

CHAPTER 2

ANIMALS

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PART 1

PROHIBITING DOGS RUNNING AT LARGE

§101. DEFINITIONS.

As used in this Part, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

OWNER - any person having a right of property in any dog or having custody of any dog, or any person who harbors or permits a dog to remain on or around his or her property.

RUNNING AT LARGE - 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 or under the control of the owner or any other person having custody of said dog.

(Ord. 4, 8/21/1956; as revised by Ord. 186, 12/6/1995)

§102. APPOINTMENT AND DUTIES OF DOG WARDEN.

A dog warden shall be appointed by Board of Supervisors to serve during its pleasure. Such dog warden along with the police officers shall have concurrent responsibility for the enforcement of this Part and of the Dog Law of 1982, (3 P.S. §459-101 et seq., as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania); provided, that he shall not have the power to make arrests under this Act of Assembly or any other Act of Assembly or ordinance of the Township.

(Ord. 4, 8/21/1956; as revised by Ord. 186, 12/6/1995)

§103. UNLAWFUL TO ALLOW DOGS TO RUN AT LARGE.

It shall be unlawful for the owner of any dog or dogs to allow or permit such dog or dogs to run at large in the Township.

(Ord. 4, 8/21/1956; as revised by Ord. 186, 12/6/1995)

§104. SEIZING OF DOGS.

The dog warden or any police officer may seize any dog found at large in Township. Such dogs are to be impounded in a licensed kennel.

(Ord. 4, 8/21/1956; as revised by Ord. 186, 12/6/1995)

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§105. LICENSED DOGS.

The Chief of Police shall notify the owner of a licensed dog by registered or certified mail, with return receipt, that the dog is impounded and will be disposed of in five (5) days if not claimed. Five (5) days after the return receipt has been received, and the dog has not been claimed, the dog may be sold or destroyed in accordance with the 1982 Dog Law.

(Ord. 4, 8/21/1956; as revised by Ord. 186, 12/6/1995)

§106. UNLICENSED DOGS.

Unlicensed dogs that are seized shall be held in such kennel for forty-eight (48) hours and if not claimed may be destroyed in accordance with the 1982 Dog Law.

(Ord. 4, 8/21/1956; as revised by Ord. 186, 12/6/1995)

§107. THREATENING DOGS.

Dogs that, in the opinion of any police officer or dog warden, constitute a threat to public health and welfare may be killed by the police or dog warden.

(Ord. 4, 8/21/1956; as revised by Ord. 186, 12/6/1995)

§108. BARKING AND HOWLING DOGS.

No person shall keep or harbor any dog within Upper Makefield Township which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of Upper Makefield Township. Any person who allows any dog habitually to remain or be lodged or fed within any dwelling, building, yard or enclosure which he occupies or owns shall be considered to be harboring such dog.

(Ord. 4, 8/21/1956; as added by Ord. 198, 9/17/1997, §I(1))

§109. PENALTIES.

1. The first two (2) times a dog is seized, the owner shall pay a fine of fifteen dollars (\$15.00) to the Township as well as reasonable fees for keeping the animal in a kennel as fixed pursuant to a resolution of the Board of Supervisors.
2. Any person allowing a dog to run at large a third time in violation of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00) plus costs and, in default of payment, to imprisonment for a term not to exceed thirty (30) days.

3. Any other violation of this Part not covered by subsections (1) and (2) of §109 shall, upon a finding of liability by a District Justice in a civil proceeding, be punishable by a fine of not more than six hundred dollars (\$600.00). [Ord. 201]

(Ord. 4, 8/21/1956; as revised by Ord. 186, 12/6/1995; as amended by Ord. 198, 9/17/1997, §1(2); and by Ord. 201, 11/5/1997, §1)

