

ORDINANCE NO. 010-9-1

AN ORDINANCE PROHIBITING THE RUNNING AT LARGE OF DOGS,  
REGULATING THE BARKING OF DOGS AND THE DEFECACTION OF DOGS ON  
PUBLIC OR PRIVATE PROPERTY, PROVIDING FOR AN ANIMAL CONTROL  
OFFICER, AND PROVIDING FOR ENFORCEMENT AND PENALTIES FOR  
VIOLATIONS THEREOF.

**BE IT ENACTED AND ORDAINED** and it is hereby enacted and ordained by the Board of Supervisors of Windsor Township pursuant to the Second Class Township Code, 53 P.S. §§66506 and 66529, that the running of dogs at large, the continual barking of dogs at certain times of the day and night, and the defecation of dogs on public or private property without regulation are injurious to the public's health, safety and welfare and to the peace of the community, and that these activities shall be regulated as follows:

SECTION 1. Definitions.

- a. "Owner." When applied to the proprietorship of a dog, includes every person having a right of property in such dog, and every person who keeps or harbors such dog or has it in his care, and every person who permits such dog to remain on or about any premises occupied by him.
- b. "Running at large." Being upon any highway, street, alley, park or any public land or place, or upon property of another person other than the owner and not being accompanied by or under the control of the owner or any other person having custody of the dog.

SECTION 2. Dogs running at large. An owner shall at all times keep their dog from running at large in Windsor Township.

SECTION 3. Barking dogs.

- a. Between the hours of 10:00 P.M. and 6:00 A.M., prevailing time, an Owner shall not keep a dog outside or confined in an open-air enclosure where its barking may disturb the quiet of the neighborhood. An Owner must confine a dog within a relatively soundproof building with closed windows and doors during these hours.
- b. Between the hours of 6:00 A.M. and 10:00 P.M., prevailing time, an Owner shall not keep a dog outside or confined in an open-air enclosure where the dog continually barks. "Continually barks" shall mean the barking of a dog for a continuous period of thirty (30) seconds or more for three or more times during any twenty (20) minute period.

SECTION 4. Defecating on public or private property

- a. It shall be unlawful for any person owning, keeping or walking any dog to permit his or her dog to discharge excreta upon any public or private property within Windsor Township, other than the property of the owner of the dog, if the person does not immediately remove and clean up the dog's excreta from the public or private property.
- b. It shall be unlawful for the owner of any dog to permit the accumulation of excreta from the dog in a pen or enclosure, including a yard, or at any place within Windsor Township where such accumulation creates a threat to the health of any person or the odor therefrom pollutes the air inhaled by any neighbor or other person.

SECTION 5. Animal control officer. An animal control officer may be appointed from time to time by the Board of Supervisors for the purpose of administering and enforcing this Ordinance and the state's Dog Law, 3 P.S. §459-102 et seq., as amended, in conjunction with the York Area Regional Police Department (or successor police department). The animal control officer shall have such powers and perform such duties as set forth in the state's Dog Law. The animal control officer shall perform his or her duties at the direction of the Board of Supervisors, or at the direction of the Chief of Police of the York Area Regional Police Department (or successor police department), or his designee.

SECTION 6. Enforcement and Penalty. The Township's animal control officer, the York Area Regional Police Department (or successor police department) and such other persons as may be designated by resolution of the Board of Supervisors are authorized to make an initial determination of a violation of this ordinance, and to enforce the provisions of this ordinance. Any person found guilty of violating this ordinance in a summary offense proceeding shall be subject to a fine of not less than \$25.00 and not greater than \$600.00 per violation, or may be subject to imprisonment to the extent allowed by law for the punishment of summary offenses. Each day that a violation continues or each section of this ordinance that is found to be violated shall be considered a separate violation.


SECTION 7. General provisions.

- a. This ordinance repeals an Ordinance adopted March 15, 1976 titled, "An Ordinance prohibiting dogs being permitted to run at large upon the outdoor area in Windsor Township, nor be confined in an open air enclosure or otherwise restrained in Windsor Township during certain hours of the night as set forth and providing a penalty for the violation thereof."
- b. The use of the singular shall include the plural. The use of headings is for convenience only.
- c. The sections of this ordinance are severable, and if any section or part thereof is found to be unconstitutional or unenforceable, then such finding shall not affect the validity of the remaining sections or parts thereof.

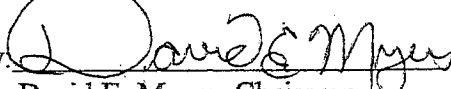
SECTION 8. Effective Date. This Ordinance shall take effect five (5) days after adoption.

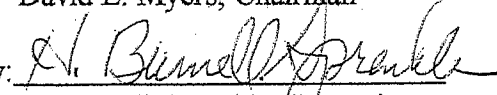
ENACTED AND ORDAINED this 17<sup>th</sup> day of September, 2001.

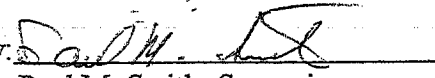
ATTEST:

  
Marlene F. Workinger, Secretary

WINDSOR TOWNSHIP BOARD  
OF SUPERVISORS

By:   
David E. Myers, Chairman

By:   
H. Burnell Sprenkle, Supervisor

By:   
Paul M. Smith, Supervisor