

BOROUGH OF ADAMSTOWN

Lancaster and Berks Counties, Pennsylvania

ORDINANCE NO. 404

AN ORDINANCE TO AMEND THE ADAMSTOWN BOROUGH CODE OF ORDINANCES, CHAPTER 85, ANIMALS, TO ADD A NEW ARTICLE III, CONTROL OF ANIMALS.

BE AND IT IS HEREBY ORDAINED AND ENACTED by Borough Council of the Borough of Adamstown, Lancaster and Berks Counties, Pennsylvania, as follows:

Section 1. The Code of Ordinances of the Borough of Adamstown, Chapter 85, Animals, shall be amended by adding a new Article III, Control of Animals, which shall provide as follows:

**Article III
Control of Animals**

§85-21. Definitions.

As used in this Article, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

BOROUGH – The Borough of Adamstown, Lancaster and Berks Counties, Pennsylvania.

CODE ENFORCEMENT OFFICER – The person appointed by Borough Council to enforce this Article and/or other police power ordinances of the Borough.

OWNER – When applied to the proprietorship of a dog, the term includes every person having a right of property in such animal and every person who keeps or harbors such animals or every person who has such animal in his or her care or any person who permits such animal to remain on or about any premises occupied by the person.

POLICE OFFICER – Any sworn officer of any municipal or regional police department providing police protective services within the Borough.

§85-22. Dogs running at large.

It shall be unlawful for the owner, custodian or keeper of any dog to allow such dog to run at large at any time, either upon any of the streets, alleys or public grounds in the Borough or upon

the property of anyone other than the owner, custodian or keeper of such dog.

§85-23. Duty to confine dogs.

It shall be the duty of the owner, custodian or keeper of any dog and the duty of the parent or guardian of any minor owner of any dog to keep the dog securely tied or penned in an enclosure in such a manner that the dog cannot break loose and run at large over the streets, alleys or public grounds in the Borough or upon the property of anyone other than the owner, custodian or keeper of such dog.

§85-24. Control of dog in public and on property of others.

It shall be the duty of the owner, custodian or keeper of any dog, while traveling on the streets, alleys or public grounds in the Borough, to have the dog on a leash at all times, to prevent the dog from entering upon the property of any person or persons in the Borough without the property owner's consent and to prevent the dog from littering upon the property of any person or persons.

§85-25. Sheltering and maintenance of dogs.

It shall be unlawful for any person or persons, corporation, partnership or other entity whatsoever to harbor, care for, shelter or maintain any breed of dog or dogs in such a manner as to disturb or unduly annoy the public through the dogs' noise, barking, smell, mischief or other harmful propensities. All dog pens or other areas in which dogs are kept shall be maintained in a sanitary condition free of offensive, obnoxious or foul odors.

§85-26. Enforcement

This Article may be enforced by the Borough Code Enforcement Officer or by any police officer.

§85-27. Violations and penalties.

Any person or persons, corporation, partnership or other entity whatsoever violating any of the provisions of this article shall, upon conviction thereof, be subject to a fine of not more than \$1,000 for each offense, together with the costs of prosecution, including the reasonable attorneys' fees of the Borough. Each day's continuance of the offense following notice thereof shall constitute a new violation.

Section 2. All other sections, parts and provisions of the Code of Ordinances of the Borough of Adamstown shall remain in full force and effect as previously enacted and amended.

Section 3. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 4. This Ordinance shall take effect and be in force from and after its enactment as provided by law.

DULY ORDAINED AND ENACTED this 7th day of April, 2020, by Borough Council of the Borough of Adamstown, Lancaster and Berks Counties, Pennsylvania, in lawful session duly assembled.

BOROUGH OF ADAMSTOWN
Lancaster and Berks Counties, Pennsylvania

Attest: Sm Tolly
(Assistant) Secretary

By: Nancy Good
(Vice) President
Borough Council

[BOROUGH SEAL]

Examined and approved as an Ordinance this 7th day of April, 2020.



By: [Signature]
Mayor