

ANIMALS

Chapter 77

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[HISTORY: Adopted by the Board of Supervisors of the Township of West Deer as indicated in article histories. Amendments noted where applicable.]

ARTICLE I

Dog Catcher

**[Adopted 7-11-1957 by Ord. No. 13;
amended in its entirety 1-22-1997
by Ord. No. 265]**

§ 77-1. Authorization to employ.

The Board of Supervisors is authorized to employ a dog catcher or dog catchers or such other person as they may deem necessary to enforce the terms and provisions of 3 P.S. § 459-101 et seq. and this chapter.

§ 77-2. Powers and duties.

Any dog catcher or person employed by the Supervisors to enforce the terms and provisions of 3 P.S. § 459-101 et seq. and this chapter is authorized and empowered to pick up or seize any dog or dogs running at large or straying in the township and to dispose of such dog or dogs as provided by law.

§ 77-3. Independent contractor.

A dog catcher or person employed by the Supervisors to enforce the terms and provisions of 3 P.S. § 459-101 et seq. and this chapter shall be deemed an independent contractor.

§ 77-4

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§ 77-6

ARTICLE II
Abandonment

[Adopted 10-3-1957 by Ord. No. 15]

§ 77-4. Prohibition.

It shall be unlawful for a person being the owner, custodian or keeper of cats or dogs to abandon said animal or animals in the Township of West Deer.

§ 77-5. Violations and penalties.¹ [Amended 1-22-1997 by Ord. No. 265]

Any person who shall violate any of the provisions of this article shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 and costs of prosecution and, in default of payment of such fine and costs, to imprisonment for not more than 30 days in the County Jail.²

ARTICLE III
Confinement

[Adopted 12-2-1966 by Ord. No. 60]

§ 77-6. Inadequate enclosures.

On and after the effective date of this article, it shall be unlawful for any owner or caretaker of horses, mares, cattle, swine, sheep or fowl to keep any such domestic animals in inadequate enclosures whereby such animals can leave such enclosures and wander on the public highways and upon private properties of persons other than the owners of such domestic animals.

¹ Editor's Note: See also Ch. 1, General Provisions, Art. III, Violations and Penalties.

² Editor's Note: Original Section 3, payment of fines and forfeitures, which followed this section, was deleted 1-22-1997 by Ord. No. 265.

§ 77-7. Traversing public highways.

The prohibition provided in § 77-6 of this article shall not apply to any owner or caretaker of such domestic animals exercising direct supervision and control over such animals while traversing any public highway.

§ 77-8. Violations and penalties.³ [Amended 1-22-1997 by Ord. No. 265]

Any person violating the provisions of this article by providing inadequate enclosures whereby any such animal or animals are permitted to wander from such enclosures onto public highways or private properties shall, upon conviction before a District Justice, be sentenced to pay a fine of not more than \$1,000 and, in default of payment, shall undergo imprisonment for a period not exceeding 30 days.

**ARTICLE IV
Nuisances****[Adopted 4-13-1987 by Ord. No. 186]****§ 77-9. Excessive barking.**

The owner of a dog or other animal shall not permit such dog or other animal to create a nuisance within the township by such animal's excessive barking, howling or other similar sound.

§ 77-10. Complaints.

- A. Any person objecting to such excessive barking, howling or other similar sound by a dog or other animal may file a signed complaint against the owner of the animal with the township animal control officer.

³ Editor's Note: See also Ch. 1, General Provisions, Art. III, Violations and Penalties.

- B. In the event that five or more complaints are filed by five or more different individuals against one owner during a period of 60 days or less, the Animal Control Office shall refer the matter to the District Justice for disposition.

§ 77-11. Violations and penalties.⁴ [Amended 1-22-1997 by Ord. No. 265]

Any person violating any of the provisions of this article shall be punishable, upon conviction thereof, by a fine of not more than \$1,000 plus costs of prosecution for each offense and, in default of payment of such fine and costs, to imprisonment in the county jail for a term not exceeding 30 days.

⁴ Editor's Note: See also Ch. 1, General Provisions, Art. III, Violations and Penalties.

