

BOROUGH OF ATGLEN  
ORDINANCE NO. 228

BE IT ENACTED AND ORDAINED and it is hereby enacted and ordained by the Council of the Borough of Atglen, Chester County, Pennsylvania, as follows:

A. Short Title. This Ordinance shall be known and cited as the "Dog Ordinance of the Borough of Atglen".

B. Definitions. For the purpose of this Ordinance, the following words shall have the following meaning unless the context indicates otherwise:

1. Dog Owner. Any person, firm or corporation, who or which owns, possesses, maintains, houses or keeps any dog or dogs within the Borough of Atglen, whether for compensation or otherwise.

2. Dog. The genus and species known as Canis familiaris.

C. Control of Dog. The owner of every dog within the Borough of Atglen shall keep such dog at all times either:

1. Confined within an enclosure from which it cannot escape, or retained upon the dog owner's property, or

2. Firmly secured by means of a collar and chain or leash, or

3. Under the reasonable control of some person.

D. Running at Large. It shall be unlawful for the dog owner of any dog to permit such dog to run at large within the Borough of Atglen.

E. Destruction of Property. It shall be unlawful for the dog owner of any dog to permit such dog to jump upon or attack any human or domestic animal being or damage any personal property, unless such dog is kept to defend the owners or keepers private or business property in which case it shall be properly posted.

F. Attack by Dog. In any case where a dog shall attack a human or domestic animal being, breaking the skin thereof, such dog shall be secured and confined by the dog owners or by the proper officer of the Borough of Atglen in a veterinary hospital

of the dog owner's choice, at said dog owner's expense, for a ten day period from the date of attack, for the purpose of ascertaining whether or not such dog is rabid; any cost or damage resulting from said attack or confinement shall be at the dog owner's expense.

G. Curbing of Dogs (Peoper Scooper Law). No person owning, harboring, keeping or in charge of any dog shall cause, suffer or allow such dog to defile or defecate on any public or private property, other than the property of the owner of such dog.

The restrictions set forth in the paragraph above shall not apply to that portion of the street lying between the curblines, which shall be used by dogs to defecate under the condition that the person in charge of such dog shall immediately remove and dispose of all feces deposited by such animal by sanitary and reasonable means.

H. Inoculation. Within 25 days after the effective date of this Ordinance, every dog owner shall arrange and cause his dog, 6 months of age and thereafter, to be inoculated by, or under the supervision of, a qualified veterinarian against Hydrophobia, commonly called Rabies.

I. Proof of Inoculation. Each dog owner shall retain in his possession satisfactory proof that his dog has been properly inoculated against the disease as set forth hereinabove.

J. Seizure of Dog. The Borough Police Department shall be empowered to enforce any and all parts of this Ordinance upon notification of such violation. Said department shall cause any dog so seized and detained to be properly kept and fed, and shall give immediate notice to the person whose name a dog was procured, to claim such dog within ten days. The dog owner of the dog so detained shall pay all reasonable expenses incurred by reason of its detention and shall give proof of inoculation or shall arrange for and cause such dog to be inoculated by or under the supervision of, a qualified veterinarian against said disease before the dog is returned.

K. Disposal of Dog. If, after ten days from the giving of notice such dog has not been claimed, such dog shall be taken to The Humane League Animal Shelter of Chester County. No dog so seized and detained shall be sold for the purpose of any form of research or vivisection.

L. Penalty. Any dog owner who violates any of the provisions of the Ordinance shall be liable, under convictions thereof before a Justice of the Peace in a summary proceeding, to a fine or penalty not exceeding \$100.00, which fines or penalties shall be collected as like fines or penalties are now collected by law.

M. Severability. The provisions of this Ordinance shall be severable, and if any of the provisions shall be held to be unconstitutional or void, such decision shall not affect the validity of any of the remaining provisions of the Ordinance. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional or void provision not been included therein.

Enacted into an Ordinance this 3rd day of August, 1987.

BOROUGH OF ATGLEN

Attest:

M. Elaine M. Boyce

George H. Stuppy  
George Stuppy, President