

BOROUGH OF WEST EASTON
ORDINANCE NO. 575

AN ORDINANCE OF THE BOROUGH OF WEST EASTON CONTROLLING ANIMAL DEFECATION ON PUBLIC PROPERTY; PRESCRIBING PENALTIES FOR OWNERS WHO ALLOW ANIMALS TO LEAVE EXCREMENT ON PUBLIC, OR OTHER PERSON'S PROPERTY; AND ALLOWING FOR CERTAIN EXCEPTIONS.

The Council of the Borough of West Easton, Pennsylvania hereby ordains as follows:

Section 1. 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, 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, bird or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

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.

PERSON - any person, firm, partnership, association or corporation.

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

Section 2. Animal Defecation on Public and Private Property Restricted. No person having possession, custody or control of any animal shall knowingly or negligently permit such animal to defecate, urinate or commit any other nuisance upon any gutter, street, driveway, alley, curb or sidewalk in the Borough of West Easton, or upon the floors or stairways of any building or place frequented by the public or used in common by the tenants, or upon the outside walls, walkways, driveways, alleys, curbs or stairways of any building abutting on a public street or park, or upon the grounds of any public park or public area, or upon any private property other than the property of the owner of such animal.

Section 3. Disposal of Animal Feces. Any person having possession, custody or control of any animal which defecates, urinates or commits any other nuisance in any area other than on the private property of the owner of such animal, as prohibited in Section 2 hereof, shall be required to immediately remove any feces from such area and either:

1. Carry the feces away for disposal in a toilet.
2. Place the feces in a nonleaking container for deposit in a trash or litter receptacle.

Section 4. Dogs Accompanying Blind or Handicapped Persons Exempted. The provisions of Sections 2 and 3 hereof shall not apply to a guide dog accompanying any blind person or to a dog used to assist any other physically handicapped person.

Section 5. Penalties. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00) or to imprisonment for a term not to exceed ninety (90) days, or both. Each separate occasion of noncompliance with this ordinance shall constitute a separate violation thereof.

Section 6. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed: Ordinance No. 273 enacted February 3, 1975; Ordinance No. 476 enacted July 6, 1992.

Section 7. 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 Council of the Borough of West Easton that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 8. Effective Date. This ordinance shall become effective on August 4,
1997.



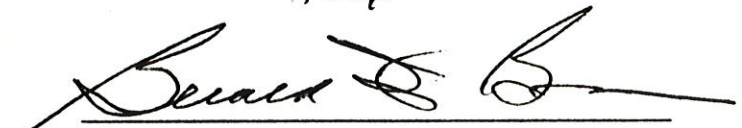
President of Council

ATTEST:



Borough Secretary

Approved this day of , 1997.



Mayor

AAC395