

ORDINANCE 2009 - 01

AN ORDINANCE OF THE TOWNSHIP OF PENN, PERRY COUNTY, PENNSYLVANIA, REPLACING ORDINANCE 90, DATED NOVMBER 25, 1981, PROVIDING FOR THE REGULATION OF PETS, INCLUDING THE CONFINEMENT OF PETS, THE PROHIBITION OF ALLOWING PETS TO RUN AT LARGE AND PROVIDING FOR PENALTIES FOR FAILURE TO COMPLY WITH THE PROVISIONS OF THE ORDINANCE BY AMENDING THE DEFINITIONS AND SECTIONS 2 AND 3.

BE IT ENACTED AND ORDAINED BY THE TOWNSHIP OF PENN, PERRY COUNTY, PENNSYLVANNIA:

SECTION 1 – The following words and phrases shall have the meaning hereby respectively ascribed thereto, except where the context clearly indicates a different meaning:

- (a) Owner/keeper – Any person who shall possess, maintain, house, or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- (b) Person – Individual, partnership, firm, association, corporation or political subdivision of this State subject to municipal jurisdiction.
- (c) Pet – A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

SECTION 2 - It shall be unlawful for any person to keep any pets, except as provided in this Section:

- (a) The keeper of any such pet shall confine the same in an enclosure sufficient to prevent such pet from running at large and such enclosure shall be maintained in a clean and sanitary condition at all times. Such enclosure shall be conducive to sanitation procedures and adequate and sanitary drainage facilities shall be provided.
- (b) If any such pet is kept in the dwelling owned or occupied by its owner, such owner shall be required to follow such procedure and practices as to sanitation to insure that no public nuisance shall be created or maintained and no threat to the health of persons living elsewhere in the dwelling shall be created.

SECTION 3 – It shall be unlawful for any owner/keeper of any pets to permit such pets to run at large upon the public streets, highways, parks, or other public property, or upon private property without the consent of the owner thereof.

- (a) A pet which is on a leash or which is subject to the act or control or the direction of its owner/keeper shall not be deemed to be running at large.
- (b) It shall be unlawful for any person to allow any pet to make any loud or harsh noise or disturbance which shall disturb or interfere with the peace, quiet or rest of the public within the Penn Township.

SECTION 4 – Any person who shall violate any provisions of this Ordinance shall, for each and every such violation, upon conviction thereof, be sentenced to pay a fine of not more than Three Hundred Dollars (\$300.00) and cost of prosecution and in default of payment of such fine and cost, to imprisonment of not more than thirty (30) days. Each day on which a violation shall take place shall constitute a separate violation.

SECTION 5 – Any violation of this Ordinance that would also violate any state law may be prosecuted under that state law or under this Ordinance.

SECTION 6 - In the event that any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

SECTION 7 – Nothing herein shall prevent the Penn Township Board of Supervisors, in their discretion, from entering into agreements with any officially recognized Humane Society for the purpose of enforcing this Ordinance.

SECTION 8 – This Ordinance shall take effect in five (5) days.

SECTION 9 - Ordinance Number 90, dated November 25, 1981 is hereby repealed.

ENACTED AND ORDAINED into an Ordinance this 25th day of February, 2009.

PENN TOWNSHIP SUPERVISORS

Chairman

Vice-Chairman

Supervisor

ATTEST:

Township Secretary

APPROVED this _____ day of _____, 2009.