

**Part 1**  
**PROHIBITING ANIMALS RUNNING AT LARGE**

**§101. Authority and Legislative Intent** The Board of Supervisors deems it to be in the best interests and general welfare of the citizens and the residents of this Township to prohibit disturbances of the peace caused by dogs or other animals on public and private property of their rights of personal or property and by the authority granted by the Second Class Township Code, Act of May 1, 1933, P.L. 103, Article VII, §702, cl. XII, as amended, 53 P.S. §65712, which authorizes townships of the second class to prohibit nuisances, and to impose penalties therefore.

**§102. Definitions and Word Usage** For the purpose of this Part, the following terms, phrases, words, and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular number and words in the singular number include the plural number; any personal pronoun shall be construed so as to mean either the masculine, feminine, or neuter gender, as the context may require; and the word “shall” is always mandatory and not merely predatory.

**ANIMAL** – Any animal or bird maintained as a domestic pet including, but not limited to dogs, cats, rabbits, hamsters, and birds. Animals shall also include chickens, goats, pigs, or other animals when maintained upon a residential purposes. “Animal” shall no include livestock or poultry being raised upon a working farm and shall not include horses which are the principal method of transportation for the occupants of a dwelling.

**ANIMAL OWNER** – Every person having a right of proprietorship or ownership in an animal; and every person who keeps or harbors an animal or has it in his care or custody; and every person who permits an animal to remain on/or about any premises occupied by him; and the parents of any child under eighteen (18) year of age who owns or has the control and custody of an animal; regardless of whether any such animal is licensed or unlicensed.

**BOARD OF SUPERVISORS** – The Board of Supervisors of Caernarvon Township, Lancaster County, Pennsylvania.

**OWNER** – A person owing, leasing, occupying or having change of any premises within the Township.

**NUISANCE** – The unreasonable, unwarrantable or unlawful use of public or private property which causes injury, damage, hurt, inconvenience, annoyance, or discomfort to any person in the legitimate enjoyment of his reasonable rights of person or property.

**PROHIBITING ANIMALS RUNNING AT LARGE  
(Continued)**

**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** – Any natural person, firm, partnership, association, corporation, company or other legally recognized entity.

**TOWNSHIP** – The Township of Caernarvon, Lancaster County, Pennsylvania.

**§103. Prohibition Against Permitting Animals to Run at Large** It shall be unlawful for an animal owner to fail to keep at all times such dog or other animal either:

- A. Confined within the premises of the animal owner and maintained in a clean and sanitary condition at all times.
- 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.
- C. Under the reasonable control of some person, or when engaged in lawful hunting, exhibition or field training, accompanied by an owner or handler.

**§104. Duty to Secure Animals** It shall be the duty of all animal owners and the duty of the parent or guardian of any minor owner of any dog or other animal, to keep the dog or other animal securely tied or penned in an enclosure in such a manner that the dog or other animal cannot break loose and run at large over the streets, alleys, or public grounds in the Township upon the property of anyone other than the animal owner or the property of another person who has granted permission to the animal owner to allow the dog or other animal upon such person's property.

**§105. Duty to Control Animals** It shall be the duty of all animal owners, while traveling on the streets, alleys or public grounds in the Township of Caernarvon, to have the dog or other animal on a leash at all times, and to prevent the dog or other animal from entering upon the property of any person or persons in the Township without the property owner's consent.

**PROHIBITING ANIMALS RUNNING AT LARGE  
(Continued)**

**§106. Animal Defecation and Urination** It shall be unlawful for any animal owner to permit any animal to defecate or urinate upon any sidewalk, passageway, park or any other public place where people congregate or walk; or upon any private property of another person without the permission of the owner of said property unless, with regard to defecation only, such animal owner shall immediately remove and dispose of in a sanitary manner all feces deposited by such animal. This section shall not apply to a guide dog accompanying any blind person or to a dog used to assist any other physically handicapped person.

**§107. Noise Nuisance** It shall be unlawful for any person to harbor, care for, shelter, or maintain any breed of dog or dogs or other animal which makes any noise including, but not limited to, barking, yelping, howling, or the making of any loud or have noise by an animal continuously and/or incessantly for more than one-half (1/2) Hour on any one (1) occasion to the disturbance of any person any time of the day or night regardless of whether the dog or other animal is situated on private property, said noise constituting a nuisance; provided, however, that at the time the dog or other animal is making such noise no person is trespassing or threatening to trespass upon private property in or upon which the dog or other animal is situated nor is there any other legitimate cause which justifiably provoked the dog or other animal.

**§108. Other Nuisances** It shall be unlawful for any person to harbor, care for, shelter, or maintain any breed of dog or dogs or other animal in such a manner so as to disturb or unduly annoy the public through the dog's or other animal's smell, mischief, or other harmful propensities. All pens or other areas in which dogs or other animals are kept shall be maintained in a sanitary condition free of offensive, obnoxious, or foul odors.

**§109. Notice Required**

1. **Method of Serving Notice:** Prior to the issuance of a citation for a violation of this Part, it shall be necessary to serve written notice upon the animal owner in one (1) of the following ways:
  - A. By mailing a copy of the notice to the animal owner by any form of mail requiring a receipt signed by the owner or his agent
  - B. By personal delivery of the notice to the animal owner
  - C. By handing a copy of the notice at the residence of the animal owner to an adult member of the family with which he resides; but if no adult member of the family is found, then to an adult person in charge of such residence
  - D. By fixing a copy of the notice to the door at the entrance of the residence of the animal owner

**PROHIBITING ANIMALS RUNNING AT LARGE  
(Continued)**

2. **Content of Notice:** The notice shall set forth the name and addresses of the animal owner, if known; the nature and extent of the violation or offense; the period or periods of time over which the nuisance has occurred; the identity of the person giving notice; the date and time of the sending or posting of notice; and a statement to the effect that a citation may be issued if the nuisance is not abated within twenty-four (24) hours of the time of receipt or posting of notice.
3. **Duration of Notice:** Any notice given pursuant to this Section shall be valid for a period of six (6) months; within six (6) months, no additional notice need to be given prior to the issuance of a citation.

**§110. Penalties** Any person or persons, corporation, partnership, or other entity whatsoever violating any of the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine not to exceed six hundred dollars (\$600.00) for any single violation of this Part, together with the costs of prosecution. Each day's continuance of the offense following notice thereof shall constitute a new violation. Upon default of payment of the fine imposed and the costs, the defendant shall be imprisoned in the Lancaster County Prison for a period not exceeding thirty (30) days.

**§111. Remedies** In addition to any other remedies provided in this Part, any violation of the provisions of this Part shall constitute a nuisance and may be abated by the Township by seeking appropriate equitable relief from a court of competent jurisdiction.

**§112. Construction** Nothing in this Part shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any permit issued or approval granted or any cause or causes of action arising prior to the enactment of this Part.