

**EAST GOSHEN TOWNSHIP**  
**CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 129-1-2015**

**AN ORDINANCE OF EAST GOSHEN TOWNSHIP  
REGULATING DOGS IN THE TOWNSHIP.**

WHEREAS, the Board of Supervisors of the Township of East Goshen has deemed it to be in the best interest and general welfare of the residents of the Township to regulate dogs.

NOW THEREFORE BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the authority of the Board of Supervisors of the Township of East Goshen (the "Board") as follows:

**SECTION 1. Definitions.** When used in this Chapter, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise:

**DOG** – A highly variable domestic mammal (*Canis familiaris*) closely related to the gray wolf.

**NOISE DISTURBANCE**- any sound which endangers or injures the safety or health of humans or animals; annoys or disturbs a reasonable person of normal sensitivities; or endangers or injures personal or real property.

**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.

**RUNNING AT LARGE** – shall be defined as being upon any 1) public highway, street, alley, park or other public land; or 2) private property not owned or controlled by the dog owner; or 3) private property for which the dog owner does not have permission to be on; 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.

**SECTION 2. Restrictions on dogs.**

A. Confinement and control. It shall be unlawful for the owner or keeper of any dog to fail to keep at all times the dog in any of the following manners:

- (1) confined within the premises of the owner;

- (2) firmly secured by means of a collar and chain or other device so that it cannot stray beyond the premises on which it is secured; or
- (3) under the reasonable control of some person, or when engaged in lawful hunting exhibition, performance events or field training.

B. Housing. It shall be unlawful for the owner or keeper of a dog to house the dog for any period of time in a drum, barrel, refrigerator or freezer regardless of the material of which the drum, barrel, refrigerator or freezer is constructed.

C. All owners and people having custody of a dog shall immediately clean up and properly dispose of dog feces which are deposited on public property or private property which is not owned by the owner of the dog or person having custody of the dog.

**SECTION 3. Running at large.**

It shall be unlawful for the owner or keeper of any dog to permit such dog to run at large in East 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 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.

**SECTION 4. Noise disturbances prohibited.**

No person shall own, possess, harbor or control any dog which howls or barks continuously and/or incessantly such that it creates a noise disturbance as defined herein.

**SECTION 5. Issuance of warnings.**

Upon notification that a person is violating Section 4 of this Chapter, the Police Department, Township Zoning Officer, and/or or agency employed by the Township to enforce the applicable provisions of the Pennsylvania Dog Law 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 Section 4 and a notice that a fine will be imposed for the second and all subsequent violations in accordance with Section 6.C of this Chapter.

**SECTION 6. Violations and penalties.**

A. Any person who violates or permits the violation of any provision of this chapter, except Section 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 Pennsylvania 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 Section 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 Pennsylvania Civil Procedure.

C. Violation of Section 4

1. Any person who violates or permits the violation of Section 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 \$100.
  - (c) Third violation in any calendar year: fine of \$200.
  - (d) Fourth and subsequent violations in any calendar year: fine of no less than \$300 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 Pennsylvania Civil Procedure.

**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 hereof. 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 8. Repealer.** All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

**SECTION 9. Effective Date.** This Ordinance shall become effective in five (5) days from the date of adoption.

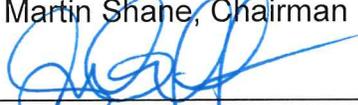
ENACTED AND ORDAINED this 6<sup>th</sup> day of October, 2015.

ATTEST:

  
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Louis F. Smith, Secretary

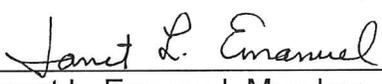
**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
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Senya D. Isayeff, Vice-Chairman

  
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