

ORDINANCE NO. 04-2020

**DUNKARD TOWNSHIP
GREENE COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF DUNKARD TOWNSHIP, GREENE COUNTY,
PENNSYLVANIA, REGULATING THE KEEPING OF CERTAIN
ANIMALS AND PRESCRIBING PENALTIES FOR VIOLATION
THERETO.**

WHEREAS, the Board of Supervisors of Dunkard Township has received a number of concerns/complaints from its residents concerning the inadequate confinement of livestock and the running at large of the same; and

WHEREAS, the Second Class Township Code, as amended provides authority for the Board of Supervisors to enact ordinances on this matter and procedures thereof, and

WHEREAS, it is now deemed necessary for the protection of the health, cleanliness, comfort, safety and welfare of the citizens of Dunkard Township to enact this Ordinance.

NOW, THEREFORE, pursuant to the authority conferred upon it by the Pennsylvania Second-Class Township Code, the Board of Supervisors of the Dunkard Township, Greene County, Pennsylvania, does hereby **ENACT** and **ORDAIN** the following:

SECTION 1. TITLE.

This Ordinance shall be known as the “Dunkard Township Livestock/Animal Confinement Ordinance of 2020.”

SECTION 2. GENERAL SCOPE.

The subject matter of this Ordinance is the regulation of the confinement of livestock and other animals.

SECTION 3. DEFINITIONS.

As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Animal – any domestic animal or fowl, any wild animal or any household pet.

Domestic Animal – any animal normally or ordinarily domesticated or raised in this area and climate as livestock or for work or breeding purposes, or normally or ordinarily kept as a household pet.

Household Pet – any dog, cat, or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

Large Animal – any wild or domestic animal of the bovine, equine or sheep family.

Person – any individual, firm, partnership, association or corporation.

Small Animal – any wild or domestic animal such as a rabbit, hare, guinea pig, rat, mouse or chinchilla; and any wild or domestic fowl such as a chicken, turkey, goose, duck or pigeon (except homing pigeons).

Wild Animal – any animal, including bird, fowl, or reptile not normally or ordinarily domesticated; not normally or ordinarily raised in this area and climate as livestock, or for work or breeding purposes; or not capable of being kept as a household pet.

In this Ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

SECTION 4. KEEPING OF ANIMALS REGULATED.

It shall be unlawful for any person to keep any domestic animals, except household pets, except as provided in this section:

- A. Small animals shall be kept confined in quarters no part of which shall be closer than twenty-five (25') feet from the exterior limits of any dwelling and/or property line.
- B. The keeper of every such animal shall confine the same in an enclosure sufficient to prevent such animal from running at large and such enclosure shall be of a size conducive to good sanitary practices and adequate and sanitary drainage facilities shall be provided.
- C. Every keeper of any animal shall cause the litter and droppings therefrom to be collected daily in a container or receptacle that when closed shall be rat-proof and fly-tight, and after every such collection shall cause such container or receptacle to be kept closed. At least twice a week, every such keeper shall cause all litter and droppings so collected to be disposed of in such manner as not to permit the presence of fly larvae.
- D. Every keeper of any animal shall cause all feed provided therefor to be stored and kept in a rat-proof and fly-tight building, box container or receptacle.
- E. Must have ½ Acre or more.

SECTION 5. HOUSEHOLD PETS.

It shall be unlawful for any person to keep any household pet, except as provided in this section:

- A. If any such pet shall be kept in a residential dwelling owned or occupied by its owner, such owner shall be required to follow such procedures and practices, as to the number of such pets to be kept there, and as to sanitation, to insure that no public nuisance shall be created or maintained and no other threat to the health of persons living elsewhere than in such dwelling shall be created.

B. If any such pet shall be kept in an enclosure outside, such residential dwelling, the provisions of Section (A) and (B) of this Ordinance, insofar as the same applies to small animals, shall be applicable to the keeping of such household pet.

SECTION 6. VIOLATION OF STATE LAW.

Any violation of this Ordinance that would also violate any State law shall be prosecuted under that State law and not under this Ordinance.

SECTION 7. GRIEVED PARTY.

A Grievd Party may request an exemption to be reviewed by the Board of Supervisors. The decision by the Board of Supervisors shall be binding upon said party. The decision shall be in writing and submitted to the same.

SECTION 8. PENALTIES.

Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine not exceeding six hundred (\$600.00) dollars, and/or to undergo imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

SECTION 9. REPEALER.

Any Ordinance containing any provision inconsistent herewith to the extent that such provision is inconsistent, then that provision is also hereby repealed.

SECTION 10. SEVERABILITY.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 11. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon final enactment.

ORDAINED BY AND ENACTED INTO LAW by the Board of Supervisors of Dunkard Township in lawful session assembled this 10 day of September, 2020.

ATTEST:

DUNKARD TOWNSHIP

Lisa Vecchio
Lisa Vecchio, Secretary/Treasurer

BY: Mark Blaker
Mark Blaker, Chairman

BY: Paul Bierer
Paul Bierer, Vice-Chairman

BY: _____
David Hockin