

NOTICE IS HEREBY GIVEN THAT THE SUPERVISORS OF PERRY TOWNSHIP WILL VOTE ON THE FOLLOWING ORDINANCE AT THE MONTHLY MEETING ON DECEMBER 10, 1998 AT 8:00 P.M. AT THE TOWNSHIP BUILDING:

PERRY TOWNSHIP

ORDINANCE NUMBER 12-10-98 OF 1998

DOG AND CAT CONTROL

It is hereby ordained and enacted by the Supervisors of the Township of Perry, Lawrence County as follows:

SECTION ONE. Any dog or cat which scratches, digs or defecates upon any lawn, tree, shrub, plant, building or any other public or private property, other than the property of the owner or person in charge or control of such animal, is hereby declared to be a nuisance.

SECTION TWO. No person, having possession, custody or control of any dog or cat, shall knowingly or negligently permit any dog or cat to commit any nuisance upon any gutter, street, driveway, curb or sidewalk in the Township, or upon the floors or stairways of any building or place frequented by the public or used in common by the tenants, or upon the outside walls, walkways, driveways, curbs or stairways of any building abutting on a public street or park, or upon the grounds of any public park or public area, or upon any private property other than the property of the owner of such animal.

SECTION THREE. Any person having possession, custody or control of any dog or cat which commits a nuisance in any area

other than the private property of the owner of such dog or cat, as prohibited in Section Two, shall be required to immediately remove the said feces from such surface and carry the feces in a non-leaking container.

SECTION FOUR. It shall be illegal within the Township of Perry for any person or persons to own, possess, harbor, or control any dog which makes any unprovoked noise continuously to the disturbance of any person any time of the day or night, regardless of whether the dog is physically situated in or on private property, said noise being a nuisance; provided, that at the time the dog is making such noise no person is trespassing or threatening to trespass upon private property in or upon which the dog is situated, nor is there any other legitimate cause which justifiably provoked the dog.

SECTION FIVE. The provisions of Sections One, Two and Three shall not apply to a guide dog accompanying any blind person, or to a dog used to assist any other physically handicapped person.

SECTION SIX. The following regulations are hereby adopted for the purpose of insuring humane care of domestic animals:

HUMANE CARE.

- (a) No person shall keep or harbor any dog or cat in the Township of Perry so as to create offensive odors or unsanitary conditions which are a menace to the health, comfort or safety of the public and that of the dog or cat.
- (b) Every dog or cat that is kept out doors must be provided with adequate shelter or dog house. The dog house must be large enough for the dog to assume all normal positions and be draft-free with a good floor and sound roof. It should contain straw, hay or shavings.

- (c) No dog or cat shall be kept in a filthy, unsanitary condition. It shall not have to walk, eat or sleep in its own urine or fecal matter.
- (d) Every dog or cat shall be given food placed in containers and not just thrown on the ground. Fresh water shall also be provided.
- (e) Any person found not providing humane care for his dog or cat will be considered in violation of this ordinance.
- (f) No person shall poison or ill-treat a dog or cat or deny a dog or cat veterinary care when needed to prevent suffering, nor may a dog or cat be abandoned, and such acts shall be considered in violation of this ordinance.

SECTION SEVEN. This Ordinance has been enacted because the Supervisors have determined the matters subject to this Ordinance pertain to the property maintenance, health and noise pollution that concern citizens of the Township.

SECTION EIGHT. Any owner, person, firm, association or corporation who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than Twenty-Five (\$25.00) Dollars nor more than One Thousand (\$1,000.00) Dollars, or imprisonment to the extent allowed by law for the punishment of summary offenses. Enforcement proceedings shall be commenced pursuant to 53 P.S. § 66601(c)(2), as may be amended.

SECTION NINE. Nothing in this Ordinance shall be construed to repeal or diminish the legal enforceability of any Pennsylvania regarding the care or regulation of animals.