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Dec. 11, 1975

Dogs

SHENANGO TOWNSHIP ORDINANCE
NO. 1975 - 1

AN ORDINANCE OF THE TOWNSHIP OF SHENANGO, LAWRENCE
COUNTY, PENNSYLVANIA, REGULATING THE RUNNING AT LARGE OF
ANY DOG IN SHENANGO TOWNSHIP; SEIZURE AND DETENTION OF SUCH
DOGS; KILLING OF UNLICENSED DOGS RUNNING AT LARGE; NOTICE TO
OWNERS OF LICENSED DOGS SEIZED; PROHIBITING THE KEEPING AND
HARBORING OF HABITUALLY BARKING DOGS IN SHENANGO TOWNSHIP;
DECLARING SUCH DOGS RUNNING AT LARGE OR HABITUALLY BARKING
TO BE A PUBLIC NUISANCE AND PROVIDING FOR THE ABATEMENT OF
SUCH NUISANCES AND PENALTIES FOR THE VIOLATION OF THIS ORDIN-
ANCE.

WHEREAS, it is the opinion of the Supervisors of Shenango Township, Lawrence County, Pennsylvania, that the running at large of dogs and the habitual barking of dogs creates a public nuisance by causing inconvenience, annoyance or discomfort to others in the Township in their legitimate enjoyment of their reasonable rights of persons or property and is detrimental to the comfort and safety of the residents of the Township.

BE IT ORDAINED AND ENACTED BY THE SUPERVISORS OF
SHENANGO TOWNSHIP, LAWRENCE COUNTY, PENNSYLVANIA:

SECTION 1: This ordinance shall be known and referred to as the
"Shenango Township Dog Ordinance."

SECTION 2: For the purpose of this ordinance, the following terms
shall have the following meanings, respectively designated for each:

(a) The word "owner" as used in this ordinance shall include every person having the right of proprietorship or ownership in a dog, and every person who keeps or harbors a dog or has it in his care, and every person who permits a dog to remain on or about any premise occupied by him.

(b) The phrase "running at large" or "run at large" means being upon any public highway, street, alley, park or any other public land, or upon property of another person other than the owner within the Township, and not being accompanied by or under the control of the owner or any other person having custody of said dog.

(c) The term "kennel" shall mean any establishment wherein dogs are kept for the purpose of boarding and which is so constructed that dogs cannot stray therefrom.

(d) The word "Township" shall mean the Township of Shenango, Lawrence County, Pennsylvania.

(e) The phrase "habitually barking" or "habitually barks" means the continuous barking, howling or yelping of a dog so as to cause inconvenience, annoyance or discomfort to others in the Township in their legitimate enjoyment of their reasonable rights of persons or property.

(f) The phrase "or other agent" shall mean such person, partnership, corporation or other entity designated, appointed and authorized by resolution of the Board of Supervisors of the Township from time to time to enforce and carry out the provisions of this ordinance but shall not include a police officer of the Township.

SECTION 3: It shall hereafter be unlawful for the owner of any dog or dogs in the Township to permit such dog or dogs, whether licensed or not, to run at large in the Township.

SECTION 4: It shall be the duty of every police officer of the Township, or other agent, to seize and detain any dog or dogs found running at large in the Township; said detention to be in a kennel.

SECTION 5: It shall be the duty of every police officer of the Township, or other agent, to kill any dog found running at large which does not bear a proper and current license tag and which dog is deemed, after due consideration by the police officer, or other agent, to constitute a threat to the public safety, health and welfare.

SECTION 6: It shall be the duty of every police officer of the Township, or other agent, to properly keep and feed in a kennel any dog seized bearing a proper license tag. Such officer, or other agent, shall give immediate notice, either personal or by registered mail, to the person in whose name the license was procured or his agent, to claim such dog within ten (10) days. The owner of a dog so detained shall pay all reasonable expenses incurred by reason of its detention, under the provisions of this ordinance, before the dog is returned.

SECTION 7: If, after ten (10) days from giving the notice described in Section 6 hereof, such dog has not been claimed, such police officer, or other agent, shall dispose of said dog by sale or destruction in some humane manner.

SECTION 8 : It shall be unlawful for the owner of any dog to permit said dog to habitually bark within the Township, and it shall be the duty of every police officer of the Township or other agent, whenever complaint is made to it that any habitually barking dog is being kept or harbored within the Township limits, to notify either personally or in writing the owner having the said dog on premises under his control to dispose of the said dog within ten (10) days from the time of such notice, and any such person having received such notice who shall keep or harbor, within the Township, a dog which habitually barks, after ten (10) days from the date of receiving such notice from the police officer or other agent, shall be guilty of a violation of this ordinance and subject to its penalties.

SECTION 9 : Dogs which habitually bark to the annoyance of persons within the Township, when kept or harbored in the Township, are hereby declared to be a public nuisance, and the police officers of the Township, or other agent, are authorized and directed to abate all such nuisances and for that purpose, to take and impound in a kennel all such habitually barking dogs within the Township, with notice to the owner in whose custody the said dog is found, and if after such notice the owner in whose custody any such dog is found, does not redeem the said dog within ten (10) days from such notice by paying the reasonable costs of keeping the said dog for that time, and remove the said dog permanently from within the limits of the Township, the police officer, or other agent, shall dispose of said dog by destruction in some humane manner.

SECTION 10: The Board of Supervisors of the Township may, from time to time, by resolution, appoint, designate and authorize a person, partnership, corporation or other entity to act as agent for the Township in carrying out and enforcing the provisions of this ordinance; and which agent shall be under the supervision of the police department of the Township.

SECTION 11: The provisions of this ordinance shall be severable and if any of its provisions shall be held to be invalid, such decision of the Court shall not affect or impair the ordinance as a whole or any of the remaining provisions thereof.

SECTION 12: All ordinances or parts of ordinances in conflict with this ordinance shall be and the same are hereby repealed insofar as the same may conflict with the provisions of this ordinance.

SECTION 13: Any person violating any of the provisions of this ordinance shall, upon conviction thereof before any district magistrate, be sentenced to pay a fine of not more than one hundred (\$100.00) dollars together with costs of prosecution, and in default of the payment of such fine and costs to imprisonment in the county jail for not more than five (5) days.

SECTION 14: This ordinance shall become effective five (5) days after its passage or adoption.

Enacted into an ordinance this 11th day of December , A. D. 1975.

BOARD OF SUPERVISORS OF SHENANGO
TOWNSHIP, LAWRENCE COUNTY,
PENNSYLVANIA

By Herbert A. Binstman
Chairman

By John J. Tamm
Supervisor

By Richard L. Buthger
Supervisor