

**EAST COVENTRY  
BOARD OF SUPERVISORS**

**CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2019-230**

**“Dogs Running at Large Ordinance”**

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF EAST COVENTRY TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, CHAPTER 2 (ANIMALS), TO ADD A NEW PART 1 TITLED “DOGS RUNNING AT LARGE” AND CONTAINING THE FOLLOWING SECTIONS: DEFINITIONS; DOGS AT LARGE PROHIBITED; ANIMAL CONTROL OFFICER; SEIZURE AND DETENTION OF DOGS; CONTRACT FOR SERVICES OF ANIMAL CONTROL OFFICER; COMPENSATION; NOTICE AND REDEMPTION; DISPOSAL OF UNCLAIMED DOGS; DANGEROUS DOGS; INTENT; AND PENALTIES AND EXPENSES.**

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The Board of Supervisors of East Coventry Township does hereby **ENACT** and **ORDAIN** as follows:

**SECTION I. – Amendment to Code.**

The Code of Ordinances of East Coventry Township, Chapter 2 (Animals), is hereby amended to add a new Part 1 titled “Dogs Running at Large”, as follows:

**PART 1**

**DOGS RUNNING AT LARGE**

**§2-101. Definitions.**

As used in this Part, the following terms shall have the meanings indicated:

**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.

**AT LARGE:** Any dog being upon any public highway, street, park or land or upon private property of a 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 dog with a leash having a length of not more than ten (10) feet.

**§2-102. Dogs at Large Prohibited.** It shall be unlawful for the owner or keeper of any dog, licensed or unlicensed, to permit such dog to run at large over the streets, public grounds or property, or upon the private property of anyone other than the owner or person having custody of the dog or of the property of anyone who has consented to the dog being at large on their property. The owner or keeper of the dog must be of appropriate age and discretion to properly control the actions of the dog.

**§2-103. Animal Control Officer.** An Animal Control Officer may be appointed by the Board of Supervisors or hired pursuant to a contract approved by the Board of Supervisors to serve at the pleasure of the Board or for the term of said contract. Such Animal Control Officer along with the East Coventry Township Police Department shall have concurrent responsibility for the enforcement of this Part and of the Pennsylvania Dog Law, 3 P.S. §459.101 *et seq.* (the “Dog Law”), provided, that the Animal Control Officer shall not have the power to make arrests under the Dog Law or any ordinance of East Coventry Township.

**§2-104. Seizure and Detention of Dogs.** The Township Police and Animal Control Officer shall seize and detain any dog, whether licensed or unlicensed, which is found running at large, either upon the public streets or lands of the Township or upon the property of a person other than the owner or keeper of such dog. The Township Police and Animal Control Officer are hereby authorized to go upon any land to seize and detain any dog which is found running at large unaccompanied by the owner or keeper.

**§2-105. Contract for Services of Animal Control Officer; Compensation.** The proper officers of the Township are hereby authorized to enter into such agreements or contracts with any individual or corporation, providing that such individual or corporation will act as Township Animal Control Officer, as may be reasonably necessary to implement this Part in regard to the seizure, care and custody of dogs detained by the Township pursuant to this Part. Such officers are further authorized to provide for reasonable compensation of such person for such services, or a fee or other basis of compensation which shall be charged against the owners or keepers of dogs that are seized and detained.

**§2-106. Notice and Redemption.** Any dog seized by a police officer or the Animal Control Officer shall be detained, properly kept and fed, and immediate notice, either personal or by registered mail, shall be given to the person in whose name the dog license was procured, or his or her agent, or to the owner of the dog not having a license, provided such owner is known, to claim such dog within five (5) days or such later time period as may be specified by the Animal Control Officer under contract to provide dog seizure services to East Coventry Township. The police officer or Animal Control Officer also shall notify the owner, if known, of any dog sighted running at large in the Township but unable to be seized and detained.

**§2-107. Disposal of Unclaimed Dogs.** Any dog not claimed in accordance with this Part shall be disposed of in accordance with the Dog Law.

**§2-108. Dangerous Dogs.** A dog determined to be dangerous under §502-A of the Dog Law, 3 P.S. §459-502-A, shall be restrained or otherwise kept in accordance with Article V-a of the Dog Law.

**§2-109. Intent.** This Part shall be supplemental to any laws of the Commonwealth, previously or subsequently adopted, covering dogs within the Commonwealth and specifically in the Township.

**§2-110. Penalties and Expenses.**

1. On the first two occasions a dog is seized and/or sighted running at large, the owner shall pay a fine in the amount of \$25 to East Coventry Township. In addition, the owner of a dog so detained shall pay all acquisition, boarding and other fees and expenses for dog seizure and each day or any part thereof that the dog is kept in a kennel or other structure in an amount as established from time to time by resolution of the Board of Supervisors or by the contract of the Animal Control Officer providing seizure and detention services to the Township.
2. Any person cited for allowing a dog to run at large a third time within a period of three (3) years in violation of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and the fees and expenses described above and, in default of payment of said fines, costs, fees and expenses, to a term of imprisonment not to exceed thirty (30) days.

## **SECTION II. – Severability**

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

## **SECTION III. – Failure to Enforce not a Waiver**

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**SECTION IV. – Effective Date**

This Ordinance shall take effect and be in force from and after its approval as required by the law.

**SECTION V. – Repealer**

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

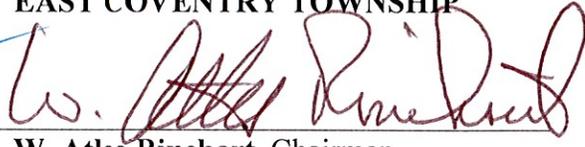
**ORDAINED AND ENACTED** by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, this 11<sup>th</sup> day of February, 2019.

Attest:

  
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**David G. Kraynik,**  
Secretary

By:

**EAST COVENTRY TOWNSHIP**

  
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**W. Atlee Rinehart,** Chairman

## NOTICE

**NOTICE** is hereby given that the Board of Supervisors of East Coventry Township, at its public meeting on February 11, 2019 at the Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania, will consider and could vote to adopt an Ordinance Amending the Codified Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 2 (Animals), to add a new Part 1 titled “Dogs Running at Large” and containing the following Sections: Definitions; Dogs at Large Prohibited; Animal Control Officer; Seizure and Detention of Dogs; Contract for Services of Animal Control Officer; Compensation; Notice and Redemption; Disposal of Unclaimed Dogs; Dangerous Dogs; Intent; and Penalties and Expenses.

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Pottstown Mercury*, 307 Derstine Avenue, Lansdale, Pennsylvania 19446, the Chester County Law Library, 201 West Market Street, Suite 2400, West Chester, Pennsylvania 19380-0989 and the East Coventry Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania 19465, where a copy of the proposed ordinance may be obtained for a charge not greater than the cost thereof.

**MARK A. HOSTERMAN, ESQUIRE  
WISLER PEARLSTINE, LLP**

Solicitor for East Coventry Township