

ORDINANCE NO. 2003 - 1-12-11 - 03
TOWNSHIP OF CONOY
LANCASTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF CONOY TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA, 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 BY BARKING, YELPING, HOWLING, BITING, JUMPING ON, KNOCKING DOWN OR ATTACKING PERSONS OR OTHERWISE DAMAGING OR INJURING PROPERTY, REQUIRING OWNERS, KEEPERS OR WALKERS OF DOGS TO REMOVE AND CLEAN UP EXCRETA LEFT BY DOGS ON PUBLIC OR PRIVATE PROPERTY, AND PROVIDING ENFORCEMENT PROCEEDINGS AND REMEDIES AND PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

IT IS HEREBY ORDAINED AND ENACTED BY THE CONOY TOWNSHIP BOARD OF SUPERVISORS THAT:

SECTION 1: TITLE This Ordinance shall be known and cited as the "Conoy 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, 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 owners, 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) TO PERMIT. The term "to permit" as used in Section 3 shall include failure to restrain from the prohibited activity.

E) CONTINUOUS or EXCESSIVE. "Continuous" as used in this Ordinance shall mean uninterrupted, unbroken and persistent or so persistently repeated at short intervals as to constitute virtually an unbroken series. "Excessive" as used in this Ordinance shall mean substantially greater than what is commonly considered usual or common barking by a dog.

F) Singular words shall include the plural and masculine words shall include the feminine and neuter.

SECTION 3: VIOLATIONS

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.

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 or excessive manner for extended periods of time.

C) It shall be unlawful for the owner of any dog to repeatedly cause annoyance to the citizens, residents or other persons lawfully in the Township by continuous or excessive barking, yelping, howling or other similar offensive noise for extended period of time or by molesting pedestrians and motorists.

D) It shall be unlawful for the owner of any dog or other domestic animal to permit said dog or other domestic animal 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 Susquehanna Regional Police Department, the duly appointed Conoy Township Dog Enforcement Officer if one exists, or the Conoy Township Code Enforcement Officer if one exists, whichever of such officials or bodies has jurisdiction over the incident, shall make investigation, and if the complaint or information is found to be true, a summary citation prepared in accordance with the Pennsylvania Rules of Criminal Procedure and Conoy Township shall be issued against the owner of the dog.

B) In conjunction with any proceeding under this Ordinance, or upon complaint or information otherwise received, the appropriate official or body, as listed above, 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: REMOVAL OF EXCRETA It is hereby declared to be unlawful for any owner, keeper or walker of any dog to permit his or her dog to discharge such animal's excreta upon any public or private property, other than the property of the owner of any dog within the Township if such owner, keeper or walker does not immediately thereafter remove and clean up such animal's excreta from the public or private property.

SECTION 6: PENALTY Any person who shall violate any of the provisions of this Ordinance shall, upon conviction in a summary proceeding brought in the name of the Township, before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, be sentenced to pay a fine of not less than \$100.00 and not more than \$1,000.00 and costs of prosecution and restitution and shall be subject

to imprisonment in the County Jail for not more than ninety (90) days, provided that each day's violation of any of the provisions of this Ordinance shall constitute a separate offense.


SECTION 7: 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 may seek to abate said nuisance by instituting appropriate legal proceedings.

SECTION 8: REPEALER All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

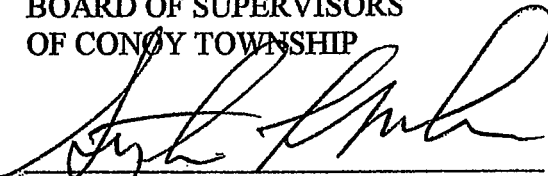
SECTION 9: SEVERABILITY The provisions of this Ordinance shall be severable, and if any provisions hereof shall be held to be unconstitutional, invalid or illegal, by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. 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 10: EFFECTIVE DATE This Ordinance shall become effective five (5) days after enactment.

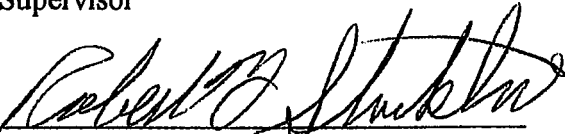
ATTEST:


Secretary

BOARD OF SUPERVISORS
OF CONROY TOWNSHIP


Chairman


Supervisor


Supervisor