

THE BOROUGH OF WEST EASTON
ORDINANCE NO. 476

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of West Easton, Pennsylvania, as follows:

SECTION ONE - DEFINITIONS

For the purpose of this Ordinance, the following terms shall have the following meanings, unless otherwise indicated:

A) "Dog" shall mean both male and female dogs;

B) "Owner" shall mean and include every person, firm or corporation having a right of property in any dog which is kept or harbored within the Borough, as well as every person, firm or corporation occupying any premises within the Borough which permits a dog or dogs to remain on or about its premises;

C) "At large" shall mean off the premises of the owner and not under the control of the owner or a member of his immediate family, either by leash, cord, chain or otherwise.

SECTION TWO - DOG LICENSES AND FEES

A) Running at Large. No owner of any dog shall allow it to run at large in the Borough. Every dog shall have securely fastened around its neck a collar, to which shall be attached the proper license tag for the current year, beginning January 15. The dog shall at all times be attended either by his owner or keeper, and when off the premises of the owner, shall be properly in leash.

B) License. Dog licenses shall be obtained from the County Treasurer of Northampton County.

C) Fee. Dog license fees shall be determined by the Commonwealth of Pennsylvania and collected by the County of Northampton.

SECTION THREE - SHELTERING OF ANIMALS

A) Animals, as permitted in this article, may be sheltered in any dwelling, business place, manufacturing establishment, storeroom, warehouse or any building used or occupied as a dwelling or for business purposes as long as such place does not present a public or common nuisance, or unsanitary conditions.

B) The Board Public Officer, upon a determination that a nuisance, health hazard or unsanitary condition exists, shall have the authority to cause a complaint and/or citation to be filed with the District Magistrate having jurisdiction, and upon

conviction, any person violating the provisions of this section shall be subject to a fine of not less than one hundred dollars (\$100.00) and not to exceed three hundred dollars (\$300.00).

SECTION FOUR - RUNNING AT LARGE; IMPOUNDING

No person owning or having in his custody any dog shall permit the dog to go at large to the injury or annoyance of others, nor shall any dog be permitted at large upon the streets or other public ways of the Borough." Such action is declared to be a nuisance and dangerous to the public health and safety.

It shall be the duty of the Impounding Officer, and every police officer of the Borough, to seize and detain any dog, licensed or unlicensed, found running at large, either upon the public streets or highways of the Borough or on the property of any other person, and unaccompanied by its owner or a keeper. The Impounding Officer, and any police officer of the Borough, are authorized and empowered to go upon any premises and to enter any building to seize and detain any dog which has been running at large unaccompanied by an owner or keeper when such Impounding Officer or police officer is in immediate pursuit of such dog.

SECTION FIVE - IMPOUNDING LICENSED DOGS; CLAIMING AND DISPOSITION

Any dog bearing a proper license tag which is seized and impounded shall be properly kept and fed. Immediate notice, either personal or by registered mail, shall be given by the person in charge of impounding dogs to the owner of the dog directing the owner to claim such dog within ten days. The owner of a licensed dog so detained shall pay all fines and costs imposed by this article and also the expense of impounding and keeping the dog. If after ten days from the giving of such notice the dog has not been claimed, the person in charge of impounding the dog shall dispose of it by sale to discharge the costs and penalties provided for the violation of this article, and the expenses incurred in the impounding and keeping of such dog and of such sale, or the dog shall be destroyed in some humane manner.

SECTION SIX - IMPOUNDING UNLICENSED DOGS; CLAIMING AND DISPOSITION

All dogs found running at large in the Borough, which do not bear a proper license tag, shall be impounded for a period of forty-eight hours after the capture thereof. During such period the dog may be reclaimed by its owner upon payment of all fines and costs and also the cost of impounding and keeping such animal. At the expiration of the forty-eight hours, if such dog is not reclaimed as aforesaid, the person in charge of impounding such dog shall dispose of it by sale, or as otherwise provided in Section Five.

SECTION SEVEN - CLEANING ANIMAL FECAL MATTER; FINE

All owners of those animals which deposit fecal matter on any property, public or private other than that of such owner, shall be responsible for cleaning up that matter immediately and disposing of it in a manner consistent with applicable codes. Any animal owner who does not comply with this provision shall be subject to a fine not to exceed three hundred dollars (\$300.00). Each separate occasion of noncompliance with this provision shall constitute a separate violation thereof.

SECTION EIGHT - POUND MASTER

The Public Officer may, if he sees fit, designate a person to act as pound master or he may delegate the duties of such a person to an officer of the Bureau of Police to a humane association, whose duty it shall be to make proper and legal disposition of all animals as hereinbefore provided. The Police Chief shall also assign as many officers of the Bureau of Police as he deems necessary to carry out the provisions of this article.

SECTION NINE - VICIOUS DOGS

A) No dog of fierce, dangerous or vicious propensities and no female dog in heat, whether licensed or not, shall be allowed to run at large or upon the premises of one other than the owner. Whenever any such dog is found running at large in violation of this Ordinance, it shall be taken up and impounded and shall not be released except upon approval of the Impounding Officer after payment of the fine provided herein. Any dangerous, fierce or vicious dog found running at large which cannot be safely taken up and impounded may be slain by any police officer or the Impounding Officer.

B) Any dog that has bitten any person shall be adjudged vicious, whether bearing a proper license tag or not. Any such dog which is adjudged vicious, whether the same has or has not attacked any person, shall, on demand of any police officer, be securely tied up. If any person owning or harboring such vicious dog refuses to securely tie up such dog, or permit the same to be put to death after proof that the dog is vicious, he shall, upon conviction thereof, be subject to the penalties provided in the Ordinance.

SECTION TEN - PROCLAMATION OF HYDROPHOBIA BY MAYOR

Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia, the Mayor, if he deems it necessary, shall issue a proclamation ordering every person owning or keeping a dog to confine it securely on his premises, unless such dog shall have a muzzle of sufficient strength to prevent its

biting any person. Any unmuzzled dog running at large during the time of the proclamation shall be seized and impounded, unless noticeably infected with rabies. Any dog so noticeably infected with rabies and displaying vicious propensities may be killed by any police officer or the Impounding Officer without notice to the owner. Any dog impounded during the period of such proclamation shall, if claimed within ten days, be released to the owner, unless infected with rabies, upon payment of the impounding charges provided for herein. If unclaimed after that period, such dog may be summarily destroyed.

SECTION ELEVEN - INTERFERENCE WITH OFFICERS

Any person interfering with the Impounding Officer or any police officer in the enforcement of this Ordinance shall be guilty of a violation of this article.

Any person who shall take away, or attempt to take away, or who shall cut or attempt to cut the leash of any dog from the possession and custody of the Impounding Officer or any police officer shall be guilty of a violation of this Ordinance.

SECTION TWELVE - PENALTY

Any person violating the provisions of this article shall be fined not more than three hundred dollars (\$300.00) or imprisoned not more than ninety days, or both.

SECTION THIRTEEN - EFFECTIVE DATE

This Ordinance shall become effective immediately.

ORDAINED AND ENACTED this 6 day of JULY, 1992, by the Council of the Borough of West Easton, Pennsylvania.

Georgie Applegate
President of Council

Attest: *Walter Buser*
Borough Secretary/Manager

Approved this 6 day of JULY, 1992.

Donald B. B.
Mayor