

HARRIS TOWNSHIP DOG ORDINANCE

DEFINITIONS:

CONTINUOUS BARKING - Sustained barking by a dog.

DOG OWNER - When applied to the proprietorship of a dog, means every person having a right of property in any dog, and every person who keeps or harbors any dog or has it in his/her care, and every person who permits any dog to remain on or about any premises occupied by him/her.

KEEPER - Any person who shall possess, maintain, house or harbor any dog, or otherwise have custody of any dog, whether or not the owner of such dog, whether for compensation or otherwise.

ORDINANCE ENFORCEMENT OFFICER - Ordinance Enforcement Officer of the Township of Harris, Centre County, PA.

POLICE OFFICER - an officer of State College Police Department or any duly sworn law enforcement officer authorized to enforce the Laws of the Commonwealth of Pennsylvania and Ordinances of The Township of Harris.

PREMISES - a tract of land, including buildings.

REPETITIVE BARKING - Barking by a dog at frequent intervals.

CONFINEMENT AND CONTROL OF DOGS:

It is unlawful for the owner or keeper of any dog to fail to keep the dog either:

- (A) Confined within the premises of the owner; or
- (B) Firmly secured by means of a collar and chain, leash, rope or other device so that it cannot stray beyond the premises on which it is secured; or
- (C) Under the reasonable control of some person, or when engaged in lawful hunting, exhibition or field training.

EXCESSIVE BARKING:

(A) It is unlawful for any owner or keeper to harbor any dog which barks repetitively during any given one hour period, or which barks continuously for a period of ten consecutive minutes or more, and which is audible on any adjacent property or public right-of-way.

(B) Upon the first offense the dog owner or keeper will be given a written warning notice by personal service or certified mail, return receipt requested.

It will be a condition precedent to any enforcement proceeding to show that a written warning was issued to the dog owner or keeper within the previous twelve (12) month period.

CURBING OF DOGS AND REMOVAL OF FECES:

(A) The owner or keeper will immediately remove and dispose of all feces deposited by any dog on private or public property not under the control of the owner or keeper of such dog. Owner or keeper shall dispose of feces in a sanitary manner.

(B) (1) It is unlawful for any owner or keeper of any dog to allow feces to accumulate on private property, owned or controlled by the owner or keeper, to a level which is detrimental to the health, safety or welfare of persons or property, as determined by the Harris Township Ordinance Enforcement Officer or Police Officer conducting the investigation of the property.

(B) (2) The owner of any property where dog feces has been allowed to accumulate to a level which is detrimental to the health, safety or welfare of persons or property, as determined by the Harris Township Ordinance Enforcement Officer or Police Officer conducting the investigation of the property, will be ordered to remove and dispose of the accumulation of feces in a sanitary manner within a period of five (5) days.

(B) (3) Notice to the property owner will be provided in writing to the dog owner or keeper by: a) personal service; or, b) by certified mail, return receipt requested sent to the dog owner or keeper. If the dog owner is not available, notice may be given by posting the property at a conspicuous place. Each five (5) day period after service or posting of notice that the property remains in a condition that is detrimental to the health, safety or welfare of persons or property shall constitute a separate offense.

(C) The accumulation of dog feces upon private property is declared to be a public nuisance.

ENFORCEMENT AND PENALTIES:

A. The Ordinance Enforcement Officer of The Township of Harris, and any Police Officer empowered to enforce the laws of The Commonwealth of Pennsylvania within the jurisdictional boundaries of The Township of Harris is authorized to enforce the provisions of this Ordinance.

B. Any person who violates any provision of Section 4, Section 5, or Section 6(A) of this Ordinance will upon conviction before a District Justice, be subject to pay a fine of not less than Twenty-five (\$25.00) Dollars nor more than Three Hundred (\$300.00) Dollars plus costs of prosecution for each offense. Additionally, third and subsequent convictions of Section 5 after the mandatory warning notice has been issued, within one (1) year of any previous such conviction will be subject to a fine of not more than Six Hundred (\$600.00) Dollars."

C. Any person who violates Section 6(B) by failing to remove accumulation of feces within 5 days after service or posting of notice, will, upon conviction by a District Magistrate, be subject to pay a fine of not less than Twenty-five (\$25.00) Dollars nor more than Three Hundred (\$300.00) Dollars plus costs of prosecution for each offense.

D. Any person who violates Section 6(C) by maintaining a nuisance will be subject to the procedures provided in Article VII, Section 702, Paragraph 12 of the Second Class Township Code, as amended, 53 P.S. Section 65712. The penalty prescribed by this Ordinance, which may be collected by summary proceedings or in the manner provided for the collection of municipal liens or by an action of assumpsit's will be not less than \$25.00 nor more than \$300.00, plus costs of prosecution for each offense.

E. In addition to the penalties and procedures provided above, the Board of Supervisors is also authorized to institute proceedings in courts of equity to abate nuisances or to protect the health, safety and welfare.

SEVERABILITY:

Should any word, sentence, paragraph, or section of this Ordinance, be declared invalid and contrary to, or in conflict with, any existing or future law or regulation for any reason whatsoever, it is the intent of the Supervisors of the Township of Harris that it would have enacted all other portions of this Ordinance, of the code adopted hereby, independent of the word, sentence, paragraph, or section declared invalid.