

CHAPTER 2

ANIMALS

PART 1

DOG REGULATIONS

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PART 1
DOG REGULATIONS

§101. TITLE.

This Part shall be known and cited as the "Dog Ordinance of the Township of Vernon."

(Ord. 1984-1, -/-/1984, §1)

§102. DEFINITIONS.

The following words and phrases when used in this Part shall have, unless the context clearly indicates otherwise, the meanings given to them in this Section:

DOG - the genus and species known as canis familiars.

DOG CONTROL - the apprehending, holding and disposing of stray or unwanted dogs or activities by reduced number of dog related problems. Dog control activities may be performed by agents of incorporated humane organizations, Township policemen or State Dog Wardens.

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.

PERSONS - includes State and local officers or employees, individuals, corporations, copartnerships and associations. Singular words shall include the plural. Masculine words shall include the feminine and neuter.

POLICE OFFICER - any person employed or elected by the Commonwealth of Pennsylvania or the Township Vernon and whose duty it is to preserve peace or to make arrests or enforce the law. The term includes State, Constabulary and State Dog Wardens.

PUBLIC NUISANCE - any dog which:

- (1) Molests passersby or passing vehicles.
- (2) Is repeatedly not under restraint.
- (3) Damages private or public property.
- (4) Barks, cries, whines or howls in an excessive, continuous or untimely fashion.

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RESTRAINT - any dog confined within the premises of the owner or firmly secured by means of a collar and chain or other device so that it cannot stray beyond the premises on which it is secured or under the reasonable control of some person, or when engaged in lawful hunting, exhibition or field training.

(Ord. 1984-1, -/-/1984, §2)

§103. DECLARATION OF PUBLIC NUISANCE.

The Township of Vernon hereby declares and ordains that any dog which:

- A. Molests passersby or passing vehicles;
- B. Is repeatedly not under restraint;
- C. Damages private or public property;
- D. Barks, cries, whines or howls in an excessive, continuous or untimely fashion;

is and shall be considered a public nuisance. The ownership of any animal which constitutes a public nuisance is hereby declared to be an offense and is punishable in accordance with the provisions of §109 of this Part. [Ord. 1997-2]

(Ord. 1984-1, -/-/1984, §3; as amended by Ord. 1997-2, 3/6/1997)

§104. RESTRAINT.

It shall be the duty of obligation of the owner of any dog to control the conduct of such dog as follows:

- A. All dogs shall be kept under restraint at all times.
- B. Owners shall be required to exercise proper care and control of his dog to prevent it from becoming a public nuisance.
- C. Every female dog in heat shall be confined in a building or a secure enclosure in such a manner that such female dog cannot come into contact with another dog except for planned breeding.

(Ord. 1984-1, -/-/1984, §4)

§105. DOG CARE.

1. Dogs to be Personal Property. All dogs are hereby declared to be personal property in subjects of theft. Except as provided in §106 of this Part, it shall be unlawful for

any person, except a police officer, a State Dog Warden or accredited veterinarian, to kill, injure or to attempt to kill or injure any dog.

2. It shall be unlawful for any person to place any poison or harmful substance of any description in any place on his own premises or elsewhere where it may be easily found and eaten by dogs.
3. It shall be unlawful for any person to abandon or attempt to abandon any dog within the Township of Vernon.
4. Any person who, as the operator of a motor vehicle, strikes a dog shall stop at once and render such assistance as may be possible and shall immediately report such injury or death of the dog's owner; in the event that the owner cannot be ascertained and located such operator shall at once report the accident to the Vernon Township Police Department or to the Crawford County Humane Society.
5. It shall be unlawful to confine a dog to any motor vehicle without adequate ventilation and temperature control sufficient to insure its comfort.

(Ord. 1984-1, -/-/1984, §5)

§106. OFFENSES OF DOGS.

1. Legal to Kill Certain Dogs. Any person may kill any dog which he sees in the act of pursuing or wounding any livestock or wounding or killing poultry, wounding or killing other dogs or household pets or attacking human beings whether or not such dog bears the license tag as required by the Act of Assembly of the Commonwealth of Pennsylvania known as the "Dog Law," the Act of December 7, 1982, P.L. 784, No. 225, effective January 1, 1983. There shall be no liability on such person in damages or otherwise for such killing.
2. Private Nuisance. Any dog that enters any field or enclosure where livestock or poultry are confined, provided that the enclosure is adequate for the purpose intended, shall constitute a private nuisance and the owner or tenant of such field or their agent or servant may detain such dog and turn it over the Township Police Department or State Dog Warden. While so detained, the dog shall be treated in a humane manner.
3. Licensed Dogs not Included. Licensed dogs, when accompanied by their owner or handler, shall not be included under the provisions of this Section unless caught in the act of pursuing, wounding or killing any livestock, wounding or killing poultry, wounding or killing any dogs or household pets or attacking human beings.
4. The owner or keeper of any animal shall use reasonable care to avoid the deposit of excreta by his dog upon any property other than his own. The owner or keeper of any dog which deposits excreta upon any property not owned by the dog's owner (e.g. public walks, recreation areas and private property) shall immediately collect and remove all such excreta. Failure of any owner or keeper to collect and remove all excreta deposited by his dog upon the property of another within 1 hour after receipt

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of notice of such deposit shall constitute a violation of this Part and punishable in accordance with the provisions of §109 of this Part.

(Ord. 1984-1, -/-/1984, §6; as amended by Ord. 1997-2, 3/6/1997)

§107. ENFORCEMENT.

It is the intent of the Board of Supervisors of Vernon Township that prosecutions for the violation of any of the provisions of this Part shall be instituted and prosecuted by citizens aggrieved by such violations. The Board of Supervisors of Vernon Township may, in their discretion, after investigation by the Vernon Township Police of a violation of this Part, authorize the institution of proceedings by the Township for the enforcement of the provisions of this Part when, in the opinion of the Township Supervisors the violation constitutes an imminent threat to the public health or safety or to the health or safety of any dog.

(Ord. 1984-1, -/-/1984, §7)

§108. IMPOUNDMENT OF DOGS.

1. Unrestrained dogs which constitute a public nuisance shall be taken by the police or humane officers and impounded at the Crawford County Humane Society Shelter and there confined in a humane manner.
2. Impounded stray dogs shall be kept for not less than 3 working days unless earlier released to the owner.
3. If by a license tag or other means the owner of an impounded animal can be identified the police shall immediately upon impoundment notify the owner by telephone and, in addition, by registered or certified mail with return receipt, to the person in whose name the license was procured, or his agent, to claim the dog within 5 days after receipt thereof. [Ord. 1997-2]
4. An owner reclaiming an impounded animal shall pay to the Crawford County Humane Society such fee as the Crawford County Humane Society shall, from time to time, impose for the care and maintenance provided to the animal.
5. The Crawford County Humane Society shall, in its discretion, dispose of any animal delivered to it which is diseased, maimed or unclaimed and undesirable.

(Ord. 1984-1, -/-/1984, §8; as amended by Ord. 1997-2, 3/6/1997)

§109. 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. 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. 1984-1, -/-/1984, §9; as amended by Ord. 1997-2, 3/6/1997; and by Ord. 1998-2, 3/5/1998)

