

*Repealing - 54*

*Amended 6/4/91 by  
Ordinance # 79*

ORDINANCE NO. 61

AN ORDINANCE PROHIBITING OWNERS, CUSTODIANS, AND KEEPERS OF LICENSED AND UNLICENSED DOGS FROM ALLOWING SUCH DOGS TO RUN AT LARGE, OR ALLOWING SUCH DOGS OR OTHER PETS TO DISTURB THE PEACE; SETTING PROCEDURES FOR WARNING SUCH PERSONS; AND ESTABLISHING FINES FOR VIOLATIONS THEREOF.

BE it enacted and ordained by the Board of Supervisors of Westfall Township, Pike County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same that allowing dogs to run at large, or allowing dogs or other pets to disturb the peace, on public or private property, within Westfall Township is hereby declared a nuisance and prohibited as hereinafter set forth.

SECTION 1. Running at large prohibited.

It shall be unlawful for any person who owns or keeps any dog to allow such dog to run at large in the Township of Westfall in violation of the provisions of the Dog Law of 1965 (3 P.S. Par. 460-101 et seq.), as amended. Any dog running at large in violation of said law shall be subject to seizure, detention and disposal, as provided therein.

SECTION 2. Disturbing the peace.

It shall be unlawful to own, harbor or keep in custody any dog or other pet which disturbs the peace by barking, howling, meowing or making other loud noises for more than one (1) continuous hour, or for a period of less than one (1) hour but more than one-half ( $\frac{1}{2}$ ) hour when said period occurs on two (2) consecutive days. Such behavior shall be deemed to disturb the peace and cause the annoyance and discomfort of persons in the Township of Westfall. It shall likewise be unlawful to allow any pet to run at large in such a manner as to cause other pets to disturb the peace as defined above.

SECTION 3. Warning procedure.

A. Any resident of the Township may request, in writing, that the Westfall Police Department warn any person who shall own, harbor or keep in custody any dog, or other pet, which disturbs the peace by barking, howling, meowing or making other loud noises, or who shall permit any dog to run at large, in violation of this ordinance.

- B. Any such request shall identify the owner of the premises, the keeper or custodian of the dog or other pet, and the name and address of the person making the request. Upon receipt of such request the Police Department shall investigate the complaint and, upon satisfaction that there is probable cause that such complaint is valid, shall give the owner, keeper or custodian of the dog, or other pet, a warning.
- C. The warning shall consist of personal delivery of a copy of this Ordinance to such owner, keeper or custodian, or to someone in their household, or by mailing a copy of the ordinance if the violator resides outside of Westfall Township, together with a written notice that no further warning shall be given and that any future complaints shall be prosecuted according to law.
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- D. A violation of this Ordinance shall be deemed to have occurred upon a second or subsequent violation of Sections 1 and/or 2 above which occur after the date of delivery of the aforesaid warning.

SECTION 4. Violation and penalty.

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Any person who shall be convicted of violating any of the provisions of this Ordinance before any District Magistrate shall be sentenced to pay a fine or penalty not exceeding Three Hundred (\$300.00) Dollars, together with costs of prosecution, and in default of payment of such fine or penalty, and costs, the violator shall be subject to imprisonment in the Pike County jail for a term not to exceed thirty (30) days. The continuation of such violation for each successive day, or days, shall constitute a separate offense, and the violator may be punished as provided above for each separate offense. All existing ordinances, or parts of ordinances, inconsistent herewith are hereby expressly repealed to the extent necessary to give this Ordinance full force and effect. Ordinance No. 34 is hereby repealed in its entirety.

This Ordinance shall become effective five (5) days from the date of adoption.

Adopted this 4<sup>TH</sup> day of January, 1988.

ATTEST:

Shirley A. Lawrence  
Secretary

TOWNSHIP OF WESTFALL

George B. Decker  
George B. Decker