owner of the dog is known or may be identified, that owner shall be given notice to reclaim the dog within twenty-four (24) hours after receipt of the notice, and shall be allowed to reclaim the dog after paying a penalty to the Township of Fifteen (\$15.00) Dollars and all fees or costs of impoundment. If the dog is not reclaimed or the penalty is not paid within the twenty-four (24) hour period after receipt of notice as herein provided, the dog may be killed in a humane manner.

SECTION 7: It shall be unlawful for any person to permit any dog within his control to deposit on any public property or upon any private property, without consent of the owner of the property, any animal wastes or feces. Permitting the deposit of waste or feces by any such dog shall constitute a public nuisance.

Where the owner or person in control of the dog immediately removes all feces deposited by the dog upon private property and in a sanitary manner disposes of the feces, that nuisance as to that owner shall be considered abated.

SECTION 8: This ordinance shall not apply to "Seeing Eye" dogs engaged in guiding persons with defects of eyesight.

SECTION 9: Any person violating any provision of this ordinance, upon conviction before a District Magistrate of this County be sentenced to pay a fine not exceeding \$300.00 and the cost of prosecution and/or to under go imprisonment for a term not to exceed ninety (90) days.

SECTION 10: All Ordinances, or any part of any Ordinance insofar as it is inconsistent herewith are hereby repealed, and in particular Ordinance No. 106 is hereby repealed.

SECTION 11: This Ordinance shall become effective thirty (30) days following its adoption.

ENACTED AND ORDAINED by the Supervisors of the Township of Daugherty, this
11 day of June, 2003.

TOWNSHIP OF DAUGHERTY

George J. Rossick
Chairman Board of Supervisors

Attest:

David M. Johnson
Secretary

Dated: 6-11-03