

TOWNSHIP OF ABINGTON

ORDINANCE NO. 42 1974

PROHIBITING THE RUNNING OF DOGS AT LARGE WITHIN  
THE TOWNSHIP OF ABINGTON, REGULATING THE CONTROL  
AND CONFINEMENT OF DOGS, PRESCRIBING THE DUTIES OF  
OFFICERS, AND PRESCRIBING AND IMPOSING FINES AND  
PENALTIES FOR VIOLATION.

In order to promote the health, safety and welfare of the residents of the Township of Abington, and prevent unnecessary damage, expense and annoyance resulting from the running at large of dogs within the Township, the Board of Supervisors, pursuant to the authority of Section 702, Cl. XXXV and Section 702, Cl. XLI of the Second Class Township Code, Act of 1933, May 1, P. L. 103 (53 P.S. 65735 and 65741), as amended, hereby ordain and enact as follows:

Section 1: This Ordinance shall be known and may be cited as "The Abington Township Dog Control Ordinance."

Section 2: For purposes of this Ordinance, the following terms shall have the meanings respectively designated for each, as follows:

(a) The term "owner" when applied to the proprietorship of a dog, shall include every person to whom a license has issued, every person having a right of property in such dog, every person who keeps, harbors, shelters, or maintains such dog or has it in his care, and every person who permits such dog to remain on or about any premises owned or occupied by him.

(b) The term "officer" shall mean a duly elected or appointed constable or any regular policeman or special policeman appointed by the Board of Supervisors of the Township of Abington and acting as an ex-officio constable of the Township under the provisions of the Second Class Township Code.

(c) The term "license" shall mean the license required for a dog owned or kept by any person under the provisions of the Act of 1965, December 22, P. L. 1124 (3 P.S. 460-101 et seq. ), known as the Pennsylvania Dog Law of 1965.

Section 3: It shall be unlawful for the owner of any dog to fail to keep such dog at all times either (a) confined within the premises of the owner or (b) 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 (c) under leash or other reasonable means of control when not on the owner's premises.

Section 4: It shall be the duty of every officer to seize and detain any dog which is found running at large, either upon the public streets or highways of the Township, or upon public property, grounds or parks of the Township, or upon the property of other than the owner of such dog, and unaccompanied by the owner or other person authorized by the owner. The officer shall cause any such dog to be seized and detained and properly kept and fed, and shall cause immediate notice, either personal or by registered mail, to be given to the owner of such dog, or any adult member of owner's family, to claim such dog within ten (10) days. The owner of a dog so detained shall pay all reasonable expenses incurred by reason of its detention to the detaining parties before the dog is returned. If, after ten days from the giving of such notice, such dog has not been claimed, the officer shall dispose of such dog by sale or by destruction in some humane manner. No dog so seized and detained shall be sold for the purpose of vivisection. All monies derived from the sale of such dog, after deducting the expenses of its detention, shall be paid into the Township treasury.

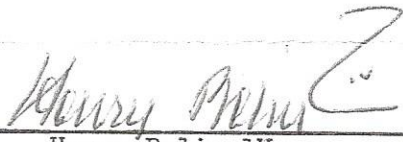
Section 5: Whoever violates the provisions of this Ordinance shall, upon conviction thereof, be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) and costs. The fine may be collected by suit or

by summary proceedings brought in the name of the Township before a District Magistrate in accordance with Section 702, Cl. XLI of the Second Class Township Code (53 P.S. 65741). All fines collected shall be paid over to the Township Treasury. In default of payment of the fine imposed and the cost, the defendant may be imprisoned for a period not exceeding five (5) days.

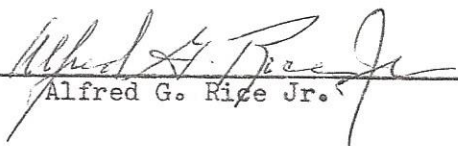
Section 6: This Ordinance is not intended to affect in any manner the operation and effect of the provisions of Act No. 437, known as the Pennsylvania Dog Law of 1965, Act of 1965, December 22, P.L. 1124 (3 P.S. 460-101, et seq.).

Section 7: The provisions of this Ordinance shall be deemed severable in the event that any of its provisions shall be held to be unconstitutional.

Section 8: Ordinance No. 2 enacted April 7, 1952, and all inconsistent provisions of other prior Ordinances are hereby repealed.

  
Henry Belin IV

  
H. Leigh Woehling

  
Alfred G. Rice Jr.