

Chapter 56

ANIMALS

[HISTORY: Adopted by the Board of Supervisors of the Township of West Earl as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances â€” See Ch. 124.

Zoning â€” See Ch. 184.

ARTICLE I

Dogs

[Adopted 4-27-1992 by Ord. No. 92]

§ 56-1. Noise restricted.

It shall be unlawful for any owner, handler, custodian or keeper to keep or harbor any dog which habitually barks, howls, yelps, cries or otherwise makes noise in such a manner as to materially disturb or annoy persons in the surrounding neighborhood. Such dogs exhibiting the aforementioned behavior are hereby declared to be a public nuisance.

- A. Whenever a person shall complain to the West Earl Township Police Department that a dog that habitually barks, howls, yelps, cries or otherwise makes disturbing noise is being kept by a person in the Township of West Earl, the Police Department shall notify the owner, handler, custodian or keeper of such dog that a complaint has been received and that the person should take necessary action to alleviate in a humane manner the barking, howling, yelping or crying.
- B. If a warning given pursuant to Subsection A above to the person alleged to be keeping said noisome dog is ineffective, any citizen aggrieved by the continued noise of such dog may present a complaint to the Police Department that the dog being maintained by the person who has received the warning continues to habitually bark, howl, yelp or cry. The Police Department shall investigate the complaint. If the Police Department determines that the complaint is warranted, the Police Department shall notify the person against whom the complaint has been made and shall prosecute such person for a violation of this article. [Amended 5-27-1998 by Ord. No. 139]
- C. "Habitually" is hereby defined to mean three or more hours out of four in any twenty-four-hour period.

§ 56-2. Defecation on public or private property.

It shall be unlawful for the owner, handler, custodian or keeper of any dog to allow such dog under his or her control to defile or defecate on any sidewalk, walkway or property of another. It shall be the duty of the person in control of a dog which defecates on any

sidewalk, walkway or property of another to promptly clean up and remove all feces discharged and to dispose of such feces in a lawful and sanitary manner.

§ 56-3. Enforcement.

The West Earl Township Police Department shall be charged with the responsibility to enforce the provisions of this article and shall perform all other duties which may be prescribed by the township.

§ 56-4. Violations and penalties. [Amended 4-28-1997 by Ord. No. 129]

For each violation of the provisions of this article, any person who commits, takes part in or assists in any such violation shall be liable, upon conviction thereof in a summary proceeding, to pay a fine of not more than \$1,000 for each offense, together with the costs of prosecution. Each day or portion thereof in which a violation exists shall be considered a separate violation of this article, and each section of this article which is violated shall be considered a separate violation. In default of payment of such fine, such person shall be liable to imprisonment for a period not exceeding 30 days.

§ 56-5. Abatement of nuisances.

In addition to any other remedies provided in this article, any violation of the provisions of this article shall constitute a nuisance and may be abated by the Township of West Earl by seeking equitable relief from a court of competent jurisdiction.