

CHAPTER 2

ANIMALS

PART 1

DOGS RUNNING AT LARGE

- §101. Definitions
- §102. Appointment and Duties of Dog Warden
- §103. Unlawful to Allow Dogs to Run at Large
- §104. Seizing of Dogs
- §105. Licensed Dogs
- §106. Unlicensed Dogs
- §107. Dangerous Dogs
- §108. Penalties

PART 2

ANIMAL NOISE DISTURBANCES

- §201. Intent and Purposes
- §202. Noise Disturbance
- §203. Exceptions
- §204. Penalties

PART 1

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 - when applied to the proprietorship of a dog, includes every person having a right of property in such dog, and every person who keeps or harbors 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.

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. 28-1957, 9/4/1957; as revised by Ord. 09-00, 10/2/2000)

§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, 3 P.S. 459-101 *et seq.*; 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. 28-1957, 9/4/1957; as revised by Ord. 09-00, 10/2/2000)

§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 of Spring.

(Ord. 28-1957, 9/4/1957; as revised by Ord. 09-00, 10/2/2000)

§104. SEIZING OF DOGS.

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

(Ord. 28-1957, 9/4/1957; as revised by Ord. 09-00, 10/2/2000)

ANIMALS

§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 5 days if not claimed. Five 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 Dog Law, 3 P.S. §§459-302.

(Ord. 28-1957, 9/4/1957; as revised by Ord. 09-00, 10/2/2000)

§106. UNLICENSED DOGS.

Unlicensed dogs that are seized shall be held in such kennel for 48 hours and if not claimed may be destroyed in accordance with the Dog Law, 3 P.S. 459-303.

(Ord. 28-1957, 9/4/1957; as revised by Ord. 09-00, 10/2/2000)

§107. DANGEROUS DOGS.

1. A dog determined to be dangerous under §502-A of the Dog Law, 3 P.S. 459-502A, shall be restrained or otherwise kept in accordance with Article VI-A of the Dog Law, 3 P.S. 459501-A *et seq.*
2. Dogs may be killed only in accordance with the requirements of §501 of the Dog Law, 3 P.S. §§459-501, and otherwise, said dogs must be detained and delivered to the police or a State dog warden. While detained, said dog must be treated in a humane manner.

(Ord. 28-1957, 9/4/1957; as revised by Ord. 09-00, 10/2/2000)

§108. PENALTIES.

1. The first two times a dog is seized, the owner shall pay a fine of \$15 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. Enforcement Remedies.
 - A. Any person allowing a dog to run at large a third time in violation of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fines and costs, to a term of imprisonment not to exceed 90 days. Each day that a

violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 28-1957, 9/4/1957; as revised by Ord. 09-00, 10/2/2000)

PART 2

ANIMAL NOISE DISTURBANCES

§201. INTENT AND PURPOSES.

The Board of Supervisors of the Township of Spring, finding that excessive levels of sound are detrimental to the physical, mental and social well being of the people as well as to their comfort, living conditions, general welfare and safety and being therefore a public health and welfare hazard, hereby declares it to be necessary to provide for the greater control and more effective regulation of excessive sound and the sources of excessive sound within the Township of Spring.

(Ord. 60-1989, 9/5/1989, §1)

§202. NOISE DISTURBANCE.

It shall be illegal within the Township of Spring for any person or persons to own, possess, harbor or control any animal or fowl which makes any noise continuously and/or incessantly for a period of 10 minutes or make such noise intermittently for 1/2 hour or more to the disturbance of any person any time of the day or night regardless of whether the animal or fowl is physically situated in or upon private property, said noise being a nuisance; provided, that at the time the animal or fowl is making such noise no person is trespassing or threatening to trespass upon private property in or upon which the animal or fowl is situated nor is there any other legitimate cause which justifiably provoked the animal or fowl.

(Ord. 60-1989, 9/5/1989, §2)

§203. EXCEPTIONS.

This Part shall not be deemed to prohibit or otherwise declare unlawful any agricultural operations protected from the nuisance suits by Act No. 1982-133, 3 P.S. §951 *et seq.*

(Ord. 60-1989, 9/5/1989, §3)

§204. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days.

ANIMALS

Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 60-1989, 9/5/1989, §4; as amended by Ord. 09-00, 10/2/2000)