

ENACTED AND ORDAINED THIS 8th DAY OF JULY, 1981.

TOWNSHIP OF HARBORDREEK

ORDINANCE NO. 81-86

AN ORDINANCE OF THE TOWNSHIP OF HARBORCREEK, ERIE COUNTY, PENNSYLVANIA, PROHIBITING ANIMALS FROM RUNNING AT LARGE, PROHIBITING CERTAIN ANIMAL NOISES AND THE BEFOULING OF PROPERTY AND PRESCRIBING PENALTIES.

BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Harborcreek, County of Erie and State of Pennsylvania, and it is hereby enacted by the authority of the same.

SECTION I. The Following words and phrases, when used in this Ordinance shall have the meanings subscribed to them in this section, except where the context clearly indicated or requires a different meaning:

“*ANIMAL OWNER*” – Any person, who or which owns, possesses, maintains houses or keeps any animal or animals within the Township of Harborcreek whether for compensation or otherwise.

“*PERMIT*” – To suffer, allow, consent, let; to give, leave, or license; to acquiesce by failure to prevent, or to expressly accept or agree to the doing of any act.

“*PERSON*” – A natural person, partnership corporation, fiduciary or association. Whenever used in any section prescribing and imposing a penalty, the term “person” as applied to any partnership, association or other entity, shall also mean the partners or members thereof, and as applied to corporations, the officers thereof.

SECTION II. It shall be unlawful for an animal owner to permit such animal to run at large in the Township of Harborcreek either upon the public streets or highways or upon property other than that of the owner of such animal.

SECTION III. An animal owner which confines an animal to his or her premises shall not permit said animal to make any loud or harsh noise or disturbance which shall interfere with or deprive the peace, quiet, rest or sleep of any person within the Township.

SECTION IV. No animal owner shall permit said animal to defile, befoul, corrupt or otherwise desecrate any sidewalk or the property of another.

SECTION V. An enforcement officer appointed by the Township shall, upon receiving a complaint or information (excluding anonymous complaints or information), that an animal owner is permitting an animal to do any of the acts prohibited by this ordinance, investigate the complaint or information, and, upon a finding of probable cause to believe that the animal owner is in violation of this ordinance, issue or cause to be issued to such animal owner a written warning which shall notify such animal owner of the violation and that his or her animal shall be so controlled as to prevent future violations of this ordinance.

SECTION VI. An enforcement officer appointed by the Township shall maintain a record of all warnings served pursuant to Section V of this Ordinance, and, upon receiving a second complaint or information (excluding anonymous complaints or information) alleging a violation of this Ordinance, investigate the alleged violation. Upon a finding of probable cause to believe the animal owner has again violated this Ordinance, then in that event, the enforcement officer appointed by the Township shall initiate summary proceedings against such owner in accordance with the Pennsylvania Rules of Criminal Procedure.

SECTION VII. Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than Ten (\$10.00) Dollars nor more than Three Hundred (\$300.00) Dollars, and all costs of prosecution, for each and every offense and in default of payment of such fine and costs, to imprisonment for not more than ten (10) days in the Erie County Jail. Provided, however, each day’s violation of any of the provisions of this Ordinance shall constitute a separate offense.

SECTION VII. Any Ordinance conflicting with this Ordinance, is hereby repealed insofar as the same affects this Ordinance.

Upon the motion by Mr. Sonney, seconded by Mr. Blanchfield, the above Ordinance was duly enacted. Mr. Sonney and Mr. Blanchfield in favor and Mr. Passerotti did not vote.

Advertised in the Erie Morning News Tuesday, June 30th, 1981.