

Harrison Township Code of Ordinances

Chapter 2: Animals

Part 1: DOGS AT LARGE AND EXCESSIVELY BARKING DOGS

§ 101 Definitions.

[Ord. 126, 9/7/1915; as revised by Ord. 1782, 2/16/1987]

As used in this Part, the following terms 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.

§ 102 Unlawful to Allow Dogs to Run at Large.

[Ord. 126, 9/7/1915; as revised by Ord. 1782, 2/16/1987]

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.

§ 103 Seizing of Dogs.

[Ord. 126, 9/7/1915; as revised by Ord. 1782, 2/16/1987]

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

§ 104 Licensed Dogs.

[Ord. 126, 9/7/1915; as revised by Ord. 1782, 2/16/1987]

Owners of licensed dogs are to be notified by registered or certified mail, with return receipt, that the dog is impounded and will be disposed of in five 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 1982 Dog Law.

§ 105 Unlicensed Dogs.

[Ord. 126, 9/7/1915; as revised by Ord. 1782, 2/16/1987]

Unlicensed dogs that are seized are to be held in such kennel for 48 hours and if not claimed may be destroyed in accordance with the 1982 Dog Law.

§ 106 Threatening Dogs.

[Ord. 126, 9/7/1915; as revised by Ord. 1782, 2/16/1987]

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

§ 107 Penalty.

[Ord. 126, 9/7/1915; as revised by Ord. 1782, 2/16/1987]

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.

2. Any person allowing an animal 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 \$300; and/or to imprisonment for a term not to exceed 90 days.

§ 108 Excessively Barking Dogs.

[Ord. 1931, 12/28/2006]

It shall be unlawful for any owner to harbor any dog which barks repetitively or excessively during any one-hour period, or which barks constantly for a period of 10 consecutive minutes or more, where such barking is audible on any adjacent or nearby property or on the public right-of-way.

A. For purposes of this Section, a dog barks repetitively or excessively if it barks at frequent intervals or for 10 consecutive minutes as described above. For purposes of this Section, the term "barking" includes yelping, howling or other loud noises.

B. Upon receiving a complaint that a dog is barking in a way prohibited by this Part, the Township police or animal control officer or Ordinance Enforcement Officer shall investigate and, if the complaint is found valid, shall give the owner a written warning notice by personal service or regular first class mail. Upon the issuance of a second written warning within a twelve-month period, any or all of the following enforcement actions may be commenced:

(1) Seizure of the dog, which may be seized, impounded and destroyed under the procedures set forth in this Part for dogs found at large at §§ 103 — 105. The owner shall be assessed all costs of impoundment in a kennel and destruction.

(2) Institution of summary proceedings before the District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Civil Procedure, provided that each day in which a violation occurs shall constitute a separate offense.

(3) Action at law or in equity to abate the nuisance caused by repetitive or excessive barking.

C. Penalties for repetitive barking violations shall be the same as set forth in § 107 of this Part. In addition, a fee of \$25 shall be assessed upon issuance of a second warning within 12 months in order to reimburse the Township for the costs of issuing warning notices.

D. When an owner is issued a first or subsequent warning notice hereunder, the owner shall have 20 days in which to appeal from the notice. Any appeal shall be in writing and filed with the Township Secretary, along with an appeal fee of \$25 or such other amount as may hereafter be set by the Board of Commissioners by resolution. The appellant shall be responsible for the costs of advertising the hearing

and of the court reporter and shall, at the time of application, pay a deposit of \$200 to cover such costs. Should the deposit be insufficient, the appellant shall pay the remainder of such costs. Should the deposit exceed such costs, the difference will be refunded to the applicant.

(1) Upon receipt of an appeal, a Local Agency Law hearing shall be held by the Board of Commissioners or by a hearing body or hearing officer appointed by the Board for that purpose.

(2) If a Local Agency Law hearing is demanded, no dog shall be destroyed until a decision is rendered. The granting of a Local Agency Law hearing in no way deprives the Township of any other enforcement remedy available to it.

Part 2: ANIMAL DEFECATION

§ 201 Defecation on Another's Property.

[Ord. 1680, 5/19/1980, § 1]

All pet owners are prohibited from allowing their pets to defecate on streets, alleys, public property, or private property other than that of the owners.

§ 202 Penalties.

[Ord. 1680, 5/19/1980, § 2; as amended by Ord. 1782, 2/16/1987]

Any person, firm or corporation who shall violate any provision of this Part 2 shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300; and/or to imprisonment for a term not to exceed 90 days.