

**NORTH FRANKLIN TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA
ORDINANCE: 4 of 2022**

**AN ORDINANCE BY THE BOARD OF SUPERVISORS OF
NORTH FRANKLIN TOWNSHIP AMENDING THE
TOWNSHIP CODE OF ORDINANCES, SPECIFICALLY
CHAPTER 112 ANIMALS, ARTICLE 1 AMENDING THE
REGULATIONS RELATED TO THE KEEPING OF DOGS TO
INCLUDE ALL DOMESTIC PETS AND ANIMALS IN THE
TOWNSHIP BY PROVIDING ADDITIONAL DEFINITIONS
AND PENALTIES FOR THE VIOLATIONS THEREOF.**

WHEREAS, the Municipalities Planning Code, 53 P.S. §10101 *et seq.* (the “MPC”), authorizes the Township (the “Township”) to create ordinances for the regulation, administration and enforcement of Township zoning ordinances, codes, etc.; and,

WHEREAS, pursuant to its authority under the MPC, the Board of Supervisors of the Township (the “Township Supervisors”) have adopted a Township Code, including the establishment of regulations related to the handling of dogs as pets in the Township; and,

WHEREAS, the Township Supervisors believe there is a need to amend the Township Code to expand the regulations to include not only dogs, but all domestic pets/animals; and

NOW THEREFORE, the Board of Supervisors hereby ordains and enacts as follows, incorporating the above recitals by reference:

SECTION 1. SHORT TITLE.

This Ordinance shall be known as the North Franklin Township “Domestic Pets and Animals Ordinance”

SECTION 2. AMENDMENT TO CHAPTER 112 ANIMALS, ARTICLE 1.

The following sections of Chapter 112, Animals, Article 1 is hereby repealed in its entirety and replaced with the following:

§ 112-1 Definitions.

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

DOMESTIC PET/ANIMAL

A domesticated animal, such as a dog, cat, bird, rodent, including a rabbit, fish, or turtle, that is traditionally kept in the home for pleasure rather than for commercial purposes. Common household pet for this purpose shall include all also include all other reptiles. This shall apply whether the animal lives inside the residential dwelling or outside on the premises. If this definition conflicts with any applicable State or local law or regulation defining the pets that may be owned or kept in dwelling accommodations, the State or local law or regulation shall apply. This definition shall not include animals that are used to assist persons with disabilities.

OWNER

Any person having a right of property in any domestic pet/animal or having custody of any domestic pet/animal, or any person who harbors or permits a domestic pet/animal to remain on or around his or her property.

RUNNING AT LARGE

Being upon any public highway, street, alley, park, or any other public land, 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 said animal.

§ 112-2 Unlawful acts.

It shall be unlawful for the owner of any domestic pets/animals to allow or permit such domestic pets/animal to run at large in the Township.

§ 112-3 Seizing of domestic pets/animals.

Any police officer or Dog Warden, Animal Control officer may seize any domestic pet/animal found at large in the Township. Such domestic pets/animals are to be impounded in a licensed kennel.

§ 112-4 Notice to owners licensed domestic pets/animals.

Owners of licensed domestic pets/animals are to be notified by registered or certified mail, with return receipt, that the domestic pets/animals are impounded and will be disposed of in five days if not claimed. Five days after the return receipt has been received, and the domestic pets/animal has not been claimed, the domestic pet/animal may be sold or destroyed in accordance with the applicable laws, including but not limited to the 1982 Dog Law. *See 3 P.S. § 459-101 et seq.*

§ 112-5 Unlicensed domestic pets/animals.

Unlicensed domestic pets/animals that are seized are to be held in such kennel for 48 hours and, if not claimed, may be destroyed in accordance with the 1982 Dog Law. *See 3 P.S. § 459-101 et seq.*

§ 112-6 Threatening domestic pets/animals.

Domestic pets/animals that, in the opinion of any police officer, Dog Warden/Animal control officer, constitute a threat to public health and welfare may be killed by the police or Dog Warden/Animal control officer.

§ 112-7 Violations and penalties.

A. The first two times a domestic pet/animal is seized, the owner shall pay a fine of \$25 to the Township as well as reasonable fees for keeping the animal in a kennel.

B. Any person allowing a domestic pets/animal to run at large a third time in violation of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300; and/or to imprisonment for a term not to exceed 90 days.

SECTION 3. REPEALER. Any Township Ordinances or provisions of the Township Code which are inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 4. SEVERABILITY. If any sentence, clause, section or other 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 would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective five (5) days after adoption.

- SIGNATURE PAGE TO FOLLOW -

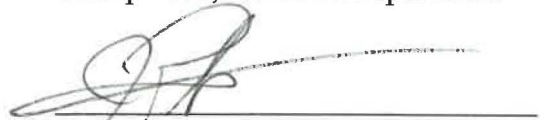
ENACTED AND ORDAINED this 19th day of July, 2022.

ATTEST:

BOARD OF SUPERVISORS
NORTH FRANKLIN TOWNSHIP


Secretary
(SEAL)


Chairperson, Board of Supervisors


Supervisor


Supervisor

Approved by the Township Solicitor:

By: 
Gary L. Sweat, Esq.