

WEST GOSHEN TOWNSHIP

Chapter 36 Dogs

[**HISTORY: Adopted by the Board of Supervisors of the Township of West Goshen 4-4-1956. Amendments noted where applicable.**]

GENERAL REFERENCES

Dogs in parks — See Ch. 57.

Peace and good order — See Ch. 59.

§ 36-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

OWNER

Includes every person having a right of proprietorship or ownership in a dog and every person who keeps or harbors a dog or has it in his care and any person who permits a dog to remain on or about any premises occupied by him.

§ 36-2 Restrictions of dogs.

A. The owners of every dog within the Township of West Goshen shall at all times keep such dog either:

- (1) Confined within an enclosure from which it cannot escape;
- (2) Firmly secured by means of a collar and chain; or
- (3) Under the reasonable control of some person.

B. No person shall permit a dog which is under his or her custody or control, either by leash, restraint, verbal command or otherwise, to deposit feces upon any public property, including but not limited to sidewalks, pathways, streets, parking lots, parks, waters or other public property of any kind. All persons exercising custody or control of dogs shall be required to immediately cleanup and properly dispose of any animal feces resulting from the dog's presence on any such public property. [Added 11-12-1996 by Ord. No. 11-1996]

§ 36-3 Running at large.

[Amended 7-11-1989 by Ord. No. 7-1989; 4-11-2012 by Ord. No. 02-2012]

- A. It shall be unlawful for the owner or keeper of any dog to permit such dog to run at large in West Goshen Township. Any such dog found to be running at large, whether licensed or unlicensed, shall be subject to seizure, detention and disposition by the West Goshen Township Police Department or agency employed by the Township to carry out such seizure, detention or disposition in accordance with the provisions of the Pennsylvania Dog Law, as amended from time to time.
- B. "Running at large" shall be defined as being upon any public highway, street, alley, park or other public

Comment [1]: Editor's Note: See 3 P.S. § 459-101 et seq.

land, and not being on a leash and accompanied by or under the control of the owner or any other person having custody of said dog.

§ 36-4 Continuous barking prohibited.
[Added 5-24-2006 by Ord. No. 5-2006]

No person shall own, possess, harbor or control any dog which howls or barks continuously and/or incessantly for a period of 10 minutes or makes such noise intermittently for 1/2 hour or more to the disturbance of any person at any time of the day or night, regardless of whether the dog is situated in or upon private property; provided, however, 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 or for any other cause which teased or provoked the dog.

§ 36-5 Issuance of warnings.
[Added 5-24-2006 by Ord. No. 5-2006]

Upon notification that a person is violating § 36-4, the Township Police, Code Enforcement Officer or Zoning Officer may issue a warning to the owner of the dog. The warning shall be hand-delivered or sent by certified mail, return receipt requested, and shall include a copy of § 36-4 and a notice that a fine will be imposed for the second and all subsequent violations in accordance with § 36-6C.

§ 36-6 Violation and enforcement provision.
[Amended 6-1-1960; 7-11-1989 by Ord. No. 7-1989; 11-12-1996 by Ord. No. 11-1996; 7-24-1996 by Ord. No. 7-1996; 5-24-2006 by Ord. No. 5-2006]

- A. Any person who violates or permits the violation of any provision of this chapter, except § 36-4, shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a District Justice, pay a fine for each such violation in an amount not less than \$50 and not more than \$200, plus all court costs, including reasonable attorney fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.
- B. Any person who is found liable for any second or subsequent offense for a violation of any provision of this chapter, except § 36-4, shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a District Justice, pay a fine for each such violation in an amount not less than \$200 and not more than \$600, plus all court costs, including reasonable attorney fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.
- C. Violation of § 36-4.
 - (1) Any person who violates or permits the violation of § 36-4 of this chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a District Justice, pay a fine in the following amounts, plus all court costs, including reasonable attorneys fees, incurred by the Township:
 - (a) First violation: Warning issued.

- (b) Second violation in any calendar year: fine of \$25.
 - (c) Third violation in any calendar year: fine of \$50.
 - (d) Fourth and subsequent violations in any calendar year: fine of no less than \$100 and no more than \$600.
- (2) No judgment shall be imposed until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.